

# ORANGE CODE

**DRAFT APRIL 23, 2025  
AS RECOMMENDED BY THE PLANNING & ZONING COMMISSION**

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# PREAMBLE

## CONCEPTS USED IN THIS CODE

Concepts are divided into 2 groups: Planning Concepts, and Site and Building Concepts.

### Planning Concepts

Considering the scale of the County, land must be divided into different areas, generally at first, and more specifically when arriving at the zoning of parcels. The zoning code is also affected by the determination of where different types of development and redevelopment will occur - an issue addressed in the Comprehensive Plan. However, because zoning implements subdivision regulations, the zoning code must implement one or more larger scale concepts, such as Place Types. The following concepts are used, organized from the largest scale (land designations containing the largest overall areas) to the smallest scale:

- **Service Areas**, a Comprehensive Plan concept dividing the County into 2 categories. Whether property is within the Rural Service Area (RSA) or the Urban Service Area (USA) determines the applicability of Place Types. In terms of zoning, the Urban Service Area affects subdivision regulations.
- **Sectors** (map = sector plan), a Comprehensive Plan concept dividing the County into a series of categories which indicate whether growth is desired and in general what form that growth takes. Some Sectors are aimed at preservation of current conditions, such as the preservation of natural and agricultural areas, and places where growth is not to be encouraged. Some Sectors are aimed at significant change, such as infilling areas around existing underutilized corridors like International Drive. Other Sectors sit in between, where growth may occur but it is not high on the County's priorities. In terms of zoning, Sectors affect subdivision regulations.
- **Place Types** (map = future land use map), a Comprehensive Plan concept used to assign Future Land Use at the scale of centers, corridors, neighborhoods, and special districts (limited use). In terms of zoning, Place Types affect subdivision regulations.

## Site and Building Concepts

Concepts related to building regulations and site development are zoning concepts common to form-based coding, the broader category under which Transect-based codes exist. Many of these concepts focus on typology, enabling choice between multiple potential ways of developing a site or building. Civic space types are a simple example, where standards for civic spaces differ by type. For example, more paving is allowed in plazas than squares, greens, or parks. Types are usually limited in applicability based upon the zone a site is in. For example, a plaza is not appropriate in a rural or single-family context while it is appropriate in a downtown or urban center. The following concepts are utilized or are anticipated in future code development:

- **Civic Space Types**, a typological collection of recreation space with associated standards determining size, location, use, and other characteristics. Common civic space types include: plazas, squares, greens, playgrounds, pocket parks, parks, community gardens, and sports facilities.
- **Frontages and frontage types**, referring to the area of a site along a public street, path, or open space. The design of frontages is a primary concern of form-based codes. Frontage standards determine the character of site development between the street-facing building façades and the property line. Frontage types are a collection of standards regulating the treatment of frontages, including surface treatment, planting, fencing, encroachments, use, and lighting. A series of types are used to provide a choice while ensuring elements are coordinated. Frontage design is also a central focus of Crime Prevention Through Environmental Design (CPTED), influencing territoriality, eyes on the street, concealment, and other topics. Frontage standards can vary widely in their detail depending on a municipality's comfort level.
- **Minimum Frontage Occupation**, a control used in more urban areas (T4, T5, and T6) that requires buildings occupy a certain portion of their site near the sidewalk. Minimum frontage occupation discourages gaps along streets that result in decreased pedestrian activity.
- **Shared Parking**, a broadly accepted concept where multiple uses with different peak occupancy times can share a parking facility whose size is optimized to the operational peak occupancy. For example, residences tend to have high occupancy at night and not during the day while offices tend to have high occupancy during the day. These 2 uses can share a parking lot that has fewer total spaces that would be required for each use independently. This concept has received significant support and study by the Urban Land Institute and the American Planning Association among other organizations.
- **Maximum Parking**, a control that limits the total parking provided for any use, typically as a percentage above the minimum required parking. Maximum parking is utilized within Transit-Oriented Districts (TODs) to ensure greater efficiency of land use to support transit systems.
- **Zone Transitions**, a control that requires taller and bulkier buildings to change in size and height where they are adjacent to a zone with significantly less permitted height and bulk. For example, a 6 story main street building in a T5 zone would need to step down (transition) in height to 3 stories within 50 feet of T3 (primarily residential).

Form-based coding principles focus heavily upon the interface between public and private land. As a result the code addresses issues relating to walkability such as block size and pedestrian permeability, and safety and nuisance related issues such as building orientation, form, and frontage.

All capitalized terms not defined within their contextual placement are defined in Article 6.

## TRANSECT-BASED PLANNING

This Code is Transect-based, meaning that it uses a tool called the Transect to categorize elements of Orange County's built environment in order to integrate buildings, streets, and open spaces based on their intensity of development, or context of the setting in which it is placed, and provide for compatibility through zoning.

### Rural-to-Urban Transect

One of the principles of Transect-based planning is that certain forms and elements belong in certain environments. For example, an apartment building belongs in a more urban setting whereas a farm belongs in a more rural setting. The Rural-to-Urban Transect is a means for considering and organizing the human habitat according to intensities that range from the most rural condition to the most urban. Transect zones are primarily classified by the physical intensity of the built form (i.e. the relationship between nature and the built environment) and secondly by the variety of uses within the zone.

To arrange the analysis and coding of traditional patterns, a prototypical Rural-to-Urban Transect has been divided into 6 Transect Zones, or T-Zones, for application on zoning maps. These 6 top-level zones vary by the intensity of their physical and social character, providing immersive contexts within each T-Zone.

This zoning system replaces the conventional separated-use zoning system that has encouraged car-dependent development patterns, in particular, land-consuming sprawl. Transect Zones instead provide the basis for integrated diversity, supporting neighborhood structure, which requires walkable streets, a mix of uses, transportation options that include walking and bicycling, and more diverse housing types.

The Orange County Transect has been calibrated to reflect local character and form. It contains 6 T-Zones: Natural Preserve (T1), Rural Reserve (T2), Sub-Urban (T3), General Urban (T4), Urban Center (T5), and Urban Core (T6), together with a Civic Zone (CZ) and a Special Zone (SZ) designation for areas with specialized purposes (e.g., Light and Heavy Industrial Districts, and Entertainment and Resort). Because the County is large, each top-level zone (T2, T3, T4, T5, and T6) also include 3 sub-zones (e.g. T3.1, T3.2, T3.3), which enable fine-grained control of zoning requirements and compatibility.

The benefits of using Transect-based planning include:

- Using a commonly accepted language for a new zoning code;
- Regulating the preservation, evolution, and creation of walkable places;
- Providing the ability to plug into Transect-based codes and supplementary Modules created by experts in the design, engineering, and environmental fields; and
- Enabling successional potential for communities to evolve gracefully and sustainability over generations.



Natural Preserve includes natural lands currently preserved or in the process of being preserved, generally under public ownership or ownership of institutions. Aside from recreational and educational facilities associated with natural lands, development is prohibited.

Agricultural Reserve is primarily focused on farming and related processing and logistics. The majority of land within the RSA is intended to be zoned with T2.



Sub-Urban is a low intensity and primarily single-unit residential zone. It is intended for sparse use at the edge of neighborhoods and rural Place Types, near natural areas embedded in development, and areas where a regular block structure is difficult to achieve.

General Urban is a moderate intensity single and multi-unit residential zone. It is intended for use broadly throughout the residential districts of the County, permitting a variety of housing types and intensities, home-based business, accessory dwellings, and occasional inns, bed and breakfasts, and institutions.

Urban Center is a high intensity, mixed-use zone intended for use in close proximity to transit, in order to establish mixed-use corridors, main streets, and neighborhood centers. The zone is characterized by low and mid-rise, mixed-use buildings, offices, hotels, institutions, and apartments, as well as grocery stores, small retailers and service providers, food service establishments, entertainment venues, and other active uses.

Urban Core is the highest intensity zone in Orange County, intended for use within Major Urban Centers and Transit Corridors. The zone is characterized by tall, mixed-use buildings, offices, hotels, institutions, and apartment buildings, located close to their property boundaries and covering the majority of their site. T6 is intended to be an active environment, 24-hour in many cases, with the primary modes of transportation being by foot and transit.

*Special Zone* consists of areas with *buildings* that by their *Function, Disposition, or Configuration* cannot, or should not, conform to one or more of the six normative *Transect Zones*.

*Civic Zone* is assigned to publicly owned properties including public institutions and public and private open space, with the exception of preserved natural lands, which are zoned T1.

## Primary Zones Described

- **T1: Natural Preserve:** T1 is primarily located in the Rural and Preservation Sectors (as described in the Comprehensive Plan) and includes preserved natural lands, whether publicly or privately owned. Development is limited to facilities and amenities for recreation, management, and education, associated with natural lands, such as trails and trailheads.
- **T2: Rural Reserve:** T2 is located in the Rural Sector and to a limited extent the Established Sector (as described in the Comprehensive Plan). T2 is primarily a rural zone, focused on agriculture, silviculture, and related processing and logistics located in the Rural Sector (as described in the Comprehensive Plan), as well as single dwelling residential on large lots. T2 is generally not easily walkable due to the large size of property and distances between destinations.
- **T3: Sub-Urban:** T3 is located in the Established Sector and to a limited extent the Rural Sector (as described in the Comprehensive Plan). T3 is a low intensity residential zone, consisting primarily of single-unit dwellings. T3 areas benefit from proximity to T4 and T5 which provide for access to retail, services, and jobs, and often align with public transportation corridors.
- **T4: General:** T4 is located in the Established Sector and to a limited extent the Targeted Sector (as described in the Comprehensive Plan). T4 is a moderate intensity residential zone, including many scales of single and multi-unit housing, and small-scale supportive services. T4 is a very walkable type of residential area, typically located near T5 areas and near public transportation.
- **T5: Center:** T5 is located throughout the Targeted and Established Sectors, and to a very limited extent in the Rural Sector (as described in the Comprehensive Plan). T5 is predominantly considered a high intensity, mixed-use zone intended for use in close proximity to transit, and to established or planned mixed-use corridors, main streets, and neighborhood centers; however, may also represent certain suburban and rural-scale mixed use or commercial centers.
- **T6: Urban Core:** T6 is located exclusively in the Targeted Sector (as described in the Comprehensive Plan) and is the highest intensity mixed-use zone intended for use within Major Urban Centers and Transit Corridors. T6 includes a dense concentration of jobs, housing, retail, and entertainment.
- **Civic Zones:** The Civic Zone is assigned to publicly owned properties, including public institutions and community facilities (CZ-CF), and public open space and privately owned civic spaces dedicated to community use (CZ-OS), with the exception of preserved natural lands zoned T1.
- **Special Zones:** Special Zones are located throughout the County and consist of areas that by their specific use, requirements of their spatial layout, or necessary configuration of buildings, walls, and other built elements, cannot or should not conform to Transect Zones.

## Sub-zones Described

- **T2: Rural Reserve** sub-zones are as follows:
  - **T2.1:** A zone intended for very large lot single dwelling development, large- and medium-scale agricultural use, and supportive services.
  - **T2.2:** A zone intended for large lot single dwelling development, small-scale agricultural use, and supportive services.
  - **T2.3:** A zone intended for large lot single dwelling development.
- **T3: Sub-Urban** sub-zones are as follows:
  - **T3.1:** A low intensity residential zone consisting of large lots that provide a land use transition of less intense development patterns, including agricultural and natural lands. T3.1 is primarily for use in existing low-density areas in the Urban Service Area and near the Rural Service Area, but also in very limited places within specific Rural Settlements.
  - **T3.2:** A low intensity residential zone including medium and large lots. T3.2 is primarily intended for in suburban residential neighborhoods.
  - **T3.3:** A low intensity residential zone including small and medium lots. T3.3 is intended for broad use in suburban residential neighborhoods.
- **T4: General** sub-zones are as follows:
  - **T4.1:** A residential zone including a mix of small and medium lots, accommodating townhouses, duplexes, and single-unit dwellings. T4.1 is intended for broad use within neighborhoods in a suburban and urban context.
  - **T4.2:** A residential zone with small lots, accommodating a mix of residential intensities including multi-unit residential buildings, townhouses, and single-unit dwellings. T4.2 is intended for broad use within new



neighborhoods in a suburban and urban context.

- **T4.3:** A principally residential zone with small lots, accommodating mostly multi-unit buildings and townhouses, and small-scale neighborhood-focused businesses, in a largely urban context.
- **T5: Center** sub-zones are as follows:
  - **T5.1:** A low scale and low intensity mixed-use zone permitting commercial, mixed-use, and single and multi-unit residential buildings. T5.1 is generally intended for use along lower-scale main streets, in rural commercial areas, and in transition from more intensive commercial and mixed-use areas to lower intensity areas. T5.1 is also used to reflect rural-scale commercial properties in Rural Centers and Rural Clusters (as described in the Comprehensive Plan).
  - **T5.2:** A moderately intense mixed-use zone permitting commercial, mixed-use, and multi-unit residential buildings that occupy the majority of their sites. T5.2 is generally intended for use in main streets, neighborhood centers, and at the edge of urban centers, and corridors that transition from T4.
  - **T5.3:** An intense mixed-use zone permitting commercial, mixed-use, and multi-unit residential buildings that occupy the majority of their sites. T5.3 is generally intended for use in urban centers and TODs, and at the edges of urban cores and regional centers.
- **T6: Urban Core** sub-zones are as follows:
  - **T6.1:** A very intense mixed-use zone permitting moderately tall, commercial, mixed-use, and very high intensity multi-unit residential buildings that occupy the majority of their sites. T6.1 is exclusively intended for use in regional and urban centers, and urban corridors.
  - **T6.2:** A very intense mixed-use zone permitting tall, commercial, mixed-use, and very high intensity multi-unit residential buildings that occupy the majority of their sites. T6.2 is exclusively intended for use in regional and urban centers, and urban corridors.
  - **T6.3:** The most intensive mixed-use zone permitting very tall, commercial, mixed-use, and very high intensity multi-unit residential buildings that occupy the majority of their sites, in a very urban context. T6.3 is exclusively intended for use in regional and urban centers, and urban corridors.
- **Civic Zone** sub-zones are as follows:
  - **CZ-CF - Community Facility:** A zone to accommodate publicly owned, community-focused facilities such as community centers, libraries, police and fire stations, and other similar community assets.
  - **CZ-OS - Open Space:** A zone to accommodate publicly and privately owned open spaces that are dedicated to community use, such as parks and playgrounds.
- **Special Zone** sub-zones are as follows:
  - **SZ-EN - Entertainment and Resort:** A zone to accommodate a variety of unique tourist-oriented uses such as theme parks, large-scale attractions, and resort hotels in a campus style setting.
  - **SZ-LI - Craft and Light Industrial:** A zone to provide areas for low intensity industrial development which will have minimal impact on the surrounding areas.
  - **SZ-HI - Heavy Industrial:** A zone to provide locations for industrial operations of all types, which may produce such by-products as odor, smoke, dust, and noise.
  - **SZ-MH - Mobile Home Parks:** A zone which accommodates multiple mobile homes on a single parcel operated as a business.
  - **SZ-ED - Education:** A zone which accommodates educational uses in a campus environment, consisting of multiple buildings arranged around pedestrian-oriented spaces and separated vehicular areas, requiring specialized campus plans.





# ARTICLE I—GENERAL

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## PURPOSE, INTENT, AND APPLICABILITY

***DIVISION 1: PURPOSE, INTENT, AND APPLICABILITY******SEC. 40-1 PURPOSE.***

- (a) This Chapter is known as the Orange Code for Orange County, Florida ("Orange Code" or "this Code" or "the Code"), whose primary purpose is to implement the Land Use and Development Objectives of the Comprehensive Plan by providing regulations for the physical development of the County.
- (b) This Code is intended to guide the placement, form, and use of property and buildings.
- (c) It is further the purpose of this Code to:
  - (1) Promote the public health, safety, prosperity, and general welfare of Orange County and its residents;
  - (2) Protect the environment and the conservation of land, energy, and natural resources;
  - (3) Reduce sprawl and improve the built environment to permit the ordinary activities of daily life to occur within walking distance of most dwellings, as much as feasibly possible, allowing independence to those who do not drive;
  - (4) Provide a sustainable, vibrant, healthy, and attractive place for all;
  - (5) Support walkability and safe streets;
  - (6) Provide improved mobility networks, including promoting safety for people of all ages and abilities, with better pedestrian, cycling, transit, and freight environments through an enhanced public realm;
  - (7) Include a diversity of land uses to enable a variety of economic activity, workplace, housing, recreation, and civic activity throughout the County;
  - (8) Preserve and enhance the character of residential neighborhoods and historical resources; and
  - (9) Ensure the adequate provision of recreational open spaces, especially green, natural spaces.

***SEC. 40-2 INTENT.***

- (a) The intent of this Code is to define context-based regulations that respond to the existing pattern of development and the sectors as defined in Vision 2050 within the County by:
  - (1) Promoting infill and intensification within already developed areas of the County;
  - (2) Evolving existing and new urban development towards more compact, mixed-use, connected communities where mobility networks are robust;
  - (3) Protecting the natural spaces and preserving the rural character of the County, where appropriate;
  - (4) Establishing a rational process for successional growth in areas identified for intended development and targeted growth; and
  - (5) Addressing the future impacts of changing climate conditions and the need for increased resilience through the preservation of our natural environment and the mitigation of harmful greenhouse gas emissions in our built environment.
- (b) This Code implements policies and defines regulations to efficiently utilize current and future transportation infrastructure by:
  - (1) Encouraging high intensity, mixed-use development within proximity of transit stations and stops;
  - (2) Encouraging employment and non-residential uses proximate to residential uses and transit to reduce the necessity of commuting by automobile;
  - (3) Encouraging increased mass transit and micro-mobility options and availability to reduce transportation-related greenhouse gas emissions;
  - (4) Promoting transit ridership to support operations and maintenance costs;
  - (5) Promoting transit ridership to reduce private vehicular traffic which creates congestion and impacts roadway maintenance;
  - (6) Structuring the built environment to make trips by foot, bicycle, and other alternative modes accessible, convenient, and connected, thereby reducing the frequency and intensity of required roadway infrastructure maintenance;
  - (7) Structuring the built environment to reduce average vehicle miles traveled and eliminate transportation-related greenhouse gas emissions and vehicular trip length; and
  - (8) Implementing the County's Vision Zero goal to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, and equitable mobility for all.

## PURPOSE, INTENT, AND APPLICABILITY

- (c) This Code encourages redevelopment and intensification within already developed areas and adjacent to developed areas by:
  - (1) Guiding development to be structured to reinforce a pattern of complete neighborhoods and urban centers;
  - (2) Encouraging the development of the County's commercial corridors to function as mixed-use, walkable centers integrated with adjacent residential neighborhoods;
  - (3) Providing appropriate transitions in mass and height between commercial corridors and single-unit neighborhoods;
  - (4) Ensuring future development within single-unit residential neighborhoods is compatible with the existing character of the neighborhood in which it will be located;
  - (5) Coordinating road sections to their adjacent development intensities to encourage walking, cycling, micro-mobility, and transit use;
  - (6) Increasing access to the natural environment and public open spaces; and
  - (7) Encouraging high-performance, resilient, and net-zero buildings.
- (d) This Code guides rural development in patterns that are compatible with and protect the area's rural scale and character by:
  - (1) Providing a transition in development intensity from within the Urban Service Area (USA) to the agricultural and protected lands within the Rural Service Area (RSA);
  - (2) Providing for compact and coherent settlement patterns that support the efficient use of public infrastructure and facilities;
  - (3) Encourage opportunities for renewable energy installations;
  - (4) Preserving open space, scenic vistas, and environmental resources by allowing the clustering of smaller lots in the Northwest Market Area as identified in the comprehensive plan when located within an adopted "Rural Cluster" Place Type designation;
  - (5) Enhancing the character of the rural areas and landscapes as essential natural and economic assets to the County; and
  - (6) Encouraging a diversity of housing types, that are compatible with the rural character and context, and that are consistent with the goals of the Comprehensive Plan.

**SEC. 40-3 APPLICABILITY.****(a) General.**

- (1) The regulations set forth in this article are in accordance with the County's Comprehensive Plan, with reasonable consideration, among other things, to the growth characteristics and the desired character and suitability of the respective Market Study Areas. Notwithstanding the provisions of this Code, all new development must be consistent with the Comprehensive Plan and in the case of any conflict or omission, the Comprehensive Plan will control.
- (2) The provisions of this Code apply to all property, structures, and uses located within Orange County, as shown on the official zoning map. All property, buildings and structures, or part thereof, must be developed in conformance with the zone in which it is located and with all applicable regulations included in this Code.
- (3) By dividing the County into Zones restricting and regulating the construction, reconstruction, alteration, and use of buildings, structures and land, the provisions of this Code are intended to:
  - a. Provide adequate light, air, water, privacy, and access to property;
  - b. Avoid undue concentration of population by regulating and limiting the height and bulk of buildings; and
  - c. Create a richer public realm by controlling the size and types of open spaces surrounding buildings.

**(b) Code Provisions.**

- (1) The standards and requirements of this Code are structured using Plain Language, where requirements are structured with:
  - a. "Must," "shall," "is," and "are," all of which are equivalent and indicate a strict requirement of the Code;
  - b. "May" indicating an optional requirement or a condition in which the applicant may choose an outcome; and
  - c. "Should" indicating a recommended practice, not strictly required by Code regulations but recommended as a best practice.

## PURPOSE, INTENT, AND APPLICABILITY

**(c) Conflicts.**

- (1) The graphics, tables, and text utilized throughout this Code are regulatory. In case of a conflict, text control over tables and graphics and tables control over graphics.
- (2) If standards set forth within this Chapter for roads are in conflict with current Engineering standards, the most stringent standards will govern, unless determined otherwise by the County Engineer or their designee. See [Sec. 40-210\(b\) Conflicts](#) for further information.
- (3) In instances when a deed restriction, which is of record prior to October 7, 1957, is in conflict with this chapter in such a manner that construction of any building will be prohibited, should both the deed restriction and this chapter be enforced, the Board of Zoning Adjustment may authorize a permit for construction which would in effect modify this chapter and allow the deed restriction to control. Such applications must be processed according to [Sec. 40-21 Zoning Variances](#) and include an application for construction accompanied by a copy of the deed restrictions and review thereof by the board.

**(d) Restrictions and Interpretations.**

- (1) No building or structure shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building, structure or premises be used or designed to be used for any purpose or in any manner other than a use designated in this chapter, or amendments thereto, as permitted in the district in which such land, building, structure or premises is located, without obtaining the necessary zoning and building permits and completing the work under those permits.
- (2) Nothing in this chapter exempts any person from having to comply with all other applicable federal, state, or local laws, rules, and regulations.
- (3) In the event of any conflict between the requirements of this Chapter and those requirements for land development or subdivisions contained within Chapters 30 or 34, the requirements of Chapters 30 or 34 shall govern.

**(e) Exemptions**

- (1) Orange County is exempt from and is therefore not subject to this Chapter and its zoning ordinances and regulations when developing or using property it owns or leases for any governmental purpose as determined by the Board of County Commissioners. However, any proposed project added to the County capital improvement program after April 29, 1997, must be reviewed and evaluated by the County Mayor and the District Commissioner in whose district the proposed project is situated. The County Mayor or the District Commissioner must furnish to the Office of Management and Budget by October 1 of each year a list of any such proposed projects for which either or both desires a public meeting to be noticed and conducted in accordance with County administrative regulations. Notwithstanding the foregoing, the County shall endeavor to comply with all sections of County Code.
- (2) The conditions of any development order adopted prior to the adopted date of this Code continue in full force and effect unless a new approval is obtained. Only at that time must the development come into conformance with the regulations of this Code as required.

**(f) Correlation of Former Zoning District References to Transect Zones**

- (1) Any previously approved PD, including related conditions of approval, notes or references, or Orange County zoning district property restrictions that predate Orange Code approval shall remain in effect thereafter, or until and unless formally amended or eliminated by the Board. For such conditions, notes, references or restrictions and any other references contained anywhere in code, or other references in County records, that generally reference former zoning district standards or uses, the standards or uses of the correlating Orange Code transect zones [Table 1: Former Zoning District Correlation](#) shall apply, except that existing non-residential PDs shall only translate into the non-residential uses permitted by the correlating transect zone. If the correlating transect zone is inconsistent with the underlying Vision 2050 Place Type designation, the next lowest consistent transect zone shall apply.

**Table 1: Former Zoning District Correlation**

| Previous Zoning District | Correlating Transect Zone |
|--------------------------|---------------------------|
| AR                       | T2.1                      |
| A-1                      | T2.3                      |
| A-2                      | T2.3                      |
| R-CE                     | T2.3                      |
| R-CE-2                   | T2.2                      |
| R-CE-5                   | T2.1                      |
| R-CE-C                   | T2.3 & T3.1*              |
| R-1                      | T3.3                      |
| R-1A                     | T3.2                      |
| R-1AA                    | T3.2                      |
| R-1AAA                   | T3.2                      |
| R-1AAAA                  | T3.1                      |
| R-2                      | T4.1                      |
| R-3                      | T4.3                      |
| R-T                      | T3.3-M                    |
| R-T-1                    | T3.2                      |
| R-T-2                    | T3.2                      |
| NR                       | T4.3                      |
| NC                       | T4.3                      |
| NAC                      | T4.3                      |
| R-L-D                    | T3.3                      |
| UR-3                     | T4.3                      |
| C-1                      | T5.1                      |
| C-2                      | T5.2                      |
| C-3                      | T5.3                      |
| P-O                      | T4.3                      |
| I-1A                     | SZ-LI                     |
| I-1 / I-5                | SZ-LI                     |
| I-2 / I-3                | SZ-LI                     |
| I-4                      | SZ-HI                     |

\*The applicable development standards of any previously approved R-CE-C zoning district may vary according to its last Board-approved Cluster Plan requirements.

**SEC. 40-4      RESERVED.**

**SEC. 40-5      RESERVED.**

## ESTABLISHMENT OF ZONES

***DIVISION 2: ESTABLISHMENT OF ZONES******SEC. 40-6 ZONES.***

- (a) The County is divided into zones to restrict and regulate the following:
  - (1) The placement, bulk, and height of buildings and structures;
  - (2) The interface between buildings and streets;
  - (3) The use of land, water, building, and structures; and
  - (4) The area of yards, courts, blocks, and open spaces.
- (b) Zones are described and regulated in [Article 3, Division 1: Zones](#).
- (c) Where uncertainty exists with respect to the boundaries of the zones as shown on the official zoning map, the following rules apply:
  - (1) Boundaries that are indicated as approximately following the centerlines of streets, alleys, right-of-ways, or easements are construed as following those centerlines as they exist on the ground;
  - (2) Boundaries that are indicated as approximately following boundaries of roads, public or private property lines, rights-of-way, or easements are construed as following such boundaries;
  - (3) Where boundaries indicated as entering any body of water, but not continuing to intersect with other boundaries, they are construed as extending in the direction in which they enter the body of water to intersection with other zoning boundaries;
  - (4) Where boundaries indicated as approximately parallel to or extensions of Normal High Water Elevation or center-lines of bodies of water they are construed as being parallel to or extensions of such features;
  - (5) Where boundaries are indicated as following platted lot lines, such lot lines are construed to be the boundaries;
  - (6) Where variations of the actual location from the mapped location would change the zoning status of a lot, the boundary must be interpreted so as to avoid the change;
  - (7) Where boundaries are indicated by specific dimensions, such specific dimensions control;
  - (8) Where boundaries divide platted lots or cross un-subdivided property, and where no specific dimensions are indicated on the official Zoning Map, the scale of the official zoning map controls; and
  - (9) Where the street or property boundaries or other physical features existing on the ground are in conflict with the official Zoning Map, or where other uncertainties exist as to interpretation of the official Zoning Map, the Zoning Manager will interpret the map or maps to fix the exact location of zone boundaries.
- (d) All new development must be consistent with the Future Land Use Map of the Comprehensive Plan.

***SEC. 40-7 ZONING MAP.***

- (a) The official Zoning Map is available by:
  - (1) Visiting Orange County's web page; and by
  - (2) Visiting the Orange County Planning Division.
- (b) Any proposed amendment to the Zoning Map must be identified by reference to the map, in addition to a legal description of the property and any other such information as is required to make specific the application of the amendment.

***SEC. 40-8 RESERVED.***



## ***DIVISION 3: ARTICLES OF THIS CODE***

### ***SEC. 40-9 CONTENTS.***

- (a) This Code is organized in a series of Articles that are interrelated and apply to different aspects of development. The Articles are organized as follows:
- (1) **ARTICLE I—GENERAL.** Provides information of the framework for this Code, including its purpose, intent, applicability, establishment of zoning boundaries and applicable maps;
  - (2) **ARTICLE II—ADMINISTRATION.** Establishes the roles and responsibilities of code administrators as well as different processes available for development and submission requirements for each;
  - (3) **ARTICLE III—ZONE STANDARDS.** Contains district specific standards for each zone. It also contains general standards applicable to many zones such as site and building standards, parking standards, landscape standards, and signage;
  - (4) **ARTICLE IV—USES.** Contains the types of permitted uses and zones within which they are permitted, further use restrictions for permitted uses, and uses allowed only by special exception;
  - (5) **ARTICLE V—LAND DEVELOPMENT.** Includes site development standards by size of site and type of application, in addition to road, public utility, and open space standards; and
  - (6) **ARTICLE VI—DEFINITIONS.** Defines key terms in this Code.

### ***SEC. 40-10 RESERVED.***

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# ARTICLE II—ADMINISTRATION

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## REZONING AND DEVELOPMENT REVIEW

***DIVISION 1: REZONING AND DEVELOPMENT REVIEW******SEC. 40-11 GENERAL.***

Purpose: To provide a predictable and consistent zoning and development review process, ensuring that proposed rezoning and development are consistent with this Code and the Orange County Comprehensive Plan. This Code applies to new developments and redevelopments.

***(a) Applicability and Processes.***

- (1) Lot splits and reconfigurations not associated with development are subject to [Sec. 40-12\(a\) Lot Split and Re-configuration](#).
- (2) Other permits are subject to [Sec. 40-12\(b\) Miscellaneous Permits](#).
- (3) Application types are as generally illustrated in [Figure 2: Rezoning and Development Review Processes](#) and as follows:
  - a. Rezoning applications for sites up to and including 10 developable acres that seek no more than 1 zone on the site are subject to [Sec. 40-13\(a\) Small Area Rezoning](#);
  - b. Rezoning applications for sites over 10 developable acres and up to and including 20 developable acres, and rezoning applications seeking more than 1 zone on sites up to and including 20 developable acres are subject to [Sec. 40-13\(b\) Large Area Rezoning](#);
  - c. Rezoning applications for Special Zones are subject to [Sec. 40-13\(c\) Rezoning Review Criteria](#);
  - d. Rezoning and Development review processes for all sites greater than 20 developable acres are subject to [Sec. 40-14 Master Plan Reviews](#);
  - e. Developments that seek the subdivision of property are subject to [Sec. 40-15\(d\) Subdivision Plan](#);
  - f. Development for sites over 6 developable acres not seeking the subdivision of property are subject to [Sec. 40-15\(c\) Development Plan](#); and
  - g. Site Plan approval, as specified in [Sec. 40-15\(b\) Horizontal/Vertical Permitting](#), is required for:
    1. Development for sites up to and including 6 developable acres not seeking the subdivision of property; and
    2. Development for sites with existing approval from [Sec. 40-15\(c\) Development Plan](#) or [Sec. 40-15\(d\) Subdivision Plan](#).
  - h. Redevelopment of former solid waste disposal facility (landfill) properties of 20 developable acres or less not seeking the subdivision of property are subject to [Sec. 40-15\(c\) Development Plan](#).
- (4) Applications must be submitted as follows:
  - a. The applicant must submit the applicable form, on file with Orange County, to the County Division specified for each process;
  - b. The applicant must pay any associated fees, as designated in the Orange County fee schedule; and
  - c. Where a pre-application meeting is required as shown in [Figure 2: Rezoning and Development Review Processes](#), or optionally elected to by the applicant, the meeting must be completed prior to submitting the Rezoning or Development Review application. See [Sec. 40-11\(c\) Pre-Application Meetings](#) for further details.
- (5) Once application is submitted, Orange County staff will conduct a sufficiency review to ensure the application is properly completed in compliance with the filing requirements published in [Division 3: Submission Requirements](#) and will advise the applicant if any information is missing or incomplete.
- (6) Reviewing bodies and hearing procedures are described under [Chapter 2: Administration](#), [Chapter 19: Floodplain Management](#), [Chapter 15: Environmental Control](#), [Chapter 23: Impact Fees](#), [Chapter 30: Planning and Development](#), [Chapter 32: Solid Waste](#), [Chapter 34: Subdivision Regulations](#), and [Chapter 39: Planned Developments of the Orange County Code](#).
- (7) Approved plans may be amended, as specified in [Sec. 40-18\(a\) General](#).
- (8) Applicants may appeal decisions as set forth in this Division and [Division 4: Appeals](#).

***(b) Concurrent Applications and Approvals.***

- (1) An applicant may apply for multiple approvals concurrently.
- (2) An applicant seeking multiple approvals simultaneously assumes all risk resulting from additional costs or expenditures associated with simultaneous submissions in the case that one or more of the approvals is denied or requires revisions.

**(c) Pre-Application Meetings.**

- (1) Pre-application meetings (pre-app meetings) are required for new Master Plan, Master Plan Amendment, and Subdivision Plan applications, as shown in [Figure 2: Rezoning and Development Review Processes](#).
- (2) Pre-application meetings are optional for Small Area Rezonings, Large Area Rezonings, Development Plans, and Horizontal/Vertical Permitting.
- (3) The applicant must apply for a pre-application meeting with the following County offices:
  - a. Small and Large Area Rezoning: DRC Office;
  - b. Master Plans: DRC Office;
  - c. Horizontal/Vertical Permitting: Building Department;
  - d. Development Plan: DRC Office; and
  - e. Subdivision Plan: DRC Office.
- (4) Staff will coordinate with the applicant to schedule the pre-application meeting.
- (5) Mandatory Pre-application Meetings:
  - a. A Concept Plan is required for mandatory pre-application meetings.
  - b. Concept Plan content requirements are as specified in [Sec. 40-28 Concept Plan](#).
- (6) Optional Pre-application Meetings:
  - a. A Sketch Plan is encouraged for optional pre-application meetings.
  - b. Sketch Plan content requirements are as specified in [Sec. 40-27 Sketch Plan](#).
  - c. The applicant may include additional information pertinent to the application with the Sketch Plan submission.

## REZONING AND DEVELOPMENT REVIEW

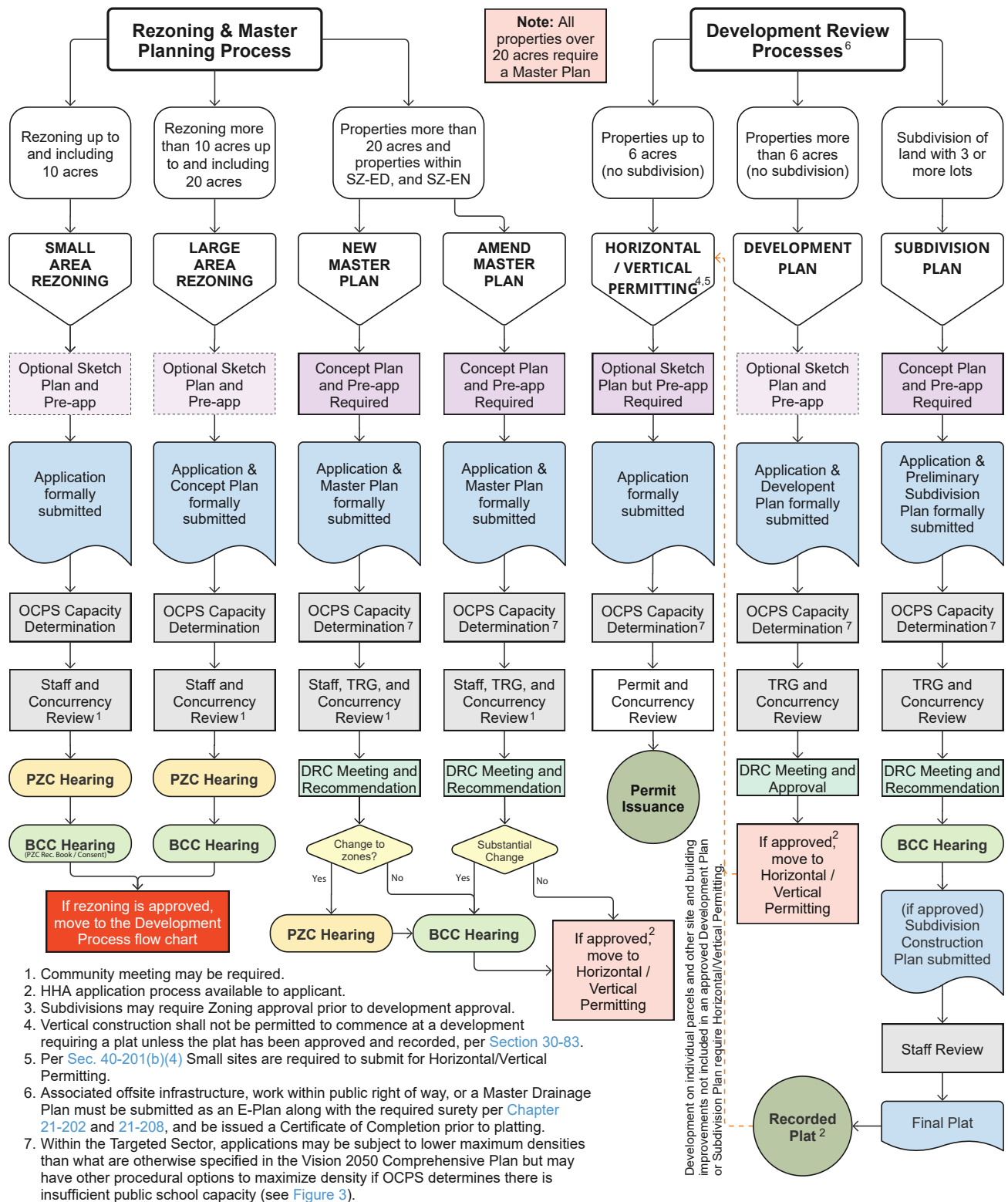
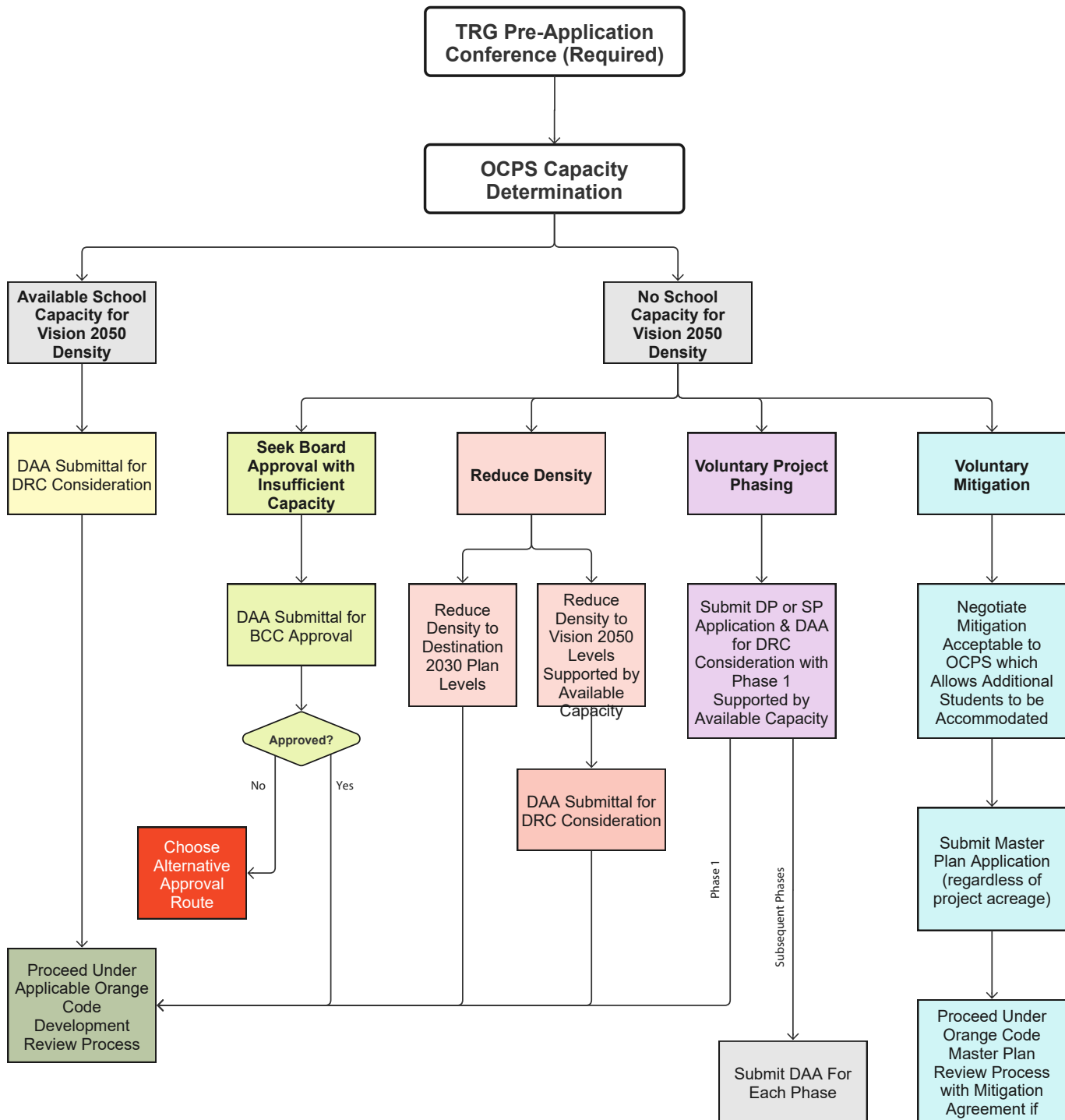
**Figure 2: Rezoning and Development Review Processes**



**Figure 3: Targeted Sector Residential Development Review Process****Abbreviations**

TRG: Technical Review Group  
 OCPS: Orange County Public Schools  
 DAA: Density Activation Application  
 DP: Development Plan  
 SP: Subdivision Plan  
 DRC: Development Review Committee

## REZONING AND DEVELOPMENT REVIEW

**SEC. 40-12 MINOR REVIEWS.**

Purpose: This section defines the process by which property owners may apply for lot revisions and miscellaneous permits that are minor in their scope or impact, or have previously been reviewed as part of a zoning or development plan review, and as a result are subject to staff approval.

**(a) Lot Split and Reconfiguration.**

- (1) The applicant may propose dividing 1 lot into 2 lots or to modify the lot line between 2 existing lots on a parent parcel as of [\[date of Orange Code adoption\]](#), as determined by the Zoning Division.
- (2) Applications and supporting documentation must be submitted to the Zoning Division.
- (3) New lot boundaries are subject to the following:
  - a. Lot split and reconfiguration must not create new landlocked lots;
  - b. New lot boundaries must comply with the lot size requirements, by Transect Zone, specified in [Article 3, Division 1: Zones](#); and
  - c. Lots utilizing septic are subject to additional minimum lot size requirement specified in [Section 37-540 of the Orange County Code](#).
- (4) Upon receipt of a complete application and applicable fees, staff will review:
  - a. The Zoning Division will determine if the proposed change in lotting complies with the provisions of this Code;
  - b. Environmental Protection Division (EPD) staff will review whether the potential for wetlands or surface waters to exists on site, in which case a County Wetland Determination (WD) is required. If impacts are proposed to wetlands, surface waters, or required upland buffers, then a Natural Resources Impact Permit (NRIP) is required;
  - c. The Floodplain Administrator will determine if a floodplain permit is required. The lot split shall not cause a lot to be wholly within the floodplain;
  - d. Development Engineering Division staff will review drainage to ensure that runoff is contained within the site and does not affect adjacent or newly created parcels resulting from the lot split; and
  - e. The Zoning Division will issue a determination either:
    1. Approving the proposed lot split or reconfiguration; or
    2. Denying the proposed lot split or reconfiguration explaining the reason for denial.
- (5) Upon approval, a new plat must be submitted for recording, subject to the following:
  - a. Plats must meet all requirements of [Sec. 34-133 of the Orange County Code](#), and [Ch. 177, Part 1, F.S.](#); and
  - b. Plats must be certified by a Florida Professional Surveyor and Mapper.

**(b) Miscellaneous Permits.**

- (1) Address Assignment
  - a. An application for an address assignment permit must be submitted to the Zoning Division.
- (2) Billboards
  - a. An application for a new billboard registration permit must be submitted to the Zoning Division.
  - b. Billboards shall comply with the Sign Regulations in [Article 3, Division 6: Signs](#).
- (3) Boat / Recreational Vehicle (RV) Storage
  - a. An application for a boat or RV storage permit must be submitted to the Zoning Division.
  - b. Standards for boat storage can be found in [Sec. 40-168\(c\) Docks and Vessels](#) of this Code.
  - c. Standards for RV storage can be found in [Sec. 40-169 Recreational Vehicles](#) of this Code.
- (4) Collection Bins
  - a. An application for a collection bin permit must be submitted to the Zoning Division.
  - b. Standards for collection bins are specified in [Sec. 40-168\(b\) Collection Bins](#).
- (5) Dog-Friendly Dining
  - a. An application for a dog-friendly dining permit must be submitted to the Zoning Division.
  - b. Standards for Dog-Friendly Dining can be found in [Sec. 40-168\(d\) Dog-Friendly Dining](#) of this Code.
- (6) Dumpsters, Private/Personal Use
  - a. Permit Requirement. Property owners intending to use a dumpster for private personal use must obtain a Miscellaneous Permit.
  - b. Placement Standards:
    1. Dumpsters are not permitted within the right-of-way (ROW) as per [Sec. 40-157 Items Placed Within Rights-of-way](#).

2. Dumpster placement is subject to the following:
      - i. Must be located entirely within the property boundaries;
      - ii. Must be positioned on a paved or stabilized surface; and
      - iii. Must not obstruct sidewalks, driveways, or neighboring properties.
    - c. Duration. The permit is valid for a maximum of 30 days, with the possibility of a single 15-day extension upon request and justification.
    - d. Intended Use. Dumpsters for personal use may only be utilized for:
      1. Home renovation projects;
      2. Landscaping debris removal; and
      3. Bulk waste disposal not associated with commercial activities.
    - e. Prohibited Uses: Dumpsters cannot be used for:
      1. Commercial storage;
      2. Long-term waste accumulation; or
      3. Disposal of hazardous or prohibited materials.
    - f. Permit Application. Applicants must provide:
      1. A site plan indicating the proposed placement;
      2. The intended purpose and estimated duration of use; and
      3. Contact information for the dumpster provider.
    - g. Penalties for Non-Compliance. Unauthorized use or improper placement of dumpsters may result in fines and mandatory removal at the owner's expense.
  - (7) Fences and Walls
    - a. An application for a fence on an individual single dwelling, duplex dwelling, and townhouse lot must be submitted to the Zoning Division. Fences on multi-dwelling, non-residential lots, or in association with subdivision construction, as well as any masonry or concrete walls shall require building construction plans.
    - b. Standards for Fences and Walls can be found in [Sec. 40-75 Fencing and Walls](#).
  - (8) Garage Sales
    - a. An application for a garage sale permit must be submitted to the Zoning Division.
    - b. Standards for Garage Sales can be found in [Chapter 25, Article II of the Orange County Code](#).
  - (9) Model Homes
    - a. An application for a model home request permit must be submitted to the Zoning Division.
    - b. Standards for Model Homes can be found in [Chapter 30-83\(d\) of the Orange County Code](#).
  - (10) Residential Backyard Chickens
    - a. An application for a residential backyard chicken permit must be submitted to the Zoning Division.
    - b. Standards for Residential Backyard Chickens can be found in [Sec. 40-166\(d\) Livestock Farming & Husbandry](#).
  - (11) Temporary Portable Storage Containers (TPSC)
    - a. An application for a temporary portable storage container permit must be submitted to the Zoning Division.
    - b. Standards for TPSC can be found in [Sec. 40-155 Temporary Portable Storage Containers](#).
  - (12) Tents
    - a. An application for a tent in conjunction with a temporary use, special event, or seasonal sale shall require building construction plans.
    - b. Standards for Tents can be found in [Sec. 40-154 Temporary Events and Tents](#).
  - (13) Temporary Signs
    - a. An application for a Temporary Sign permit shall be submitted to the Zoning Division.
    - b. Standards for Temporary Signs can be found in [Sec. 40-106 Exempted Signs](#).
  - (14) Temporary Events
    - a. An application for an Outdoor Special Events shall be submitted to the Office of the Fire Marshal.
    - b. Standards for Outdoor Special Events can be found in [Sec. 40-154 Temporary Events and Tents](#).

## REZONING AND DEVELOPMENT REVIEW

**SEC. 40-13 REZONINGS.**

Purpose: This section defines the process by which property owners may apply to change the zoning designation of their property or portion thereof to a different Transect Zone or Special Zone, and ensures that application review considerations are based upon clear and consistent criteria.

- (1) A Small Area Rezoning applies to properties with up to and including 10 developable acres.
- (2) A Large Area Rezoning applies to properties with more than 10 developable acres and up to and including 20 developable acres, in multiple zones, or in a Special Zone.

**(a) Small Area Rezoning.**

- (1) Rezoning applications for sites up to and including 10 developable acres which seek no more than 1 zone on the site are subject to this section.
- (2) Applications must include the supporting documents in [Sec. 40-29\(b\) Small Area Rezoning Submissions](#). and must be submitted to the Planning Division.
- (3) A pre-application meeting may be required prior to application submission, as described in [Sec. 40-11\(c\) Pre-Application Meetings](#).
- (4) Applications are subject to the Rezoning Review Criteria specified in [\(c\) Rezoning Review Criteria](#).
- (5) Upon receipt of a complete application and applicable fees, staff will:
  - a. Schedule a hearing with the PZC;
  - b. Create a staff report, including recommendations based upon the Rezoning Review Criteria, for consideration by the PZC; and
  - c. Schedule a subsequent hearing with the BCC.
- (6) The PZC will review the proposed rezoning at a public hearing, based upon the Rezoning Review Criteria, the staff report, and evidence and testimony presented and recommend approval or denial to the BCC.
- (7) The BCC will review the proposed rezoning at a public hearing, based upon the Rezoning Review Criteria, the staff report, the PZC's recommendation, and evidence and testimony presented and will approve, deny, or approve the proposal with conditions.
- (8) Upon approval by the BCC, the Zoning Map will be amended.

**(b) Large Area Rezoning.**

- (1) Rezoning applications for sites greater than 10 developable acres and up to and including 20 developable acres, rezoning applications seeking more than 1 zone on sites up to and including 20 developable acres, and rezoning applications for Special Zones of any size are subject to this section.
- (2) Applications must include the supporting documents in [Sec. 40-29\(c\) Large Area Rezoning Submissions](#). and must be submitted to the Planning Division.
- (3) A pre-application meeting may be required prior to application submission, as described in [Sec. 40-11\(c\) Pre-Application Meetings](#).
- (4) The application must include a Concept Plan, as specified in [Sec. 40-28 Concept Plan](#).
- (5) Applications are subject to the Rezoning Review Criteria specified in [\(c\) Rezoning Review Criteria](#). and the following:
  - a. Sites greater than 10 developable acres must include a minimum of 2 transect, civil or special zones, except sites that are exclusively Special Zones; and
  - b. Applications including multiple zones must assign only 1 zone to each property, existing or to be created through a Subdivision Plan or Lot Split.
- (6) Upon receipt of a complete application, a complete Concept Plan, and applicable fees, staff will:
  - a. Schedule a hearing with the PZC;
  - b. Create a staff report, including recommendations based upon the Rezoning Review Criteria, for consideration by the PZC; and
  - c. Schedule a subsequent hearing with the BCC.
- (7) The PZC will review the proposed rezoning, at a public hearing, based upon the Rezoning Review Criteria, the staff report, and evidence and testimony presented and recommend approval or denial to the BCC.
- (8) The BCC will review the proposed rezoning, at a public hearing, based upon the Rezoning Review Criteria, the staff report, the PZC's recommendation, and evidence and testimony presented and will approve, deny, or approve the proposal with conditions.

## REZONING AND DEVELOPMENT REVIEW

- (9) Upon approval by the BCC, the Zoning Map will be amended, except where multiple zones will be assigned to a site to be subdivided at a later date in which case the Zoning Map will be amended to reflect "Approved Rezoning Plan", indicating that the site will be subdivided at a later date and the Zoning Map will be further amended to reflect Transect Zones and Special Zones upon approval of future Subdivision Plans.

**(c) Rezoning Review Criteria.**

- (1) The request must be consistent with the Comprehensive Plan.
- (2) The application must comply with the provisions of this Code.
- (3) The subject property must be in a location where adequate access to transportation, utilities, and other services can be provided appropriate to the intensity of the proposed zones, and school capacity is available or will be provided, consistent with the County's Concurrency Management Ordinance.
- (4) Where a subject property is within a previously approved Development Plan, Subdivision Plan, or Master Plan, it must be consistent with the intent of that plan and any conditions of the previous approval, except where a Variance, Minor Deviation, or Non-substantial change has been approved permitting the specific deviation or inconsistency.
- (5) Where a subject property is within a previously approved Subdivision Plan or Master Plan, rezonings may adjust the location and size of Transect Zones, provided:
  - a. The overall intensity of the approved plan is not substantially increased, subject to [Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation](#);
  - b. The overall plan retains the approved percentage mix of Transect Zones, or in the case of a Master Plan, is consistent with the allowable mix of Transect Zones specified in [Sec. 40-203 Master Plan Standards](#);
  - c. The application is consistent with any previously approved development agreements, development orders, or term sheets for transportation improvements; and
  - d. Zones are not changed along property boundaries, other than those abutting arterial or collector roadways.
- (6) If rezoning to a Transect Zone, the rezoning should not result in a difference of more than one full Transect Zone between adjacent properties (T3 to T4, T4 to T5, and T5 to T6, not T3 to T5 or T4 to T6), except where significant natural barriers or existing roads of 4 or more lanes separate the developable portions of adjacent properties;
- (7) If rezoning to a Special Zone, the rezoning must:
  - a. Be compatible with existing and proposed uses surrounding the site;
  - b. Be an appropriate use for the site; and
  - c. Include sufficient commitments, if needed, to mitigate potential nuisances based on the requirements in [Article 3, Division 2: Special Zones](#).
- (8) If the requested rezoning is for the express purpose of accommodating a solid waste management facility capable of receiving materials from the construction or demolition of a road or other transportation facility as described in [F.S. 163.3194](#), the application requires a concurrent public hearing of the BCC at which the rezoning application, special exception application if applicable, and Solid Waste Management Facility permit application that meets the access requirements and transect criteria per the latest edition of the FDOT standards, and the requirements of [Chapter 19 \(Floodplain Management\)](#) and [Chapter 32 \(Solid Waste\) Article V of the Orange County Code](#) will be considered. In reviewing such rezoning request, the recommendations of the Development Review Committee and Environmental Protection Division regarding the project must be considered.

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**SEC. 40-14 MASTER PLAN REVIEWS.**

Purpose: This section defines the process by which owners of property with more than 20 developable acres may apply for coordinated rezoning and development plans that, by the nature of their size and complexity, require certain details of development to be defined in order to proceed with rezoning decisions and subsequent development plans that may occur in multiple phases and combinations of development plan processes as shown in [Figure 2: Rezoning and Development Review Processes](#). The standards of [Article 5, Division 1: Site Development](#) direct the form of large scale development to create new neighborhoods and mixed-use districts with access to viable civic spaces and a connected, multi-modal transportation network, and the standards of [Article 3, Division 1: Zones](#) to direct the form of buildings, resulting in a consistent and predictable single set of standards across the County. Because Master Plans address large sites, they will often be developed in phases over a long period of time. This process requires only as much information as is necessary to establish zoning, general locations of proposed open and civic space and natural resource preservation, general engineering such as stormwater management, wetlands, floodplains, traffic, transportation capacity, and access management, and overall development entitlements for the whole site, allowing for subsequent Subdivision Plan and Development Plan applications to define development details, which can be predicted and do not require definition within the Master Plan because they are subject to the standards of [Article 5, Division 1: Site Development](#) and [Article 3, Division 1: Zones](#).

**(a) Master Plan.**

- (1) A pre-application meeting is required prior to application submission, including a Concept Plan, as specified in [Sec. 40-11\(c\) Pre-Application Meetings](#).
- (2) For SZ-ED and SZ-EN, Master Plan reviews are required for all new developments. The Concept Plan submitted for the Master Plan review must comply with [Sec. 40-28\(e\)](#).
- (3) Staff will provide comments on the proposed Concept Plan. The applicant may choose to re-submit a Concept Plan to staff via the DRC Office for additional review of Concept Plan revisions or continue to the Master Plan submission.
- (4) Following the Concept Plan review, the applicant must develop a Master Plan, as specified in [Sec. 40-30 Master Plan](#).
- (5) Master Plan and coordinated rezoning applications must be submitted to the DRC Office.
- (6) Applications must include a record of any approvals and conditions of approval for any rezoning decision, Development Plan, Subdivision Plan, or Master Plan that includes the phasing of development and the manner in which each phase of development can exist as an independent stable unit.
- (7) Upon receipt of a complete Master Plan, and applicable fees, staff will review the application for completeness and schedule an application review by the Technical Review Group (TRG).
- (8) The TRG will:
  - a. Review the application in accordance with [Sec. 40-15\(a\) Development Review Criteria](#).; and
  - b. Return comments to the applicant specifying any missing information, lack of compliance, any recommended revisions to better support the intent of this Code and the Comprehensive Plan.
- (9) The applicant may choose to apply for additional Minor Deviations or Variances to the appropriate approval authority, subject to the requirements specified in [Sec. 40-21 Zoning Variances](#).
- (10) The applicant will work through staff review comments with staff to resolve outstanding issues prior to the application being scheduled for DRC review. In-person meetings may be required by staff or requested by the applicant.
- (11) The DRC will:
  - a. Review the application in accordance with [Sec. 40-15\(a\) Development Review Criteria](#).; and
  - b. Recommend approval, approval with conditions, or denial.
- (12) Staff will schedule the coordinated applications for a public hearing before the PZC and submit the applications to the PZC together with a staff report, including recommendations based upon the [Sec. 40-203 Master Plan Standards](#). and [Sec. 40-13\(c\) Rezoning Review Criteria](#)., for consideration by the PZC, with recommendation for approval, approval with conditions, or denial.
- (13) The PZC will review the proposed applications, at a public hearing, based upon the [Sec. 40-203 Master Plan Standards](#). and [Sec. 40-13\(c\) Rezoning Review Criteria](#). and the staff report, and recommend approval or denial to the BCC.
- (14) Staff will forward both the DRC and PZC actions to the BCC together with a staff report, including recommendations.
- (15) The BCC will review the proposed Master Plan and rezoning request, at a public hearing, based upon the Master Plan Standards, Rezoning Review Criteria and Development Review Criteria, the staff report, and the PZC's recommendation, and will approve, deny, or approve the proposal with conditions.



**(b) Subsequent Subdivision and Development Plans.**

- (1) The applicant may proceed to submit Subdivision Plans and Development Plans for any portions of the approved Master Plan, if necessary.
- (2) Subsequent Subdivision Plans and Development Plans must comply with the approved Master Plan and any conditions of approval, except as amended in accordance with [Sec. 40-18\(a\) General](#).

**SEC. 40-15 DEVELOPMENT REVIEW PROCESSES.**

Purpose: This section defines the review process by which property owners may apply for horizontal or vertical permits, Development Plans, or Subdivision Plans in order to ensure that development is in compliance with this Code and the Comprehensive Plan, and to ensure that the amount of review and oversight is commensurate with the scale and complexity of the application.

**(a) Development Review Criteria.**

- (1) The application must be consistent with the Comprehensive Plan.
- (2) The application must comply with the provisions of this Code, the Orange County Code, and current Engineering Standards.
- (3) The application must be in a location where adequate access to transportation, utilities, and other services can be provided appropriate to the intensity of the proposed Development, or the application includes the provision of such services consistent with the County's Concurrency Management Office.
- (4) The application must be consistent with any conditions of a zoning approval that includes the site.
- (5) The application must be consistent with any previously approved Development Plan, Subdivision Plan, or Master Plan that includes the site, and any conditions of the previous approval, except where a Variance or Minor Deviation has been approved permitting the specific deviation or inconsistency.
- (6) Changes to a previously approved plan are subject to additional review, as specified in [Sec. 40-18\(a\) General](#).
  - a. If an amendment is required, it may be reviewed concurrently with the Development Review application, provided the body with approval authority over the application has the authority to approve the amendment.
- (7) The application must comply with any Variances that have been granted, as detailed in [Sec. 40-21 Zoning Variances](#).
- (8) The application must comply with any Special Exceptions that have been granted, as detailed in [Sec. 40-23 Special Exceptions](#).
- (9) The application must be consistent with any previously approved developers agreements, development orders, or term sheets for transportation improvements.

**(b) Horizontal/Vertical Permitting.**

- (1) Development for sites up to and including 6 developable acres not seeking the subdivision of property; or development for sites with existing approval from [\(c\) Development Plan](#). or [\(d\) Subdivision Plan](#). are subject to this section.
- (2) Development sites meeting the terms of [Sec. 40-201\(b\) Small Sites](#). are subject to this section.
- (3) Applications must be submitted to the Building Division.
- (4) Applications must include a Site Plan as specified in [Sec. 40-32 Site Plan in Association with Horizontal/Vertical Permitting](#).
- (5) Applications are subject to the requirements specified in [Sec. 40-201\(b\) Small Sites](#).
- (6) Applications must include a record of any approvals and conditions of approval for any rezoning decision, Development Plan, Subdivision Plan, or Master Plan that includes the subject site.
- (7) Upon receipt of a complete application and applicable fees, staff will:
  - a. Review the application in accordance with all applicable codes and standards; and
  - b. Return comments to the applicant specifying any missing information or lack of compliance.
- (8) The applicant may choose to apply for additional Minor Deviations to the appropriate approval authority or Variances, subject to the requirements specified in [Sec. 40-21 Zoning Variances](#).
- (9) Upon completion and acceptance of all revisions, or if no further revisions are required for compliance, staff will issue a Building Permit.
- (10) Vertical construction shall not be permitted to commence at a development requiring a plat unless and until the plat has been approved and recorded, per Section 30-83 of County Code.

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**(c) Development Plan.**

- (1) Development for sites over 6 developable acres not seeking the subdivision of property are subject to this section.
- (2) Small Sites meeting the terms in [Sec. 40-201\(b\) Small Sites](#). are exempted from submitting a Development Plan application.
- (3) Applications must be submitted to the DRC office.
- (4) A pre-application meeting may be required prior to application submission, as described in [Sec. 40-11\(c\) Pre-Application Meetings](#).
- (5) Following the pre-application meeting, the applicant must develop a Development Plan, as specified in [Sec. 40-31 Development Plan](#).
- (6) Applications must include a draft plat package, a record of any approvals and conditions of approval for any rezoning decision, Development Plan, Subdivision Plan, or Master Plan that includes the subject site.
- (7) Upon receipt of a complete application, a complete Development Plan, and applicable fees, staff will review the application for completeness and schedule an application review by the Technical Review Group (TRG).
- (8) The TRG will:
  - a. Review the application in accordance with [\(a\) Development Review Criteria](#).; and
  - b. Return comments to the applicant specifying any missing information, lack of compliance, any recommended revisions to better support the intent of this Code and the Comprehensive Plan.
- (9) The applicant may choose to apply for additional Minor Deviations to the appropriate approval authority or Variances, subject to the requirements specified in [Sec. 40-21 Zoning Variances](#).
- (10) The applicant will work through staff review comments with staff to resolve outstanding issues prior to the application being scheduled for DRC review. In-person meetings may be required by staff or requested by the applicant.
- (11) The DRC will:
  - a. Review the application in accordance with [\(a\) Development Review Criteria](#).; and
  - b. Recommend approval, approval with conditions, or denial.
- (12) The applicant may appeal DRC decisions to the BCC.
- (13) For Development Plans that require a plat, vertical construction shall not be permitted to commence at a development requiring a plat unless and until the plat has been approved and recorded. However, the DRC may approve a request to allow vertical construction in advance of plat approval, provided all of the following conditions referenced in Section 30-83(c) are met.

**(d) Subdivision Plan.**

- (1) Developments that seek the subdivision of property which do not meet the terms for [Sec. 40-12\(a\) Lot Split and Reconfiguration](#). are subject to this section.
- (2) Applications must be submitted to the DRC office.
- (3) A pre-application meeting is required prior to application submission, as described in [Sec. 40-11\(c\) Pre-Application Meetings](#).
- (4) The application must include a Subdivision Plan as specified in [Chapters 34 and 30 of the Orange County Code](#).
- (5) Applications must include a record of any approvals and conditions of approval for any rezoning decision, Subdivision Plan, or Master Plan that includes the subject site.
- (6) Upon receipt of an application, a Subdivision Plan, and applicable fees, staff will review the application for completeness and schedule an application review by the Technical Review Group (TRG).
- (7) The TRG will:
  - a. Review the application in accordance with [\(a\) Development Review Criteria](#).; and
  - b. Return comments to the applicant specifying any missing information, lack of compliance, any recommended revisions to better support the intent of this Code and the Comprehensive Plan.
  - c. Review the requirements for platting/replatting.
- (8) The applicant may choose to apply for additional Minor Deviations to the appropriate approval authority or Variances, subject to the requirements specified in [Sec. 40-21 Zoning Variances](#).
- (9) The applicant will work through staff review comments with staff to resolve outstanding issues prior to the application being scheduled for DRC review. In-person meetings may be required by staff or requested by the applicant.
- (10) The DRC will:
  - a. Review the application in accordance with [\(a\) Development Review Criteria](#).;
  - b. Return comments to the applicant specifying any missing information, lack of compliance, any recommended revisions to better support the intent of this Code and the Comprehensive Plan.



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- (11) The DRC will schedule a public hearing, create a staff report, and submit the application to the BCC for a public hearing, with a recommendation for approval, approval with conditions, or denial:
  - a. Upon completion and acceptance of all revisions;
  - b. If no further revisions are required for compliance; or
  - c. Upon request of the applicant should they elect to appeal any DRC decisions to the BCC.
- (12) The BCC will review the proposed Subdivision Plan, at a public hearing, based upon the Development Review Criteria, the staff report, and the DRC's recommendation, and will approve, deny, or approve with conditions.
- (13) Upon approval by the BCC, the applicant must develop a Subdivision Construction Plan, as specified in Chapter 34 of the Orange County Code.
- (14) Upon receipt of a complete Subdivision Construction Plan, staff will:
  - a. Review the application for completeness and compliance with this Code, Chapter 34 (Subdivision Regulations) of County Code, Minor Deviations, Variances, and conditions of approval; and
  - b. Request any corrections necessary for compliance with all standards and conditions of approval.
- (15) Where a Subdivision Plan is part of a Large Area Rezoning or Master Plan in which zone boundaries have not been reflected in the Zoning Map or require minor revision to align with newly platted lots, the Zoning Map will require review from the Board of County Commissioners.
- (16) If required, the applicant will submit a Final Plat package to Public Works Development Engineering for processing after being deemed sufficient for review.

**SEC. 40-16 PLANNED DEVELOPMENTS****(a) Intent; Purpose.**

- (1) It is the intent of Orange Code and Orange County to protect those development rights that are vested; namely, the rights of some property owners to develop their land, despite that development's inconsistency with Orange Code.
- (2) It is further the intent of Orange Code to provide a comprehensive framework for site development in the County which will streamline the application and project review processes while simultaneously allowing for a variety of structures, land uses, and open space. In this sense, Orange Code is intended to provide flexibility in planning and development standards to a degree that exceeds the benefits provided by Planned Developments (PDs). Therefore, any owner(s) who wishes to develop their existing PD, or portions thereof, in accordance with Orange Code standards may do so in accordance with [\(b\) Orange Code Opt-In Requirements.](#), notwithstanding any rights of that owner(s) to complete their development in accordance with its existing PD development standards and processes.

**(b) Orange Code Opt-In Requirements.**

Any owner(s) of all or a portion of an existing PD may choose to develop the PD, or applicable portion thereof, in compliance with Orange Code and in accordance with the following:

- (1) Application. An application for a rezoning of the subject area from its designated PD zoning district to the corresponding Orange Code transect zone shall be required, based on the subject area's place type designation within the Orange County Comprehensive Plan, and such application must receive final approval by the Orange County Board of County Commissioners (Board) before proceeding with development in accordance with Orange Code. To be eligible for a rezoning under this subsection, an applicant must demonstrate to the County's satisfaction that development of the subject area will not:
  - a. Neither create inconsistency with the Orange County Comprehensive Plan nor violate any relevant provision of the Orange County Code including, but not limited to, access, open space, and setbacks;
  - b. Detrimentially impact the viability of the remaining portion(s) of the PD; or
  - c. Create an incompatibility with the remaining components of the PD.
- (2) Process. An application shall be submitted to the Development Review Committee (DRC) Office together with payment of the applicable application fee, as such fee is established from time to time by the Board. The DRC shall review all applications in accordance with the required criteria and shall recommend approval, recommend approval with conditions, or recommend denial of each application to the Board. DRC recommendations pursuant to this subsection shall be presented to the Planning and Zoning Commission (PZC) and then to the Board in accordance with standard County procedure.
- (3) Appeals. Any person aggrieved by a PZC recommendation under this subsection may appeal such decision to the Board in accordance with the process set forth in [Section 30-45 of the Orange County Code](#), as may be amended.

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- a. Any person aggrieved by a decision of the Board under this subsection may appeal the decision in accordance with the process set forth in [Section 30-46, of the Orange County Code](#).
- (4) Where only a portion of a PD is 'opting into' Orange Code, the owner(s) shall update the applicable Land Use Plan to remove the subject area from the Land Use Plan. Assuming no other changes are requested, any such removal of a portion of a PD from a LUP under this subsection would qualify as a non-substantial change to the PD.
- (5) In the event the County determines that existing PD condition(s) of approval or plan note(s) need to remain with the portion of a PD that is opting into Orange Code, such condition(s) and/or plan note(s) will be included in a letter of approval, the form of which shall be determined by the County and which shall be binding on the portion of the PD that is opting into Orange Code.

**(c) *New Planned Developments Prohibited; Exemptions.***

New PDs shall be prohibited except where PD zoning and associated LUPs or Regulating Plans (RPs) are required by the Orange County Comprehensive Plan, including properties within Avalon Park, Horizon West (Village Code and Horizon West Town Center), Innovation Way, or the Lake Pickett study areas or their defined master-planned community boundaries. PDs that are exempt pursuant to this section are subject to the standards and processes in Chapter 39: Planned Developments, and to their respective LUP approvals.

**(d) *Approved Planned Developments.***

- (1) A PD which was approved on or before *[the adoption date of Orange Code]* ("Approved PD"), is exempt from Orange Code and may continue to develop in accordance with the standards and processes in Chapter 39: Planned Developments, its respective LUP/RP approvals, and the Future Land Use densities / intensities, and uses (including any uses that may be contained within a conversion matrix) in effect on the day immediately prior to the adoption date of Orange Code and Vision 2050 (the "Approved PD Development Standards"). Approved PDs which are approved for student housing uses on the day immediately prior to the adoption date of Orange Code and Vision 2050 shall not be required to comply with the requirement in FLU1.1.2E. of the 2010-2030 Comprehensive Plan to change the future land use to MDR, MHDR, HDR, or PD. Approved PDs shall also continue to be subject to, and shall comply with, any other laws, ordinances, rules, and regulations or conditions of approval as may be applicable to that PD or portion of the PD, and shall continue to be subject to all terms, conditions, requirements, and restrictions contained in any development order, developers agreement, BCC-approved term sheet not yet memorialized in a developers agreement, permit, approval, or binding letter of vested rights pertaining to that particular PD or portion thereof (the "Approved PD Regulations" and together with the Approved PD Development Standards, the "Approved PD Requirements"). Approved PDs, and any PSPs, PDPs or DPs within such Approved PD, may continue to request non-substantial and substantial changes, provided, however, except for an Approved PD (and any PDP within such Approved PD) that is located within the boundary of an approved Major Economic Development Project (as defined in Section 38-30), a substantial change to increase entitlements must be submitted within one year of *[the adoption date of Orange Code]*, must be consistent with the Approved PD Development Standards, and such request must receive final approval within one year of the County's receipt of a legally sufficient application for such substantial change. After *[one year after the adoption date of Orange Code]*, applications for substantial changes to increase entitlements in an Approved PD, except for an Approved PD that is located within the boundary of an approved MAJOR Economic Development Project, shall be prohibited. Approved PDs may add additional property to the Approved PD, provided that (1) the land being added would not necessitate a future land use map amendment, (2) the existing entitlements and existing trips shall be spread across the added land, increased trips are prohibited (3) no more than the equivalent of ten percent (10%) of the developable acreage of the Approved PD may be added, and (4) any land added to an Approved PD must comply with the Approved PD Requirements; provided however the foregoing restriction on adding property to an Approved PD shall not be applicable to an Approved PD that is located within the boundary of an approved Major Economic Development Project.
- (2) This subsection does not entitle the PD owner(s) to the issuance of any additional development order, permit, or approval, does not entitle a PD owner(s) to increases in entitlements as a result of the adoption of Vision 2050 and/or this Code, and does not exempt the holder from paying any impact or other fees assessed by the County after the effective date of this Code, including, as applicable, any increases thereto. Reallocation of excess trips to a different PD shall be prohibited.

**(e) *Subsequent Orange Code Opt-In Permitted.***

Notwithstanding the language in [\(d\) Approved Planned Developments](#), any owner(s) of a PD or portion thereof may, at any time thereafter, choose to opt-in to Orange Code in accordance with [\(b\) Orange Code Opt-In Requirements](#).

**SEC. 40-17 SPECIAL ZONE APPROVAL PROCESSES.****(a) General.**

- (1) For changes to sites in Special Zones with non-conforming uses, non-conforming buildings, non-conforming structures, or non-conforming vehicular use areas, refer to [Division 5: Nonconformities](#).
- (2) Changes to approved Master Plans or Development Plans for Special Zones may be determined to be a minor variation, non-substantial, or substantial based upon the scope, nature, density, intensity, or location of the change within the plan and as specified in [Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation](#).
- (3) Special Zone applications that meet the standards for [Sec. 40-201\(b\) Small Sites.](#), may proceed to [Sec. 40-15\(b\) Horizontal/Vertical Permitting](#).
- (4) All new Special Zone developments are subject to [Sec. 40-13 Rezoning](#)s.
- (5) Concept Plans are required for Rezoning, Master Plans, and Development Plans for Special Zones and must comply with [Sec. 40-28\(e\)](#).

**(b) Special Zone Heavy Industrial (SZ-HI) and Special Zone Light Industrial (SZ-LI).**

- (1) All new developments will follow the approval processes generally illustrated in [Figure 2: Rezoning and Development Review Processes](#).

**(c) Special Zone Education (SZ-ED) and Special Zone Entertainment & Resort District (SZ-EN).**

- (1) If changes to approved Master Plans or Development Plans are considered substantial changes per [Sec. 40-18\(a\) General.](#), a Master Plan Amendment application is required.
- (2) All new developments are subject to a Master Plan review consistent with [Sec. 40-14\(a\) Master Plan](#), regardless of the developable acreage of the proposed development, in conjunction with the approval processes generally illustrated in [Figure 2: Rezoning and Development Review Processes](#).

**(d) Special Zone Mobile Homes.**

- (1) Changes to sites proposing additional mobile homes within the permitted density may proceed to [Sec. 40-15\(b\) Horizontal/Vertical Permitting](#).
- (2) All new developments will follow the approval processes generally illustrated in [Figure 2: Rezoning and Development Review Processes](#).

**SEC. 40-18 CHANGES TO APPROVED PLANS AND EXISTING DEVELOPMENTS.****(a) General.**

- (1) For changes to sites with non-conforming uses, non-conforming buildings, non-conforming structures, or non-conforming vehicular use areas, refer to [Division 5: Nonconformities](#).
- (2) Changes to approved Master Plans, Development Plans, and Subdivision Plans may be determined to be a minor variation, non-substantial, or substantial based upon the scope, nature, density, intensity, and/or location of the change within the plan and as specified in [Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation](#) and as follows:
  - a. A pre-application meeting is required with the appropriate reviewing department;
  - b. A Plan Amendment application must be submitted to the DRC Office;
  - c. Each plan change will be evaluated independently;
  - d. Minor variations to Development Plans, Master Plans and Subdivision Plans may be approved by the Planning Manager, Zoning Manager, or County Engineer, as applicable.
  - e. New Minor Deviations or modifications to those already approved are considered non-substantial changes;
  - f. Anything not specified in [Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation](#) must be considered a substantial change, except within Development Plans, unless considered a non-substantial change by the Planning Manager, Zoning Manager, or County Engineer or other approving authority; and
  - g. Changes to conditions of approval are considered substantial changes.
- (3) All amendments must be compliant with the standards of this Code except to the extent that a Variance or Minor Deviation has been approved, or as specified in a previous condition of approval.
- (4) Substantial changes require a plan amendment, submitted to the DRC Office, accompanied by a justification statement sufficiently describing the need for the change from previously approved plans and updates to plan materials reflecting the change.

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- (5) A non-substantial change may require a plan amendment, subject to Planning Manager, Zoning Manager, or County Engineer review as applicable.
- (6) For existing developments without an approved Development Plan or Master Plan must provide a Concept Plan identifying existing development and the proposed changes.

**(b) Non-Substantial Changes.**

- (1) All changes to Development Plans, Subdivision Plans, and Master Plans that are non-substantial are subject to approval of the DRC.
- (2) The DRC may refer non-substantial changes to BCC for review if the requested change meets the criteria for a non-substantial change in [Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation](#) but the DRC determines the change would be a nuisance or create a potentially hazardous condition. This will be accompanied by a recommendation for denial.

**(c) Substantial Changes.**

- (1) Substantial changes to Subdivision Plans or Master Plans require consideration by the BCC in a public hearing.
- (2) Substantial changes that affect the location, assignment, or percentage allocation of Transect Zones require recommendation by the PZC in a public hearing, prior to consideration by the BCC.
- (3) Substantial changes to Development Plans require approval by DRC.
- (4) For Non-Substantial Changes and Minor Variation refer to [Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation](#).

**Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation**

| Type of Change                                            | Approval Authority                                          | Extent of Change By Level of Review                                                                                                                 |                                                                                                                                                                                               |
|-----------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                           |                                                             | Non-Substantial Change                                                                                                                              | Minor Variation                                                                                                                                                                               |
| Development Program and Trip and Parking Generation Table | Zoning Manager and County Engineer                          | Any reduction in the applicable program or tables that is not a minor variation.                                                                    | A reduction of 5% or less in Trips; OR<br>A reduction of 5% or less in the Development Program of any of the following:<br>Residential units; Commercial square feet; Industrial square feet. |
| Building Location and Site Layout Changes (Horizontal)    | Zoning Manager and County Engineer                          | In compliance with zoning limitations;<br>AND<br>In compliance with any previous conditions of approval                                             | In compliance with zoning limitations; and<br>In compliance with any previous conditions of approval;<br>AND<br>Not abutting a site boundary                                                  |
| Building Height                                           | Zoning Manager                                              | In compliance with zoning limitations;<br>AND<br>In compliance with any previous conditions of approval                                             | In compliance with zoning limitations; and<br>In compliance with any previous conditions of approval;<br>AND<br>Not abutting a site boundary                                                  |
| Civic Space                                               | Planning Manager and County Engineer                        | Change in Civic Space type;<br>OR<br>Relocation abutting a site boundary;<br>AND<br>Increase size within 10% of the original.                       | Relocation not abutting a site boundary;<br>AND<br>Size change within 5% of the original.                                                                                                     |
| Local Road Alignment and Location other than Master Plans | County Traffic Engineer and Development Engineering Manager | Internal to the site;<br>AND<br>Block perimeters remain in compliance; and<br>Increase to cyclist or pedestrian connectivity                        | Internal to the site;<br>AND<br>Block perimeters remain in compliance; and<br>Retains connectivity for cyclists and pedestrians                                                               |
| Local Road Alignment and Location within Master Plans     | County Traffic Engineer and Development Engineering Manager | Retains external connections to adjacent properties;<br>AND<br>Varies the alignment or location of one or more roads; AND<br>Does not remove a road | Internal to the site;<br>AND<br>Retains external connections;<br>AND<br>Varies the alignment or location of one road;<br>AND<br>Does not remove a road                                        |

**Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation**

| Type of Change                                            | Approval Authority                                                 | Extent of Change By Level of Review                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                           |                                                                    | Non-Substantial Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Minor Variation                                                                                                                                                                                                                                               |
| <b>Local Road Cross-section</b>                           | <b>County Traffic Engineer and Development Engineering Manager</b> | Change to the number of lanes or lane width;<br>OR<br>Adding or removing on-street parking retaining compliance with required parking and safety;<br>OR<br>Moving bicycle lanes to a parallel roadway;<br>OR<br>Change to the number of on-street parking spaces retaining compliance with required parking                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Change to lane width for fire access as requested by the Fire Marshal;<br>OR<br>Change to sidewalk or planting and furnishing zone width or materials (planting, paving, furniture) remaining in compliance with <a href="#">Article 5, Division 2: Roads</a> |
| <b>Lot Sizes</b>                                          | <b>Zoning Manager and County Engineer</b>                          | Not abutting a site boundary; and<br>In compliance with minimum lot sizes;<br>AND<br>Affecting less than 60% of lots                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Not abutting a site boundary; and<br>In compliance with minimum lot sizes;<br>AND<br>Affecting less than 50% of lots; and<br>Within 5 feet of original lot widths                                                                                             |
| <b>Planned Developments</b>                               | <b>Planning Manager and Zoning Manager</b>                         | A change which reduces the number of units or floor area in 1 phase of the project with a corresponding increase in the number of units of floor area in another phase<br>AND<br>A change which does not include a land use not previously permitted under the approved PD;<br>AND<br>A change which does not alter a land use type adjacent to a property boundary, unless it is a reduction in the density or intensity of approved residential development adjacent to a compatible land use;<br>AND<br>A change which does not require an amendment to the board of county commissioners' conditions of approval;<br>AND<br>An amendment to the phasing which does not propose a land use in advance of the development it was designed to support;<br>AND<br>A change which does not alter the type, location, or size of a multi-family land use or student housing land use in the PD, except a reduction in the number of units. | No Minor Variations available.                                                                                                                                                                                                                                |
| <b>Stormwater Ponds in association with a Master Plan</b> | <b>County Engineer</b>                                             | Relocation not abutting a site boundary; and<br>Retains cyclist and pedestrian connectivity;<br>AND<br>Consistent with capacity and LID Manual requirements and no floodplain impact and no wetland or wetland buffer impacts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Relocation within 50 feet of original;<br>AND<br>Retains cyclist and pedestrian connectivity; and<br>Consistent with capacity and LID Manual requirements and no floodplain impact and no wetland or wetland buffer impacts                                   |



## REZONING AND DEVELOPMENT REVIEW

**Table 4: Review of Plan Changes: Non-Substantial Changes and Minor Variation**

| Type of Change                          | Approval Authority | Extent of Change By Level of Review                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                         |                    | Non-Substantial Change                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Minor Variation                                                                                                                                                                                                                                                                                                                                                                             |
| Existing Developments in SZ-EN or SZ-ED | Zoning Manager     | <p>New habitable structures greater than 10,000 sf and up to 15,000 sq.ft. or up to 10% of the existing building area, whichever is less; OR</p> <p>Contiguous expansions of entertainment areas, recreation areas, athletic fields, or site area up to 25%; OR</p> <p>Any addition of outdoor lighting within 100 ft. of a property boundary.</p> <p>Any expansion can only be approved if it is consistent with the County's Concurrency Management Ordinance, located in Sec. 30-562.</p> | <p>New habitable structures up to 10,000 sq.ft. or 5% of the existing building area on the site, whichever is less;</p> <p>OR</p> <p>Contiguous expansions of entertainment areas, recreation areas, athletic fields, or site area up to 10%.</p> <p>Any expansion can only be approved if it is consistent with the County's Concurrency Management Ordinance, located in Sec. 30-562.</p> |
| Existing Developments in SZ-HI or SZ-LI | Zoning Manager     | <p>New habitable structures greater than 10,000 sf and up to 20,000 sq.ft. or up to 10% of the existing building area, whichever is less; OR</p> <p>Contiguous expansions of vehicular use areas up to 50%; OR</p> <p>Contiguous expansions of outdoor storage areas up to 25%, within 50 ft. of a property boundary, or within 100 ft. of a residential use or zone.</p>                                                                                                                    | <p>New habitable structures up to 10,000 sq.ft. or 5% of the existing building area on the site, whichever is less; OR</p> <p>Contiguous expansions of vehicular use areas up to 25%; OR</p> <p>Contiguous expansions of outdoor storage areas up to 10%.</p>                                                                                                                               |

**SEC. 40-19    RESERVED.****SEC. 40-20    RESERVED.**

## ***DIVISION 2: VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS***

### ***SEC. 40-21 ZONING VARIANCES.***

Purpose: Variances allow deviations from the standards of this Code when the applicant sufficiently demonstrates that the request meets [Sec. 40-21\(c\) Variance Review Criteria](#).

#### ***(a) Applicability.***

- (1) Property owners may apply for a Variance, permitting a deviation from the standards of this Code, except in the following conditions:
  - a. Variance requests shall not propose increased development intensity or density beyond that allowed in the applicable zone and the Comprehensive Plan;
  - b. Variances shall not propose to allow a prohibited use or a prohibited sign. Pre-existing conditions may continue in accordance with [Division 5: Nonconformities](#).
  - c. Variances related to Public Works requirements and engineering standards are subject to [Sec. 40-22 Engineering Variances](#).
- (2) Inability to achieve the maximum permitted development is not considered grounds for granting a Variance.

#### ***(b) Submission Requirements.***

- (1) Application must be submitted to the Zoning Division along with payment of the associated fees, as designated in the Orange County fee schedule.
- (2) Submission requirements are as follows:
  - a. Submissions must include a narrative, detailing the existing standard, the proposed alternative, the purpose of the proposed alternative, and how the proposed request meets [\(c\) Variance Review Criteria](#); and
  - b. Variance requests related to Development review must include maps, plans, and elements associated with the required Development Plan, Subdivision Plan, or Master Plan submissions that are pertinent to the variance requested. Staff may request additional information in order to determine the full implication of the deviation requested.
- (3) Variance requests may be submitted concurrently with a Rezoning or Development Review application. In the case of a concurrent rezoning, the Variance will not require BZA review.

#### ***(c) Variance Review Criteria.***

- (1) To recommend to the BCC upon appeal in specific cases such variance from the zoning ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the zoning ordinances would result in unnecessary hardship. A variance from the terms of the zoning ordinance shall not be recommended by the BZA unless and until a written application and site plan for a variance is submitted demonstrating that:
  - a. **Special Conditions and Circumstances.** Special conditions and circumstances exist that are peculiar to the property are involved and that are not applicable to other properties in the same zone. Zoning violations or nonconformities on neighboring properties shall not constitute grounds for approval of a proposed zoning variance;
  - b. **Not Self-Created.** The special conditions and circumstances do not result from the actions of the applicant or property owner. A self-created or self-imposed hardship shall not justify a zoning variance;
  - c. **No Special Privilege Conferred.** The granting of the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures or required subdivision improvements under similar conditions;
  - d. **Deprivation of Rights.** Literal interpretation of the provisions of this Code deprives the applicant of rights commonly enjoyed by other properties in the same zone and results in unnecessary and undue hardship on the applicant. Financial loss or business competition or purchase of property with intent to develop in violation of the restrictions of this Chapter shall not constitute grounds for approval or objection.
  - e. **Minimum Possible Variance.** The Variance, if granted, is the minimum Variance that makes possible the reasonable use of the property;
  - f. **Purpose and Intent.** The granting of the Variance is in harmony with the general intent and purpose of this Code and the applicable zone, and is not injurious to the neighborhood, or otherwise detrimental to the public welfare.

## VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS

- (2) The BZA may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed, or both. Under no circumstances except as permitted above shall the Board of Zoning Adjustment recommend granting a variance to permit a use not generally or by special exception permitted in the zone involved, or any use expressly or by implication prohibited by the terms of the zoning regulations in the zone. No non-conforming use of neighboring lands, structures or buildings in the same zone, and no permitted use of lands, structures or buildings in other zone shall be considered grounds for the authorization of a variance.

**(d) Variance Review Process.**

- (1) Upon receipt of a complete application and applicable fees, staff will:
  - a. Schedule a hearing with the BZA; and
  - b. Create a staff report, including recommendations based upon [\(c\) Variance Review Criteria.](#), for consideration by the BZA.
- (2) The BZA will review the application in a public hearing and recommend that the BCC approve or deny the request based on the Variance Review Criteria.
- (3) In recommending the granting of any variance, the BZA may prescribe appropriate conditions and safeguards in conformity with the zoning regulations.
- (4) The BZA recommendation will be included in a consent agenda of a future BCC meeting, for consideration by the BCC.

**SEC. 40-22 ENGINEERING VARIANCES.**

A requested variance from the requirements of [ARTICLE V—LAND DEVELOPMENT](#) which complies with each of the following 3 criteria shall be processed in accordance with Chapter 34, Article II, Section 34-27: Variances to Subdivision Regulations and shall not be heard by the BZA:

- (1) The requested variance is from a provision of Chapter 40: Zoning, specifically listed in [Article 3, Division 3: Sites and Buildings](#);
- (2) The variance request is made either in combination with the initial preliminary Subdivision Plan review or as a change to the preliminary Subdivision Plan conducted in compliance with Chapter 34: Subdivision Regulations; and
- (3) The requested variance affects more than 1 lot and may have an effect on the overall site development of the subdivision.

**SEC. 40-23 SPECIAL EXCEPTIONS.**

Purpose: Special Exceptions are uses which require extra consideration in certain zones. In these cases, the property owner must demonstrate the use meets the [\(c\) Special Exception Review Criteria.](#) and will comply with conditions and standards for location and operation as specified in [Article 4, Division 1: Permitted Uses](#) and will not otherwise be detrimental to surrounding properties.

**(a) Applicability.**

- (1) Special Exceptions may only be applied for under circumstances in which [Article 4, Division 1: Permitted Uses](#) explicitly states that a Special Exception is required.

**(b) Submission Requirements.**

- (1) Application must be submitted to the Zoning Division along with payment of the associated fees, as designated in the Orange County fee schedule.
- (2) Submissions must include a narrative detailing how it meets the [\(c\) Special Exception Review Criteria.](#), and detailing the intended use of the property and how it is compatible with the pattern of development in the surrounding neighborhood.
- (3) Special Exception requests that are part of Horizontal/Vertical Permitting must include a site plan and any other materials that are pertinent to the Special Exception being requested.
- (4) Special Exception requests must include maps, plans, and elements associated with the required Development Plan, Subdivision Plan, or Master Plan submissions that are pertinent to the Special Exception being requested.
- (5) Special Exception requests may be submitted concurrently with a rezoning or Development review application, or prior to such application. Special Exceptions that are granted are only valid in conjunction with the associated Development review application.



## VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS

- (6) Where required by criteria in [Article 4, Division 5: Regulations for Specific Uses](#), or at the discretion of the Zoning Manager, Environmental Protection Division Manager, or County Traffic Engineer, additional studies such as but not limited to a traffic study, “noise compliance and compatibility study”, “odor compliance and compatibility study”, and “dust and particulate matter compliance and compatibility study,” must be submitted by the applicant for review.

**(c) Special Exception Review Criteria.**

- (1) The use must be in harmony with the purpose and intent of the zoning ordinance.
- (2) The use must be consistent with the Comprehensive Plan.
- (3) The use must be similar and compatible with the development pattern of the surrounding neighborhood.
- (4) The use must not act as a detrimental intrusion into a surrounding area.
- (5) The use must meet the performance standards of the zone in which the use is permitted.
- (6) The use must 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 zone.
- (7) The use must meet all applicable standards described in [Article 4, Division 5: Regulations for Specific Uses](#).
- (8) Landscape buffer yards shall be in accordance with section [Sec. 40-71\(b\) Side and Rear Buffers](#). Buffer yard types shall track the district in which the use is permitted.
- (9) For additional criteria for a Special Exception related to a Communication Tower use, refer to [Sec. 40-182 Standards and Criteria for Review of Special Exception Requests on Communication Tower Facilities](#).

**(d) Special Exception Review Process.**

- (1) Upon receipt of a complete application and applicable fees, staff will:
  - a. Schedule a hearing with the BZA; and
  - b. Create a staff report, including recommendations based upon the [\(c\) Special Exception Review Criteria](#)., for consideration by the BZA.
- (2) The BZA will review the application in a public hearing and recommend that the BCC approve or deny the request based on the Special Exception Review Criteria.
- (3) The BZA recommendation will be included in a consent agenda of a future BCC meeting, for consideration by the BCC.
- (4) The recommendation of the BZA may be appealed or selected by the BCC for a public hearing, as specified in Chapter 30 of the Orange County Code.

**(e) Special Exception Expiration.**

- (1) The BZA may prescribe a time limit, subject to the approval of the BCC, within which the action for which this Special Exception is required must commence or be completed.
- (2) If the BZA does not prescribe a time limit, an automatic one-year time limit to obtain a building permit applies.
- (3) Failure to begin or complete such action within the time limit will void the Special Exception.
- (4) A request to extend the time limit may be made in writing to the Zoning Manager.
- (5) The Zoning Manager may extend the time limit if the applicant provides proper justification for such an extension. Examples of proper justification include, but are not limited to:
  - a. Proceeding in good faith, there is a delay in contract negotiations not attributable to the applicant; and
  - b. Unexpected financial hardships which were not known and could not have been reasonably foreseen by the applicant when the special exception was granted.
- (6) The Zoning Manager's determination on a request for an extension of time may be appealed to the BZA and then the BCC.

## VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS

**SEC. 40-24 MINOR DEVIATIONS.**

Purpose: Minor Deviations allow adjustments to specific, enumerated standards of this Code in already stipulated instances, based on pre-determined review criteria in which it is anticipated that known but atypical conditions should allow for adjustments to standards or that certain non-standard practices may be permitted upon more detailed review. A Minor Deviation is also intended to provide limited flexibility, in specific areas, to allow alternative design that is equal to or better than that afforded by strict application of certain standards.

**(a) Applicability.**

- (1) Inability to achieve the maximum permitted development is not considered grounds for granting a Minor Deviation.
- (2) Minor Deviations are only available where explicitly stated in this Code, except that the Zoning Manager is authorized to approve modifications of numeric standards specified in [ARTICLE III—ZONE STANDARDS](#) up to 1 foot as a Minor deviation. This excludes numeric standards related to engineering which shall be approved by the County Engineer and are not subject to the [\(c\) Minor Deviation Review Criteria](#).
- (3) The zoning manager is authorized to grant deviations from the landscaping regulations in [Sec. 40-91](#) and those referenced in [Sec. 40-91\(b\)\(5\)](#) where the strict application would result in a practical difficulty or a physical hardship affecting the economic use of the property. Where substantial deviation from this landscaping is proposed, that in the opinion of the zoning manager does not further the intent and purpose of [Sec. 40-91](#), the board of county commissioners may consider an appeal of the zoning manager's decision, pursuant to the standards contained in Orange County Code section 34-27.

**(b) Submission Requirements.**

- (1) Application must be submitted to the DRC Office along with payment of the associated fees, as designated in the Orange County fee schedule.
- (2) Submission requirements vary based on the nature of the Minor Deviation requested, as determined by the Approval Authority, and as follows:
  - a. Submissions must include a narrative, detailing how the deviation request complies with the [\(c\) Minor Deviation Review Criteria](#);
  - b. Minor Deviation requests must include maps, plans, and elements associated with the required Development Plan, Subdivision Plan, or Master Plan submissions that are pertinent to the Minor Deviation being requested.
- (3) Minor Deviation requests may be submitted concurrently with a Development review application, or prior to such application. Minor Deviations that are granted are only valid in conjunction with the associated Development review application.

**(c) Minor Deviation Review Criteria.**

- (1) Minor Deviations are subject to the criteria and maximum allowable deviation specified in [Table 5: Minor Deviation Review Criteria](#).
- (2) The request must be consistent with the intent of this Code and the zone in which it is located.
- (3) The request must not negatively impact surrounding properties.

**(d) Minor Deviation Review Process.**

- (1) Minor Deviation requests submitted with a Development review application will be evaluated along with the application review of the department with Approval Authority or by the DRC through the concurrent application's review process per [\(b\) Submission Requirements](#)., which will approve or deny the request.
- (2) Minor Deviation requests submitted prior to a Development review application will be evaluated by the department or division with Approval Authority, which will approve or deny the request as specified in [\(c\) Minor Deviation Review Criteria](#).

**(e) Appeals.**

An applicant denied a Minor Deviation may appeal the decision to the DRC.

## VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS

**Table 5: Minor Deviation Review Criteria**

| Standard                                                                                 | Approval Authority                                                                                            | Review Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Maximum Allowable Deviation                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Article 3, Division 3: Sites and Buildings</b>                                        |                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Building Setbacks</b><br><b>Sec. 40-67(a)</b>                                         | Zoning Manager, County Engineer, or designee(s)                                                               | <p>The applicant has addressed potential concerns related to drainage, fencing, and location of mechanical equipment.</p> <p>AND one of the following is true:</p> <p>Consistency with specific neighborhood context is demonstrated which may be an existing neighborhood or a proposed neighborhood or subdivision wherein all setback deviations are internal to the proposed development project.</p> <p>OR</p> <p>Site or development conditions make compliance impractical such as an existing non-conforming lot or structure or a opportunity to preserve existing vegetation.</p> | <p>Up to the minimum structure separation permitted by Fire Code for side setbacks.</p> <p>AND</p> <p>Up to 20% of the required setback for front, secondary frontage, or rear setbacks.</p>                                                                                                                                                                                                                                                   |
| <b>Structure Height: Medical Office, Hospital, Places of Assembly</b><br><b>Table 29</b> | Zoning Manager, or designee                                                                                   | The maximum height may exceed the established maximum for the applicable zone, where need is demonstrated to accommodate medical equipment or operational requirements for medical care which causes stories to exceed the maximum non-residential Story Height for the applicable district.                                                                                                                                                                                                                                                                                                | Up to 10 feet per story. Where Story Height exceeds the maximum by more than 10 feet the floor must be counted as multiple stories per <a href="#">Sec. 40-69(a)(2)</a> .                                                                                                                                                                                                                                                                      |
| <b>Vertical Projections</b><br><b>Sec. 40-69(c)</b>                                      | Zoning Manager, or designee                                                                                   | Height extensions not to exceed 10 feet may be permitted to allow for special non-habitable, decorative structures such as steeples, belfries, clock towers, domes, or similar structures, provided that the extension is architecturally integrated with the structure and consistent with the proposed architectural style of the structure.                                                                                                                                                                                                                                              | Such vertical structures must not exceed the greater of 20% of the ground floor area of the building or 200 square feet.                                                                                                                                                                                                                                                                                                                       |
| <b>Frontage Occupation</b><br><b>Sec. 40-73(a)</b>                                       | Zoning Manager, Traffic Engineering Manager, County Engineer, Development Engineering Manager, or designee(s) | <p>The applicant must demonstrate at least one of the following conditions:</p> <p>i. The property abuts an arterial or collector; or</p> <p>ii. The secondary frontage is longer than 50 ft.</p>                                                                                                                                                                                                                                                                                                                                                                                           | The greater of 15 ft. or up to a 15% reduction in required frontage occupation                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Article 3, Division 4: Parking and Loading</b>                                        |                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Bicycle Parking</b><br><b>Sec. 40-84(2)</b>                                           | Zoning Manager, or designee                                                                                   | The project is located within a Rural or Suburban Place Type and is an Auto-Related Commercial or Big Box Retail use and does not anticipate a high-level of bike usage.                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>Up to a 30% reduction where the result is no fewer than 6 spaces.</p> <p>The Zoning Manager or their designee may require mitigation for the reduction in spaces including designating a percentage of the remaining spaces as Cargo/Family Bicycle Spaces and the inclusion of a bike repair station.</p> <p>Cargo/Family Bicycle Spaces shall be a minimum of 10 feet in length with sufficient maneuvering area to access the space.</p> |
| <b>Article 5, Division 1: Site Development</b>                                           |                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                |

## VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS

**Table 5: Minor Deviation Review Criteria**

| Standard                                             | Approval Authority                                                                                                               | Review Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Maximum Allowable Deviation                                                                                                                                                    |
|------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Block Perimeter</b><br><b>Sec. 40-205(f)</b>      | Development Engineering Manager, County Engineer, Traffic Engineering Manager, Planning Manager, or designee(s)                  | Applicant must demonstrate that the block abuts an existing Special Zone, rail corridor, major transportation or infrastructure corridor, wetland, water body, or other natural feature which makes it untenable to comply with block size requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Minimum required deviation to accommodate the barrier or feature upon which the required is based within the proposed block.                                                   |
| <b>Flag Lots</b><br><b>Sec. 40-205(i)</b>            | Development Engineering Manager, County Engineer, or designee(s)                                                                 | Existing environmental conditions make compliance impractical.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 1 lot per subdivision or up to 10% of the lots, whichever is greater.                                                                                                          |
| <b>Culs-de-sac</b><br><b>Sec. 40-205(h) and (d)</b>  | Development Engineering Manager, County Engineer, Traffic Engineering Manager, or designee(s)                                    | Limited to conditions where wetlands, surface waters, or infrastructure corridors prevent connections so long as pedestrian and bicycle circulation must be provided where connections to an existing or proposed pedestrian or bicycle network are possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Subject to site constraints and provision of a close cul-de-sac, per <a href="#">Sec. 40-1213(d) Culs-de-sac</a> .                                                             |
| <b>External Connections</b><br><b>Sec. 40-205(h)</b> | Development Engineering Manager, County Engineer, Traffic Engineering Manager, or designee(s)                                    | Limited to the following conditions:<br>i. Where site boundaries abut Special Zones;<br>ii. Where site boundaries abut existing functionally-classified roadways and FDOT access spacing requirements exceed the maximum spacing required;<br>iii. Where site boundaries abut wetlands, surface waters, or other natural features that limit connectivity;<br>iv. Where site boundaries abut Suburban Neighborhood or Suburban Mixed Neighborhood Place Types and no road stubs exist;<br>v. Where a BCC accepted corridor study does not allow connections at the minimum spacing <a href="#">Article 5, Division 2: Roads</a> ; and<br>vi. Where the County Engineer determines that future connections are impractical or for other traffic safety concerns. | Up to 100% of required external connections.<br><br>Where minimum spacing is deviated from, the County Engineer may require shared use paths in lieu of vehicular connections. |
| <b>Article 5, Division 2: Roads</b>                  |                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                |
| <b>One-way Streets</b><br><b>Sec. 40-213(c)</b>      | Development Engineering Manager, County Engineer, Fire Marshal, Traffic Engineering Manager, Solid Waste Manager, or designee(s) | New one-way roads may be approved on a case by case basis where site or development conditions make provision of two-way movements impractical AND<br><br>The County Engineer determines that the establishment of one-way operation will not put undue stress on traffic circulation within the vicinity AND<br><br>The Fire Marshal determines that the design and location of the one-way road will not create a potentially hazardous situation.                                                                                                                                                                                                                                                                                                            | The greater of 200 ft. or up to 10% of centerline miles.                                                                                                                       |

## VARIANCES, SPECIAL EXCEPTIONS, AND MINOR DEVIATIONS

**Table 5: Minor Deviation Review Criteria**

| Standard                                                | Approval Authority                                                                                              | Review Criteria                                                                                                                                                                                                                                                                                                                                                                                                                                     | Maximum Allowable Deviation                                                                                                                                                                                                                |
|---------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Fire Access Clear Width</b><br><b>Sec. 40-214(c)</b> | Traffic Engineering Manager, Development Engineering Manager, Fire Marshal, or designee(s)                      | Where the Fire Marshal determines that adequate access for emergency vehicles can be accommodated AND<br><br>Subject to a traffic study.                                                                                                                                                                                                                                                                                                            | Case-by-case basis.                                                                                                                                                                                                                        |
| <b>Shared Use Path Width</b><br><b>Sec. 40-215(b)</b>   | County Engineer, Development Engineering Manager, or designee(s)                                                | Limited to the following conditions:<br><br>i. Where the path will not be regularly subjected to maintenance vehicle loading conditions that would cause pavement edge damage; and<br>ii. When used for only short distances due to a physical constraint such as an environmental feature, bridge abutment, utility structure, or fence.                                                                                                           | A maximum reduction in width to 8 ft.                                                                                                                                                                                                      |
| <b>Alleys</b><br><b>Sec. 40-215</b>                     | Planning Manager, Development Engineering Manager, County Engineer, Traffic Engineering Manager, or designee(s) | Applicant must accommodate vehicular access for sites with wetlands, surface waters, and other natural features which makes it untenable to comply with alley requirements.                                                                                                                                                                                                                                                                         | Subject to site constraints                                                                                                                                                                                                                |
| <b>Article 5, Division 4: Civic and Open Space</b>      |                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                            |
| <b>Uses with Civic Spaces</b><br><b>Sec. 40-234(c)</b>  | Zoning Manager, Development Engineering Manager, County Engineer, or designee(s)                                | Deviations may be granted for specific uses in civic space on a case-by-case basis subject to a determination that the use is consistent with the intent of the Code and the context based upon a site plan review.                                                                                                                                                                                                                                 | Provided that all other terms are met from <a href="#">Article 5, Division 4: Civic and Open Space</a> , an unlisted use within a civic space may be permitted based on specified design criteria and subject to improvement requirements. |
| <b>Civic Space Types</b><br><b>Sec. 40-234(a)</b>       | Zoning Manager, Development Engineering Manager, County Engineer, or designee(s)                                | Based on a determination that an unlisted civic space type meets the intent of the code for civic spaces that enhance community engagement or access to green space and specification of design criteria that must include at a minimum:<br><br>i. Dimensional or other design restrictions;<br>ii. Improvements, permitted or required;<br>iii. Maximum percentage of stormwater storage, and compensating storage; and<br>iv. Use accommodations. | Provided that all other terms are met from <a href="#">Article 5, Division 4: Civic and Open Space</a> , an unlisted civic space type may be permitted based on specified design criteria and subject to improvement requirements.         |

**SEC. 40-25      RESERVED.**

## SUBMISSION REQUIREMENTS

***DIVISION 3: SUBMISSION REQUIREMENTS******SEC. 40-26 GENERAL TO ALL SUBMISSIONS.***

- (a) A complete application is required.
- (b) All maps and plans must be legible and provided at a commonly used scale.
- (c) All maps and plans, except Sketch Plans, required within this Article must include the following:
  - (1) A project title;
  - (2) Date of preparation;
  - (3) North arrow and scale not to exceed 1 inch equals 200 feet, unless otherwise permitted;
  - (4) Name, phone number, and email address of the applicant;
  - (5) Existing road rights-of-way and easements; and
  - (6) Dimensioned bold property lines.
- (d) The following information must be provided within the set of drawing submitted, except for Sketch Plans:
  - (1) A legal description and sketch of description, subject to the following:
    - a. For subdivision names, the plat book and page also should be included; and
    - b. For single-lot residential submissions, or submissions relating to existing platted lots, Parcel Identification Number (PINs) are acceptable in addition to a legal description.
  - (2) Name, phone number, and email address of the property owner, applicant, and all consultants involved in the plan;
  - (3) A survey, within 1 year of the date of drawing submission, completed by a licensed engineer;
  - (4) Existing topography at one-foot contours based on the County Datum (or as approved by the County Engineer). Lakes, wetlands and other surface waters should also be depicted;
  - (5) On-site soil (based on the Natural Resources Conservation Service (NRCS)), flood hazard areas and generalized vegetation;
  - (6) Upland and gross acreage of the site and each existing parcel within the site; and
  - (7) Zoning of adjacent properties and subdivision names, including those separated by a right-of-way.
- (e) All submissions, except Sketch Plans, are subject to the following:
  - (1) Environmental Protection Division (EPD) staff will review whether the potential for wetlands or surface waters exists on site, in which case a County Wetland Determination is required. If impacts are proposed to wetlands, surface waters, or required upland buffers, then a Natural Resources Impact Permit is required;
  - (2) The EPD Manager may require that an Environmental Site Assessment, in accordance with the most current ASTM E1527, E1903, or other County approved standard, be submitted for properties with a potential for soil and groundwater contamination based on prior use or proximity thereto;
  - (3) For all plans, a traffic study and traffic operations analysis may be required by the Public Works Director, County Engineer, County Traffic Engineer, Transportation Planning Division Manager, or designees; and
- (f) A Tree Survey or Tree Preservation Plan may be required where the potential for regulated, specimen, or heritage trees exist on site.
- (g) All maps and plans are subject to additional requirements as further specified in this Division, by application type.

***SEC. 40-27 SKETCH PLAN.***

Purpose: Sketch Plans provide enough information about development intentions and the subject site to allow staff to assist the applicant in navigating the standards of this Code and the plan review process, and to identify development intentions that may not be compatible with this Code prior to the application process and completion of costly and time consuming plans and documents. Sketch Plans will not be used for public hearing purposes, but for staff to provide assistance to the applicant early in the process.

- (a) Sketch Plans are acceptable for optional pre-application meetings and should include as much information as possible, including, but not limited to, the following:
  - (1) The approximate location and acreage of each proposed zone. For applications including only 1 zone, an indication



- of that zone designation is required along with the site acreage, however the zone does not need to be depicted;
- (2) The approximate alignment of intersection of and functional classification of adjacent roadways and any collector and arterial roadways and intersections within 1/2 mile of the site;
- (3) The approximate location and acreage of wetlands, surface waters, and any natural areas to be preserved;
- (4) The approximate location and acreage of wetlands and surface waters to be impacted;
- (5) The approximate location and extent of surface stormwater features; and
- (6) A list of the intended land uses to be developed.

#### **SEC. 40-28 CONCEPT PLAN.**

Purpose: Concept Plans provide sufficient information about future development intentions to evaluate the allocation of Transect Zones and Special Zones within a site, ensure they are able to be mapped onto future lots such that the transportation network and block standards in [Article 5, Division 1: Site Development](#) are able to be complied with through future development, and allow for evaluation of zones being requested in terms of their appropriate location, extent, alignment with the Comprehensive Plan, and impact to adjacent properties. For Special Zones, the Concept Plan principally allows for evaluation of the impact to adjacent and nearby properties.

- (a) Concept Plans must comply with [Sec. 40-26 General To All Submissions](#). and all County-approved plans.
- (b) In addition to the requirements in [Sec. 40-26 General To All Submissions](#)., a Concept Plan must include:
  - (1) General location and assignment of each Transect Zone and Special Zone;
  - (2) Location of existing and planned major roadways, trails or other transportation modes;
  - (3) Location of transit stops and headways;
  - (4) Location of potential and required connections, including external connections to adjacent roadways and trails, existing development, and developable lands;
  - (5) General location of public facilities sites (if applicable);
  - (6) Preliminary developable land area for the project and for each of the Transect Zones. A County Wetland Determination is required to determine preliminary developable land area; and
  - (7) Overall proposed development program and trip and parking generation table.
- (c) Concept Plans submitted for Master Plan applications must additionally include the following:
  - (1) The location and Place Type assignment of pedestrian sheds;
  - (2) The location, type and extent of main civic spaces;
  - (3) The alignment of the primary circulation network within the site, including connections to adjacent sites;
  - (4) The anticipated sizes of lots to be subdivided within each Transect Zone; and
  - (5) The anticipated extent and general types of non-residential uses.
- (d) Concept Plans submitted for Subdivision Plans must additionally include the following:
  - (1) A site location map depicting the site boundary with a bold line over an aerial photograph, including the area within 2 miles of the site boundary in all directions;
  - (2) The location and Place Type assignment of pedestrian sheds;
  - (3) The approximate alignment for public and private roads within the site and connections to adjacent sites;
  - (4) The approximate location of bicycle routes through the site and connections to adjacent sites;
  - (5) The approximate location and extent of civic spaces and open spaces;
  - (6) The approximate location and extent of parking areas and service areas other than those to be located on future lots;
  - (7) The approximate location of transit stops;
  - (8) The anticipated sizes of lots to be subdivided within each Transect Zone; and
  - (9) The anticipated extent and general types of non-residential uses.
- (e) Concept Plans including Special Zones, for Rezonings to Special Zones, Master Plans of Special Zones, or Plan Changes within Special Zones must additionally provide the following:
  - (1) All Special Zones
    - a. For areas within Special Zones (unless waived by the Planning Manager) the general location of buildings, parking and loading areas, back of house activities, active recreation areas, outdoor storage, required buffers, unusual structures and other information sufficient to demonstrate compliance with [Article 3, Division 2: Special Zones](#);



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- b. A trip generation table; and
  - c. A parking generation table.
- (2) Education Zone (SZ-ED), Entertainment and Resort Zone (SZ-EN), and Industrial Zone (SZ-HI)
  - a. A pedestrian-focused site design, separating pedestrian and vehicular circulation, which is not feasible under [Article 5, Division 1: Site Development](#);
  - b. That back of house activities and services are screened or separated from the pedestrian circulation and public rights-of-way;
  - c. That impact upon adjacent properties is minimized through strategies which may include building setbacks, a transition of building scale and intensity along property boundaries, landscape buffers, and dispersal of multimodal traffic and service functions along multiple access points or roadways where possible, excluding residential streets except to facilitate resident or non-vehicular access to the proposed use;
  - d. The location and extent of all proposed uses, including the maximum number of on-site dormitory units; and
  - e. The Concept Plan must be accompanied by a narrative describing why the standard Transect Zones do not accommodate the unique proposed use and why a campus environment as permitted by SZ-ED and SZ-EN and is appropriate for the specific site and educational environment.
- (3) Mobile Home Zones (SZ-MH)
  - a. That back of house activities and services are screened or separated from the pedestrian circulation and public rights-of-way;
  - b. That impact upon adjacent properties is minimized through landscape buffers;
  - c. The location and extent of all proposed uses, including recreational uses and trash and recycling facilities; and
  - d. The Concept Plan must be accompanied by a narrative describing why the standard Transect Zones do not accommodate the unique proposed use and why a site layout as permitted by SZ-MH is appropriate for the specific site and its surroundings.

**SEC. 40-29 REZONING REVIEW.****(a) Applicability.**

- (1) Rezoning applications for sites up to and including 10 developable acres which seek no more than 1 zone on the site are subject to [\(b\) Small Area Rezoning Submissions.](#);
- (2) Rezoning applications for sites up to and including 20 developable acres which seek more than 1 zone on the site are subject to [\(c\) Large Area Rezoning Submissions.](#);
- (3) Rezoning applications for sites between 10 and 20 developable acres are subject to [\(c\) Large Area Rezoning Submissions.](#);
- (4) Rezoning applications for Special Zones are subject to [\(c\) Large Area Rezoning Submissions.](#); and
- (5) Rezoning applications for sites greater than 20 developable acres are subject to [Sec. 40-14 Master Plan Reviews.](#)

**(b) Small Area Rezoning Submissions.**

- (1) A sufficient justification statement must be provided, describing the following:
  - a. Existing zone and boundaries;
  - b. Proposed use of property; and
  - c. Consistency with the Comprehensive Plan.
- (2) County agent authorization form must be provided if the title to the property is not in the applicant's name

**(c) Large Area Rezoning Submissions.**

- (1) A Proposed Rezoning Map must be provided as follows:
  - a. The map must comply with [Sec. 40-26 General To All Submissions.](#);
  - b. The map must depict the proposed zone boundaries within the site; and
  - c. A table must be included, specifying:
    - 1. The total site area in acres;
    - 2. The area of each proposed zone in acres; and
    - 3. The percentage of the total site that each proposed zone occupies.
  - d. A site location map must be included, subject to the following:
    - 1. The site location map must include the area within 1 mile of the site;
    - 2. The site location map must include all road names within its boundary;
    - 3. The site location map must be an aerial photograph; and
    - 4. The subject site boundary must be depicted with a bold line.

- (2) A Concept Plan must be provided, subject to the requirements of [Sec. 40-28 Concept Plan](#).

### **SEC. 40-30 MASTER PLAN.**

- (a) Master Plan applications must comply with:
- (1) [Sec. 40-26 General To All Submissions](#);
  - (2) All County-approved plans; and
  - (3) The standards specified in [Sec. 40-203 Master Plan Standards](#).
- (b) Master Plans applications must include maps and documents specifying the following:
- (1) A Place Type map, including:
    - a. The location of existing and planned major roadways, trails or other transportation modes.
    - b. The boundaries and name of each Place Type;
    - c. A table specifying the acreage, transportation availability, and location constraint requirements for each Place Type, subject to [Table 94: Site Development Standards for Centers and Neighborhoods](#);
    - d. The location and type of each main civic space for each Place Type;
    - e. The pedestrian shed location for each Place Type including percentage of overlap with other pedestrian sheds; and
    - f. A table specifying the amount of developable land within and outside of the pedestrian shed for each Place Type and total developable land for the Master Plan.
  - (2) A zoning assignment map, including:
    - a. The boundaries, name, acreage, and estimated developable acreage of each Transect Zone and Special Zone;
    - b. Demonstration of compliance with [Table 106: Zone Allocation by Center or Neighborhood](#); and
    - c. A Site Plan for areas within Special Zones, where required by the Planning Manager.
  - (3) A Master Plan structure map, including:
    - a. The location of natural features including preserved/conserved lands, soils, topography, floodplains, and natural water bodies;
      1. A Wetland Determination (WD) must have been approved at the time of submission.
    - b. The proposed circulation network including:
      1. All roads, public and private, and their right-of-way widths;
      2. The proposed location of potential and required external connections to adjacent roadways, existing development, and developable lands;
      3. The spacing of external connections at the edges of the site;
      4. The location of transit stops and headways;
      5. The location and type of bicycle lanes and routes; and
      6. The location of shared-use paths and pedestrian trails.
    - c. All blocks within the Master Plan, including:
      1. Each block perimeter;
      2. The developable area within each block;
      3. The amount of civic space within each block;
      4. The location of cross-block passages proposed to meet block standards; and
      5. The conceptual lotting of each block.
    - d. The proposed location, size, and type of civic and open spaces;
    - e. The proposed locations of community facilities (if any);
    - f. The proposed location of stormwater infrastructure;
    - g. The proposed location of public facilities sites, size of each site, and their proposed pedestrian and bicycle connections (including public schools, police substations, fire stations, utility tracts, and government buildings (if any));
    - h. For Master Plan submissions exceeding 80 developable acres, the Master Plan structure map may provide all required details for a sample portion of the site, at least 20 developable acres, and the remainder of the site depicting:
      1. The approximate location of stormwater ponds;
      2. The approximate location of 20% of all interior roads by centerline length, including all roads that provide external connections; and
      3. The approximate location and size of any public facilities sites.

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- (4) Demonstration of compliance with Chapter 19, Floodplain Management;
- (5) A conceptual stormwater and drainage plan;
- (6) A conceptual utilities plan;
- (7) A phasing plan, each phase must be a stable independent unit;
- (8) A traffic study or traffic operations analysis, as may be requested by the Public Works Director, County Engineer, County Traffic Engineer, Transportation Planning Division Manager or their designees;
- (9) If wetland impacts are proposed, a Natural Resource Impact Permit must be approved prior to or concurrent with BCC approval of the Master Plan; and
- (10) Where the potential for regulated, specimen, or heritage trees exist on site:
  - a. A Tree Survey, as described in Sec. 15-278(e)(1) of the Orange County Code; and
  - b. A Tree Preservation Plan as specified in [Sec. 40-34 Tree Preservation Plans](#).

**SEC. 40-31 DEVELOPMENT PLAN.**

- (a) Development Plans are required for sites with more than 6 developable acres not being subdivided and those sites not otherwise considered a small site consistent with [Sec. 40-201\(b\) Small Sites](#).
- (b) Development Plans must comply with:
  - (1) [Sec. 40-26 General To All Submissions.](#);
  - (2) All County-approved plans; and
  - (3) The standards specified in [Sec. 40-201 Development Plan Standards](#).
- (c) Development Plan applications must include plans and documents specifying the following:
  - (1) A site plan, including:
    - a. The footprint of any existing structures;
    - b. The location of natural features including preserved/conserved lands, soils, topography, floodplains, natural water bodies and Normal High Water Elevation (NWHE), if applicable;
      - 1. A Wetland Determination must have been approved at the time of submission.
    - c. Internal site circulation, including the primary circulation network;
    - d. Internal site circulation connections to abutting roads, road stubs, and additional required external connections;
    - e. Cross-section design of all portions of the primary circulation network, demonstrating compliance with the dimensional standards of [Article 5, Division 2: Roads](#);
    - f. A- and B-street designations, at the applicant's discretion;
    - g. Frontage parking lanes, at the applicant's discretion;
    - h. Bicycle facilities provided, including shared use paths, routes and dedicated portions of the primary circulation network, and bicycle parking;
    - i. Pedestrian connections to adjacent sidewalks, pedestrian paths, and transit facilities;
    - j. Internal blocks bound by the primary circulation network and the perimeter dimension of each;
    - k. Cross-block passages required to meet block size requirements;
    - l. Drainage and stormwater infrastructure;
    - m. Civic spaces, their type, acreage, proportion, and programming; and
    - n. Ownership and Maintenance Table and relevant notes for disposition of all lots, tracts, easements, and rights-of-way, both public and private.
  - (2) A hypothetical lotting plan, including:
    - a. Hypothetical lots overlaid on the site structure plan, excluding and dimensions or annotations specific to that plan;
    - b. A table listing the dimensions of each hypothetical lot;
    - c. Building footprints and setbacks from hypothetical lot lines;
    - d. Frontage occupation calculations for all buildings along:
      - 1. Site frontages; and
      - 2. The primary circulation network, excluding any designated B-streets.
    - e. Building and impervious surface coverage for each hypothetical lot;
    - f. Parking and circulation location and setbacks from hypothetical lot lines;
    - g. Trash, storage, and service areas and required screening;
    - h. Any required streetscreens; and

- i. Any required landscape buffers.
- (3) A utility plan, including:
  - a. The location of all water, reclaimed water, sewer, stormwater, electric, gas, and telecommunication lines and equipment; and
  - b. The location of all utility easements and indication of any exclusive easements.
- (4) Signing and Pavement Marking plans with details of installation consistent with Traffic Engineering Division specifications;
- (5) A landscape plan, as specified in [Sec. 40-33 Landscape Plan](#).
- (6) A Tree Preservation Plan, as specified in [Sec. 40-34 Tree Preservation Plans](#).
- (7) A description of the re-use of any structures, including their prior use, proposed use, and alterations being proposed; and
- (8) Statistical information including:
  - a. Maximum lot coverage expressed as a percentage of the site area;
  - b. Maximum impervious surface ratio expressed as a percent of the total developable site area;
  - c. The calculated gross and net residential densities for the project;
  - d. The exact number of dwelling units and residential density in each residential use area;
  - e. The exact number of non-residential land uses by type and size (expressed in floor area ratio);
  - f. The location and number of parking spaces and service areas;
  - g. A trip generation table;
  - h. A parking generation table;
  - i. The specific acreage of each use area; and
  - j. The areas of land devoted to publicly-owned open space, publicly-owned recreational areas, publicly-owned civic space, common-area open space, common-area recreational areas, and common-area civic space, all expressed as percentages of the total site area.

#### **SEC. 40-32 SITE PLAN IN ASSOCIATION WITH HORIZONTAL/VERTICAL PERMITTING.**

- (a) Site Plans must comply with [Sec. 40-26 General To All Submissions](#).
- (b) All Site Plans must incorporate the following:
  - (1) All property lines;
  - (2) All road rights-of-way;
  - (3) All easements;
  - (4) Net lot area;
  - (5) The location and acreage of any wetlands per the Wetland Determination;
  - (6) The location of the normal high-water elevation (NHWE) contour of all adjacent natural surface water bodies;
  - (7) The location of any septic tank and drain field;
  - (8) The location of any existing buildings, structures, mobile homes, or fences, boat docks, boat ramps, or any other improvements including all dimensions to property lines;
  - (9) All applicable dimensions;
  - (10) The proposed change being applied for (including new buildings, other new structures, structures to be altered or demolished, or any other improvements);
  - (11) The location and number of parking spaces and location of service areas;
  - (12) A landscape plan, as specified in [Sec. 40-33 Landscape Plan](#);
  - (13) A Tree Preservation Plan, as specified in [Sec. 40-34 Tree Preservation Plan](#).
  - (14) Any Site Plan not prepared by a Florida Professional Surveyor and Mapper registered with the State of Florida, must contain a clear statement that it does not constitute a survey and the preparer must sign and date the plan;
    - a. A Site Plan described by this section, must be prepared by a licensed architect, engineer, or Florida Professional Surveyor and Mapper, except:
      - 1. A Site Plan may be prepared by the property owner or by a general building or residential contractor registered or certified with the State of Florida; however, the plan must be superimposed on a copy of a survey previously prepared by a registered Florida Professional Surveyor and Mapper that shows all existing improvements; and
        - i. The plan must be submitted at a scale of not less than 1 inch equals 100 feet and drawn to scale.
  - (15) Additionally, if requested, the following may need to be submitted in association with permits:
    - a. Boundary and Topographic Survey;

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- b. Architectural Elevations of all structures on all sides with cardinal directions;
  - c. Utility Plan;
  - d. Signage Plan;
  - e. Lighting Plan;
  - f. Stormwater and Drainage Plan;
  - g. Overall proposed development program with trip generation and parking generation tables;
  - h. Signing and Pavement Marking plans with details of installation consistent with Traffic Engineering Division specifications; and
  - i. Structural drawings as required to meet Florida Building Code.
- (16) Prior to vertical permit issuance the site must be platted or replatted (if required) or a Hold Harmless Agreement (HHA) must be approved by the DRC.

**SEC. 40-33 LANDSCAPE PLAN.****(a) General Requirements.**

- (1) Plans must comply with the requirements set forth in [Article 3, Division 5: Landscape Standards](#).
- (2) All plans with street trees and grading/draining plans that will affect preserved trees are additionally subject to Public Works review;
- (3) Landscape plans must be drawn at a scale of 1 inch equals 10 feet, 1 inch equals 20 feet, or 1 inch equals 30 feet; and
- (4) Landscape plans must be prepared, signed, and sealed by a Professional Landscape Architect licensed in the State of Florida. For sites under 1/2 acre in developable area, landscape plans may be prepared by a Qualified Professional other than a licensed landscape architect.

**(b) Additional Requirements.**

- (1) The information specified in this section must be visually shown and labeled on the landscape plan sheets.
- (2) The “limit of work” or construction limit line for the subject project, including:
  - a. Adjacent property landscape affected by the project; and
  - b. Any adjacent property trees located up to 10 feet beyond the property line.
- (3) Title, north arrow, drawing scale, address or parcel ID, vicinity map, and date of preparation.
- (4) Name, email address, physical address, and phone number of the landscape designer.
- (5) Location and extent of the following:
  - a. Existing buildings or structures including overhangs;
  - b. All wetlands, surface waters, and appropriate upland buffers as determined by an approved Wetland Determination (WD);
  - c. The location of the Normal High Water Elevation (NHWE) must be included on the survey and plan sheets, as applicable;
  - d. Overhead and underground utilities including but not limited to all permanent electrical, plumbing or mechanical infrastructure. See [Table 6: Typical Infrastructure Detail](#); and
  - e. All paving, walls and ground plane structures including but not limited to those listed in [Table 6: Typical Infrastructure Detail](#).

**Table 6: Typical Infrastructure Detail**

|                                      |                                |
|--------------------------------------|--------------------------------|
| » Transformers                       | » ADA facilities               |
| » Utility infrastructure             | » Easements                    |
| » Ground-mounted A/C units           | » Light poles                  |
| » Chillers                           | » Septic tanks drainfields     |
| » Generators                         | » Fire hydrants                |
| » Dumpsters                          | » Sidewalks, ramps and steps   |
| » Backflow prevention devices        | » Retaining or perimeter walls |
| » Grease traps                       | » Stormwater infrastructure    |
| » Ground-mounted lights              | » Fiberoptic utilities         |
| » Vehicular sight distance triangles |                                |

- (6) Identification of on-site soils using the Natural Resources Conservation Services (NRCS) specifications, including spot elevations and contour lines at one-foot intervals.
- (7) Note indicating that invasive plants required to be removed, as listed in the latest edition of the Florida Invasive Species Council’s Invasive Plant Species List, Category I and Category II, additionally subject to the following:
  - a. Disturbance of wetland areas is regulated under Chapter 15, Article X, Wetland and Surface Water Protection



- Ordinance of Orange County;
- b. Vegetation removal at or below the NHWE on a lakefront lot may require a separate permit from the Environmental Protection Division (EPD); and
- c. A separate permit is required if exotics are being removed from wetlands above the NHWE.
- (8) All proposed plant species (common name and scientific) and their location.
- (9) A plant schedule and landscape plan using graphics and symbols for individual trees and shrubs (groundcover can be graphically patterned) to describe the following:
  - a. Size, spacing and quantity of plant materials;
  - b. Tree planting detail as described in [Table 63: Required Tree Planting Dimensions](#) must be included. The detail must include planting depth, spacing from impervious surface, soil volume, root ball, mulch/compost, and soil amendments;
  - c. Where required, calculations demonstrating that the required ratio of high, medium, or low water use plant material, as more fully described in [Sec. 40-96 Water-Efficient Design.](#), has been achieved in the proposed plan;
  - d. Compliance with turf grass limitations specified in [Sec. 40-96 Water-Efficient Design.](#); and
- (10) An irrigation plan.
- (11) A certification from the Landscape Architect or notarized letter from another Qualified Professional that the landscape plan is designed in accordance with this Code.

#### **SEC. 40-34 TREE PRESERVATION PLANS.**

- (a) General Requirements.
  - (1) Tree Preservation Plans shall comply with the requirements set forth in Chapter 15, Article VII (Tree Protection and Removal).
  - (2) Applications subject to this section shall include a Tree Survey, Tree Disposition Plan, and a Tree Protection Plan as part of application. The plans shall comply with the following basic standards in a format determined by the Zoning Manager.
  - (3) All plans must show, at a minimum:
    - a. Property boundaries;
    - b. The "limit of work" line for the subject project to include any adjacent property trees located up to ten (10) feet beyond the property line;
    - c. All overhead utility lines, transformers, easements, and underground utilities, including septic tank drainfields, sidewalks located within the project, and ground or pole signs as defined in chapter 31;
    - d. All existing and proposed light poles, fire hydrants, and backflow prevention devices;
    - e. Tree Identification Number: Each tree shall be identified by a unique number and numbered on the survey and shall be consistently carried over throughout all the plan pages and summary tables.
- (b) Tree Survey. A tree survey prepared by a professional surveyor (as defined in section 15-277) consisting of a drawing (one (1) inch equals three hundred (300) feet or better). If trees do not exist on the property, then a surveyor shall sign and seal a letter stating, "Per Sec. 15-301(e), there are no recommended or restricted stock trees on this property." The tree survey shall have been completed within two (2) years from the date of the application. Each survey shall indicate the following information:
  - (1) Property boundaries.
  - (2) All regulated trees and proposed preserved trees, as defined by Chapter 15, Article VIII (Tree Protection and Removal), shall be identified with the following information:
    - a. Site location.
    - b. Diameter at breast height (DBH).
    - c. Common name.
    - d. Identification of heritage and specimen trees.
    - e. Identification of existing and proposed easements.
    - f. Identification of any waterbodies, wetlands and other conservation areas.
- (c) Tree Disposition Plan. Plans shall indicate the following information:
  - (1) Proposed site plan, including existing and proposed:
    - a. Building footprints, vehicular use areas, and other site improvements.
    - b. Location of proposed underground utilities.

## SUBMISSION REQUIREMENTS

- c. Proposed grading and drainage plan.
- (2) Location and dimension of property line setback areas and buffer areas.
- (3) Trees proposed to be preserved or removed.
- (4) Summary Tables:
  - a. Tree Survey and Disposition Table containing the following:
    - 1. Tree Identification Number: Each tree shall be numbered on the survey and shall be consistently carried over throughout all the plan pages.
    - 2. Common and Scientific Name.
    - 3. DBH.
    - 4. Whether the tree is Regulated, Specimen, Heritage or Restricted per Sec. 15-277 and 15-283.
    - 5. Whether the tree will be preserved.
    - 6. If an existing tree is proposed to be preserved, the preservation credit amount per Sec. 15-306(a)(4).
    - 7. If an existing tree is proposed to be removed, the mitigation amount required per Sec. 15-306(a)(1).
  - b. Tree Disposition Summary Table containing the following information:
    - 1. Summary of the tree survey and disposition table for the entire site.
    - 2. Totals for each of the following type of trees for the site (Regulated, Specimen, Heritage):
    - 3. Preserved inches.
    - 4. Preserved percentage.
    - 5. Removed inches.
    - 6. Removed percentage.
- (d) Tree Protection Plan. A tree protection plan shall indicate the following information:
  - (1) Proposed site plan.
  - (2) Proposed grading plan.
  - (3) Proposed trees to be preserved.
  - (4) The location of the center of the tree and the dripline of the tree.
  - (5) The location of the Tree Protection Zone (TPZ) for each protected tree and location of all tree protection fencing. Refer to Sec. 15-282 for barrier specifications and dimensions. Clustering trees within a barrier is allowed.
  - (6) Details of tree protection barriers with the height and material of per Sec. 15-282(c)(1) for regulated, specimen, or heritage trees as applicable.
  - (7) Summary tables:
    - a. Preservation Credit Table.
      - 1. Provide proposed preservation credits within the respective limits outlined in Sec. 15-306(a)(4).
      - 2. Summary of preserved inches for Regulated, Specimen, and Heritage trees.
    - b. Replacement Credit Table. Table showing the quantity, ratio, and inches for proposed replacement trees for Canopy and Understory Trees. See Sec. 15-306 for tree replacement criteria.
    - c. Regulated Mitigation Summary Table. Provide mitigation calculations for regulated trees proposed for removal. See Sec. 15-306 for tree replacement criteria.
    - d. Specimen and Heritage Mitigation Summary Table. Provide mitigation calculations for specimen and heritage trees proposed for removal.
    - e. Subdivision Tree Replacement Table (if applicable). If applicable, provide a table that indicates the number of inches to be mitigated, if any, per lot (or tract). The inches shall be distributed and apportioned to the individual lots (or tract) based on lot size.
  - (8) The following notes shall be added to the plan:
    - a. Tree Protection Protective barriers shall remain in place until all construction activity is completed on site, until a final landscaping inspection is made, or until authorization is granted by the county to remove the protective barrier. During site development, no soil shall be added, removed, or otherwise disturbed, nor shall any construction equipment, liquids, debris or materials, be located within the area.
    - b. It shall be the responsibility of the permittee to ensure that any tree or stand of trees designated to remain be protected with protective barriers during construction. Barriers for the designated protected trees shall be in place prior to any land clearing occurring near protected trees designated to remain. The property owner shall guarantee survival of retained or replacement trees for one (1) year from the issuance of a certificate of completion or certificate of occupancy, as applicable, or until the issuance of a certificate of occupancy on single-family residential lots.
    - c. All invasive plants listed in the latest edition of the Florida Invasive Species Council's Invasive Plant Species List, Category I and Category II, shall be removed subject to the following:
      - 1. Disturbance of wetland areas is regulated under Chapter 15, Article X, Wetland and Surface Water



- Protection Ordinance of Orange County;
2. Vegetation removal at or below the NHWE on a lakefront lot may require a separate permit from the Environmental Protection Division (EPD); and
  3. A separate permit is required if exotics are being removed from wetlands above the NHWE.
- d. Per Sec. 15-284, any trees proposed to be preserved on this approved tree preservation plan that are subsequently removed, shall be considered a violation and subject to one or more administrative penalties.

**SEC. 40-35    RESERVED**

## APPEALS

***DIVISION 4: APPEALS******SEC. 40-36 APPEALS OF STAFF DECISIONS.***

- (a) Any person aggrieved by a decision, relative to this chapter, of the Zoning Manager, Planning Manager or other Approval Authority, may appeal such decision.
- (b) The appeal must be submitted in writing to the Zoning Manager or Planning Manager within 30 days of the notification of the decision, except where a shorter duration is specified.
  - (1) Appeal request must include a summary of the decision being appealed and the basis of the appeal.
  - (2) The Zoning Manager will submit the request to the Board of Zoning Adjustment (BZA).
  - (3) The Planning Manager will submit the request to the Planning and Zoning Commission (PZC).
- (c) The appellate body will hold a hearing on the appeal. At least 10 days prior written notice of the hearing will be provided to the property owner. The appellate body will either affirm or reverse the Manager's determination.
- (d) Any aggrieved person may appeal the decision of the appellate body within 15 days to the Board of County Commissioners (BCC), which will hold a hearing on the appeal. At least 10 days prior written notice of the hearing will be provided to the property owner. At the close of the hearing, the BCC will uphold or reverse the appellate body's determination.

***SEC. 40-37 APPEALS OF BZA AND PZC DECISIONS.***

- (a) Any person aggrieved by any decision of the BZA or the PZC may file a notice of appeal as described in Section 30-45 of County Code, as may be amended.

***SEC. 40-38 APPEALS OF DRC DECISIONS.***

- (a) Any person aggrieved by a decision by the Development Review Committee (DRC) may, appeal to the BCC by submitting a letter to the Chair of the DRC. Unless otherwise provided by County Code, such appeal must be made within 30 days of decision by DRC.
- (b) If the decision of the DRC being appealed is related to or stems from some application or process which requires a BCC public hearing, then the appeal must be heard and considered at such public hearing on the application. If the decision of the DRC being appealed does not otherwise require a BCC public hearing, then the appeal will be promptly forwarded to the BCC for consideration.

***SEC. 40-39 APPEALS OF BCC DECISIONS.***

- (a) Any person aggrieved by the BCC decision relative to this chapter may file a petition for a writ of certiorari in the Circuit Court of the County in accordance with [Chapter 30-45 of the Orange County Code](#).
- (b) Judicial review is not available unless and until the procedures set forth in this section have been exhausted.

***SEC. 40-40 RESERVED.***

## ***DIVISION 5: NONCONFORMITIES***

### ***SEC. 40-41 GENERALLY.***

- (a) A non-conforming use, building, or structure is an existing use, building, or structure that is in compliance with the zoning regulations that were applicable to it when all required permits were issued, but which does not conform in whole or in part to the regulations of this Code. Such nonconformity is legal and may continue, provided the provisions of this division are met.
- (b) The lawful use of any building, structure, or land existing at the time of Code adoption may be continued, occupied, operated, repaired and renovated even if such use, building or structure does not conform with the conditions of this Code, provided the provisions of this Division are met.
- (c) Non-conforming buildings and structures that do not conform to the requirements of this Code may continue in use as they are until a substantial modification or change of use is requested, at which time the non-conforming building or structure must conform to the requirements of this Code.
  - (1) Interior alterations within non-conforming buildings and structures are permitted, including plumbing repairs, provided that the interior alterations do not increase the number of units.
  - (2) Any non-conforming structure, building, or portion thereof declared unsafe may be restored to a safe condition.
  - (3) Modifications of preexisting buildings is permitted in accordance with [Sec. 40-43 Alterations, Maintenance, and Expansions](#).
- (d) Nothing in this section requires any change in plans, construction, or designated use of a building or structure for which a building permit has been issued and the construction of which has been diligently carried on within 6 months of the date of such permit.

### ***SEC. 40-42 DETERMINATION OF NONCONFORMITY.***

- (a) Non-conforming use, building, or structure status is determined by the Zoning Manager through a Determination of Nonconformity.
- (b) For a nonconformity determination to be made, the following applies:
  - (1) It is the applicant's responsibility to submit and provide the Zoning Manager with all documentation and records for such determination to be made;
  - (2) The Zoning Manager makes the nonconformity determination, based upon the documentation, and records provided; and
  - (3) Appeals of the Zoning Manager's determination must be in accordance with the procedures established in [Division 4: Appeals](#).
  - (4) Non-conforming access determinations will be made by the County Engineer per Sec. 30-248(l) of County Code.
- (c) Application requirements include:
  - (1) Dated and notarized application;
  - (2) Name and address of applicant and applicant's signature;
  - (3) The property legal description;
  - (4) The current zoning;
  - (5) Statement requesting county acknowledgment of nonconformity;
  - (6) Nonconformity description;
  - (7) Identification of continuous length of use; and
  - (8) Statement that the applicant has and justification of personal knowledge of above information.
- (d) The applicant is encouraged to submit support evidence with the application such as:
  - (1) Site plan, drawn to scale;
  - (2) Floor plans, fully dimensioned;
  - (3) Photographs;
  - (4) Historical property information obtained from the County's property appraiser's office;

## NONCONFORMITIES

- (5) Historical documentation from public/private utility companies regarding electrical or water service (i.e., when original electrical meter(s) was set; length of service);
  - (6) Business Tax Receipt information, if applicable;
  - (7) Copies of legal documents (i.e., leases, rental documents, deeds, private property appraisals, contract agreements, etc.); or
  - (8) Any other pertinent information relative to the request.
- (e) The Zoning Manager may request additional information, approve the request, approve the request with conditions or deny the request.
- (f) Upon completion of the review process, the Zoning Manager will forward to the applicant a determination letter in writing.

**SEC. 40-43 ALTERATIONS, MAINTENANCE, AND EXPANSIONS.**

- (a) Expansions and redevelopment of sites are subject to Sec. 30-248(g) of County Code.
- (b) A non-conforming building or structure may be maintained, restored, rehabilitated, repaired or have alterations or renovations made subject to compliance with the following provisions:
- (1) In a building which is nonconforming as to use regulations, no structural alterations shall be made except those required by law;
  - (2) The degree of nonconformity is not increased; and
  - (3) Alteration and renovations that are exclusively interior to the building are permitted.
- (c) Any expansion or enlargement to non-conforming buildings, structures, or the associated vehicular use areas thereof shall be in accordance with all applicable Code requirements, or subject to a Determination of Nonconformity as described in [Sec. 40-42 Determination Of Nonconformity](#), and in compliance with the following criteria:
- (1) The proposed use is permitted by the zone;
  - (2) Non-conforming community residential homes may increase the number of clients in the facility if such increase conforms to the applicable zoning regulations for that zone;
  - (3) The restoration, rehabilitation, or any interior alterations or renovations of a preexisting non-conforming building does not require additional parking or on-site stormwater management to be provided, beyond what is existing, unless otherwise required by County or State Code; and
  - (4) Any addition, expansion, or substantial enlargement to a non-conforming building or structure must provide off-street parking in accordance with the standards of [Article 3, Division 4: Parking and Loading](#).
- (d) Legally existing non-conforming buildings, structures, or the associated vehicular use areas, as of the adoption of this Code, may undergo substantial modifications, enlargements, additions, expansions, or a change to a conforming use without meeting all requirements of current code, when granted relief from current code standards by the Zoning Manager through a formal Determination of Nonconformity. The Zoning Manager may grant relief from any standards under this subsection only if they find the following:
- (1) The proposed modification, enlargement, alteration, or site work will bring the site closer to meeting the current code requirements;
  - (2) The degree of nonconformity is not increased or expanded;
  - (3) The continued non-conforming aspects remain consistent with the Comprehensive Plan; and
  - (4) As part of the Determination of Nonconformity, and in consideration of any approved relief, sites may be required to make additional improvements above and beyond code requirements to improve the building, structure, site or vehicular use area, and bring the site closer to conformity with code standards.

**SEC. 40-44 ABANDONMENT.**

When a non-conforming use of land, a building, or a structure has been discontinued for 180 days or more, the land, building, or structure must be brought into compliance with the regulations of the zone in which it is located, except:

- (1) Non-residential uses in T4, T5, T6, SZ-LI, and SZ-HI where the application for the non-conforming use may be extended up to an additional 90 days subject to approval by the Zoning Manager; and
- (2) The applicant for the extension must submit documentation to the Zoning Manager which clearly demonstrates that the non-conforming building or structure has been actively marketed for the non-conforming use or has been undergoing repairs during the majority of the above-referenced 180-day period.

**SEC. 40-45 RESTORATION.**

- (a) A non-conforming building or structure, other than a sign:
  - (1) Destroyed by any cause or means (including a flood, fire, hurricane, tornado, storm, explosion, riot, or other calamity), may not be replaced, except in compliance with the regulations of this Code; or
  - (2) Damaged by any cause or means, where the cost of repair is in excess of 50% of the assessed value of the building or structure as of January 1st of the calendar year that the building or structure was damaged, as calculated by the Orange County Property Appraiser; or, if applicable, by the Orange County Value Adjustment Board, may not be repaired, except in compliance with the regulations of this Code.
- (b) A non-conforming sign, other than a billboard:
  - (1) Destroyed by any cause or means, may not be replaced, except in compliance with the regulations of this Code; or
  - (2) Damaged by any cause or means in excess of 50% of the cost of replacement of the sign, may not be repaired, except in compliance with the regulations of this Code.
- (c) A non-conforming billboard:
  - (1) Destroyed by any cause or means may not be replaced, except in compliance with the regulations of this Code; and
  - (2) Damaged by any cause or means, such that the total cost of repair is in excess of 50% of the Total Replacement Cost (as defined below), may not be repaired, except in compliance with the regulations of code.
    - a. For purposes of this subsection, the term "total replacement cost" means the calculation of total replacement cost that is derived by applying the User's Guide—Owner's Estimate of Repair/Replacement Costs of Non-conforming Billboards, which document is attached to Ordinance No. 2007-09 as Appendix A and incorporated herein by reference. The unit cost worksheet that is labeled as "Attachment 1" to Appendix A must be updated biannually without need of further action by the board.
- (d) Applications for restorations must be filed within 180 days of destruction or damage and be diligently carried to completion. Unless the restoration is so initiated and completed, the non-conforming use, building or structure is not permitted to resume.

**SEC. 40-46 SUBSTANDARD LOTS OF RECORD.**

- (a) If 2 or more adjoining lots with continuous frontage were under single ownership on or after the [effective adoption date of this Code], and one or more of such adjoining lots has a frontage or lot area less than what is required by the zone in which such lot or lots are located, such substandard lot or lots must be aggregated so as to create one or more new lots, each of which must conform to the minimum frontage and minimum lot area requirements of the zone in which the substandard lot or lots are located.
- (b) A lot legally existing prior to the adoption of this chapter that does not the meet minimum lot width or lot area assigned to transect zone may be developed with a principal or accessory structure, subject to meeting minimum development requirements of the subject transect zone.
- (c) The case that a lot is less than the minimum lot width or lot area required by the zone or is otherwise not a lawful non-conforming lot or parcel is not grounds for granting a Variance.

NONCONFORMITIES

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**SEC. 40-47    RESERVED.**

**SEC. 40-48    RESERVED.**

**SEC. 40-49    RESERVED.**

**SEC. 40-50    RESERVED.**





# ARTICLE III—ZONE STANDARDS

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## ZONES

***DIVISION 1: ZONES******SEC. 40-51 GENERAL.***

- (a) This Division specifies the requirements for Transect Zones, Special Zones, Civic Zones, and Overlay Districts.
  - (1) Uses within all zones are subject to [Article 4, Division 1: Permitted Uses](#), except:
    - a. Uses and development in T1 are limited to facilities and amenities for recreation, management, and education, associated with natural lands such as trails and trailheads;
    - b. All uses and development in T1 are subject to the Comprehensive Plan and Chapter 15 of County Code; and
    - c. Development in T1 is subject to the approval of the Board of County Commissioners, or as otherwise delegated approval and management to County staff, based upon the following goals:
      - 1. To preserve natural and sensitive lands and ecosystems throughout the County;
      - 2. To provide for ecosystems education and limited public recreation, without threatening sensitive ecosystems;
      - 3. To support preservation, education, and recreation; and
      - 4. To accommodate public infrastructure while minimizing the impact to sensitive lands and ecosystems.
  - (2) Special Zones are subject to [Division 2: Special Zones](#).
  - (3) Civic Zones are not subject to the remaining requirements of this Division.
  - (4) Overlay Districts are subject to the following:
    - a. Overlay districts are additional location and context specific requirements that supplement or modify other standards of this Code;
    - b. Overlay districts should be limited in application and utilized only for geographic locations and contexts with highly unique requirements; and
    - c. [Division 7: Overlay Districts](#) includes Overlay District regulations; and
    - d. Chapter 19, Chapter 30, and Chapter 34 of the Orange County Code.
- (b) All development is subject to the following:
  - (1) Review processes and application requirements are as specified in [ARTICLE II—ADMINISTRATION](#);
  - (2) All construction is subject to the requirements of this Division and the Orange County Code;
  - (3) Vertical construction is prohibited within any recorded easement, unless otherwise authorized by the easement holder;
  - (4) Setbacks may affect the placement and material of water, waste water, and right-of-way utilities;
  - (5) Setbacks must allow for the proper maintenance of structures and public utilities and ensure appropriate management of stormwater runoff to prevent adverse impacts on adjacent or off-site properties;
  - (6) Utilities and utility easements must be provided in accordance with [Article 5, Division 3: Utilities](#); and
  - (7) Must comply with the airport noise requirements of Chapter 9 Article XV, and the airport zoning regulations of Chapter 7 of the Orange County Code.
- (c) All development within Transect Zones is subject to the following, except T1:
  - (1) [Division 3: Sites and Buildings](#), see also [Sec. 40-52 Building Form Standards.](#);
  - (2) [Division 4: Parking and Loading](#);
  - (3) [Division 5: Landscape Standards](#);
  - (4) [Division 6: Signs](#);
  - (5) [Article 5, Division 1: Site Development](#); and
  - (6) Development within each hypothetical lot as part of a Development Plan must independently comply with the requirements of subsections (1) through (5) above.
- (d) Transect Zones and Special Zones include a primary identifier (T1, T2, T3, T4, T5, T6, and SZ) as well as a secondary identifier (such as T3.1, T3.2, T3.3, and SZ-ED, SZ-LI, and SZ-MH);
  - (1) Regulations that specify only the primary identifier of a zone without a secondary identifier apply to all secondary identifiers (T5 means T5.1, T5.2, and T5.3);
  - (2) Regulations that specify the primary and secondary identifier only apply to the specific sub-zone specified by both the primary and secondary identifier (T5.2 does not apply to T5.1 or T5.3); and
  - (3) Regulations may mix specifications for only primary identifiers with other primary and secondary identifiers (such as T4 and T3.2). Such conditions are evaluated independently for each instance (T4 applies to T4.1, T4.2, and T4.3, while T3.2 does not apply to T3.1 or T3.3).

- (e) Transect Zones may include "-M" on the official Zoning Map (such as T2.2-M and T3.1-M) which indicates that mobile homes are permitted, in accordance with [ARTICLE IV—USES](#) and reflected on the official Zoning Map. These zones are subject to the standards of the Transect Zone indicated, the "-M" only affects ability to have a mobile home on the property.
- (f) Transect Zones may include "-R" on the official Zoning Map (such as T3.3-R and T5.2-R) which indicates restrictions recommended by the PZC and adopted by the BCC that are applicable only to the property involved in a rezoning application submitted at the request or concurrence of an applicant. Such restrictions may include 1 or more of the following matters, but may not confer upon the applicant or subject property any privilege otherwise denied by these articles to other lands, structures, or buildings in the same transect zone. Upon approval of such restrictive rezonings, the zoning director shall enter the applicable restrictions, or reference thereto, on the official zoning maps of the county in a manner sufficient to constitute notice to all interested persons. Restrictions shall run with the land, without regard to transfer of ownership or other interests, and may be removed only upon amendment to the district as provided for in [Section 30-40](#) of this Code.
  - (1) Use restrictions greater than those otherwise specified for the district;
  - (2) Density restrictions greater than those otherwise specified for the district;
  - (3) Setbacks greater than those otherwise specified for the district, including setbacks from lakes and major arterials;
  - (4) Height limits more restrictive than otherwise permitted in the district;
  - (5) Minimum lot areas or minimum widths greater than otherwise specified for the district;
  - (6) Minimum floor area greater than otherwise specified for structures in the district;
  - (7) Open space requirements greater than otherwise required for property in the district;
  - (8) Parking, loading, driveway or traffic or traffic requirements more restrictive than otherwise required for the district;
  - (9) Fencing or screening requirements greater than otherwise required for the district; and
  - (10) Restrictions on any other matters which the board of county commissioners may regulate under authority of [Section 30-38](#).
- (g) Stormwater Management
  - (1) The design and construction of stormwater management systems is subject to Chapter 19, Article X (Flood-plains), Chapter 30, Article VIII (Site Development) of County Code, and Chapter 34, Article VII (Stormwater Management), Article IV (Specifications for Plans and Plats).
  - (2) Stormwater management areas may be integrated into civic spaces, in accordance with [Article 5, Division 4: Civic and Open Space](#).

## ZONES

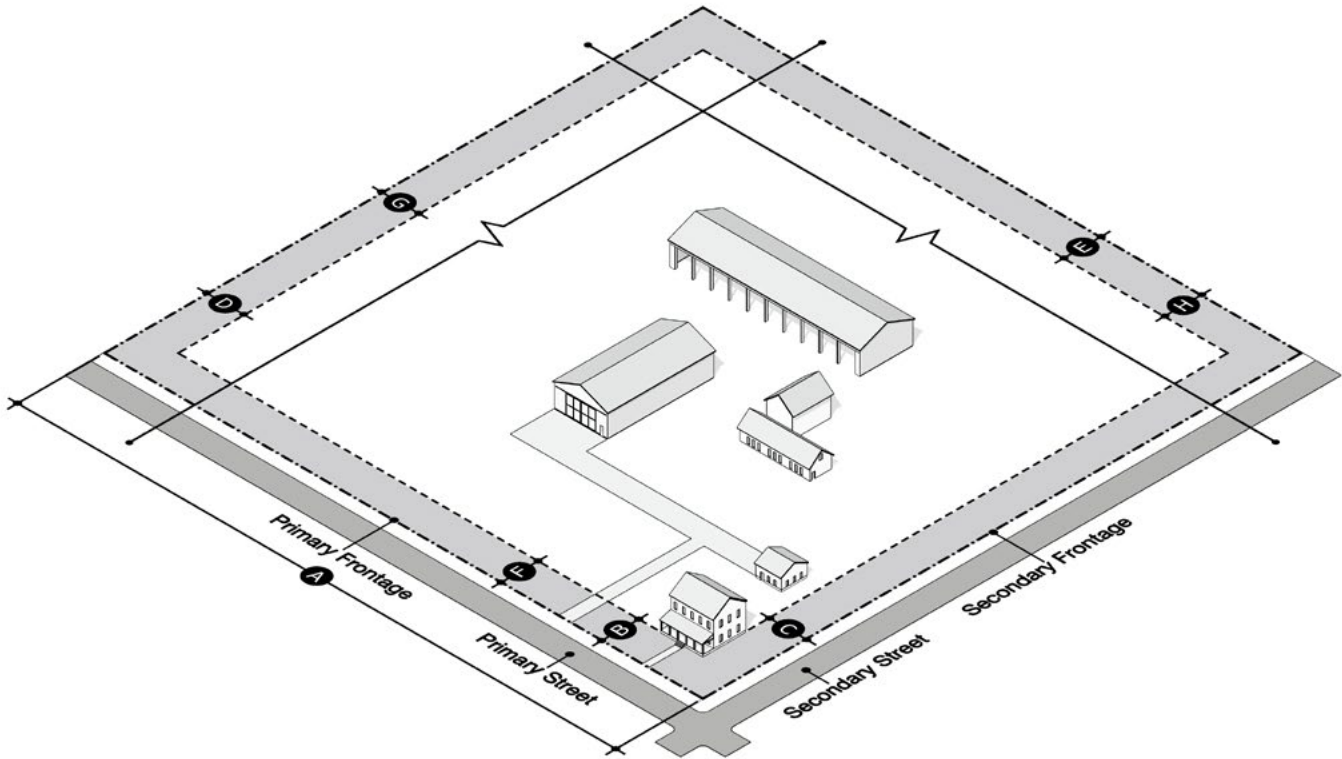
**SEC. 40-52 BUILDING FORM STANDARDS.**

- (a) This section references a series of graphics and tables, providing the following numeric Transect Zone standards:
  - (1) Lot size;
  - (2) Lot coverage;
  - (3) Impervious surface;
  - (4) Frontage occupation;
  - (5) Principal building setbacks;
  - (6) Accessory structure setbacks;
  - (7) Parking setbacks; and
  - (8) Structure heights.
- (b) The graphics and tables referenced in this section are supplemental to the full regulations specified in [Division 3: Sites and Buildings](#). Where conflicts exist, the full regulations specified in [Division 3: Sites and Buildings](#) apply.
- (c) For a summary of Transect Zone numeric standards, see the following graphics and tables:
  - (1) T2.1, see [Table 7: T2.1 Low Density Ag, Large Lot](#);
  - (2) T2.2, see [Table 8: T2.2 Low Density Ag, Medium Lot](#);
  - (3) T2.3, see [Table 9: T2.3 Low Density Ag, Small Lot](#);
  - (4) T3.1, see [Table 10: T3.1 Low Density Neighborhood, Large Lot](#);
  - (5) T3.2, see [Table 11: T3.2 Low Density Neighborhood, Medium Lot](#);
  - (6) T3.3, see [Table 12: T3.3 Low Density Neighborhood, Small Lot](#);
  - (7) T4.1, see [Table 13: T4.1 Mixed Intensity Neighborhood](#);
  - (8) T4.2, see [Table 14: T4.2 Medium Density Neighborhood](#);
  - (9) T4.3, see [Table 15: T4.3 High Density Neighborhood](#);
  - (10) T5.1, see [Table 16: T5.1 Low Intensity Mixed-use](#);
  - (11) T5.2, see [Table 17: T5.2 Medium Intensity Mixed-use](#);
  - (12) T5.3, see [Table 18: T5.3 High Intensity Mixed-use](#);
  - (13) T6.1, see [Table 19: T6.1 Low Intensity High-rise](#);
  - (14) T6.2, see [Table 20: T6.2 Medium Intensity High-rise](#); and
  - (15) T6.3, see [Table 21: T6.3 High Intensity High-rise](#).

**SEC. 40-53 RESERVED.**

**SEC. 40-54 RESERVED.**

**SEC. 40-55 RESERVED**

**Table 7: T2.1 Low Density Ag, Large Lot****Illustrated: Setback and Frontages Applied to a Common T2.1 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                             |                                |
|-----------------------------|--------------------------------|
| <b>A</b> Lot Width and Area | 200 ft. min. and 5 acres min.* |
| Lot coverage                | 10% max.                       |
| Impervious surface          | 20% max.                       |
| Frontage Occupation         | No minimum required            |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings         |             | Accessory Structures        |             |
|-----------------------------|-------------|-----------------------------|-------------|
| <b>B</b> Primary Frontage   | 35 ft. min. | <b>B</b> Primary Frontage   | 35 ft. min. |
| <b>C</b> Secondary Frontage | 35 ft. min. | <b>C</b> Secondary Frontage | 35 ft. min. |
| <b>D</b> Side               | 20 ft. min. | <b>G</b> Side               | 20 ft. min. |
| <b>E</b> Rear               | 50 ft. min. | <b>E</b> Rear               | 25 ft. min. |
| <b>H</b> Rear (alley)       | N/A         | <b>H</b> Rear (alley)       | N/A         |

**Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                             |                                          |
|-----------------------------|------------------------------------------|
| <b>F</b> Primary Frontage   | Principal building setback + 10 ft. min. |
| <b>C</b> Secondary Frontage | 35 ft. min.                              |
| <b>G</b> Side (interior)    | 20 ft. min.                              |
| <b>H</b> Rear (alley)       | N/A                                      |
| <b>E</b> Rear               | 25 ft. min.                              |

**Structure Height (See Sec. 40-69)**

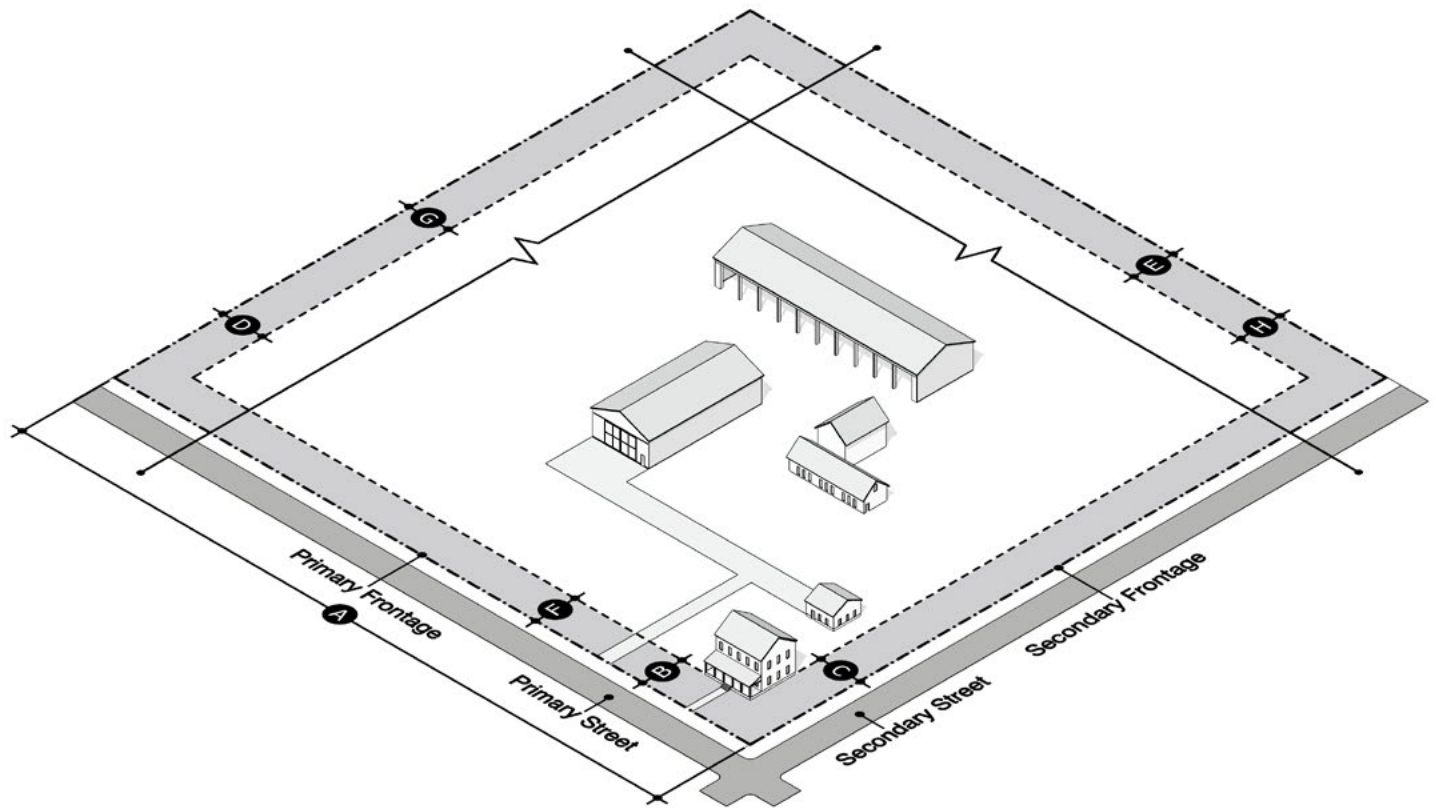
|                               |                           |
|-------------------------------|---------------------------|
| <b>I</b> Principal Building   | 3 stories max.            |
| <b>J</b> Accessory Structures | 2 stories and 40 ft. max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

\* Minimum lot size is reduced to 4.5 acres for properties within the Lake Avalon Rural Settlement.

## ZONES

**Table 8: T2.2 Low Density Ag, Medium Lot****Illustrated: Setback and Frontages Applied to a Common T2.2 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                             |                              |
|-----------------------------|------------------------------|
| <b>A</b> Lot Width and Area | 150 ft. min. and 2 acre min. |
| Lot coverage                | 20% max.                     |
| Impervious surface          | 30% max.                     |
| Frontage Occupation         | No minimum required          |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings         |             | Accessory Structures        |             |
|-----------------------------|-------------|-----------------------------|-------------|
| <b>B</b> Primary Frontage   | 35 ft. min. | <b>B</b> Primary Frontage   | 35 ft. min. |
| <b>C</b> Secondary Frontage | 25 ft. min. | <b>C</b> Secondary Frontage | 35 ft. min. |
| <b>D</b> Side               | 20 ft. min. | <b>G</b> Side               | 20 ft. min. |
| <b>E</b> Rear               | 50 ft. min. | <b>E</b> Rear               | 25 ft. min. |
| <b>H</b> Rear (alley)       | N/A         | <b>H</b> Rear (alley)       | N/A         |

**Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                             |                                          |
|-----------------------------|------------------------------------------|
| <b>F</b> Primary Frontage   | Principal building setback + 10 ft. min. |
| <b>C</b> Secondary Frontage | 35 ft. min.                              |
| <b>G</b> Side (interior)    | 20 ft. min.                              |
| <b>H</b> Rear (alley)       | N/A                                      |
| <b>E</b> Rear               | 25 ft. min.                              |

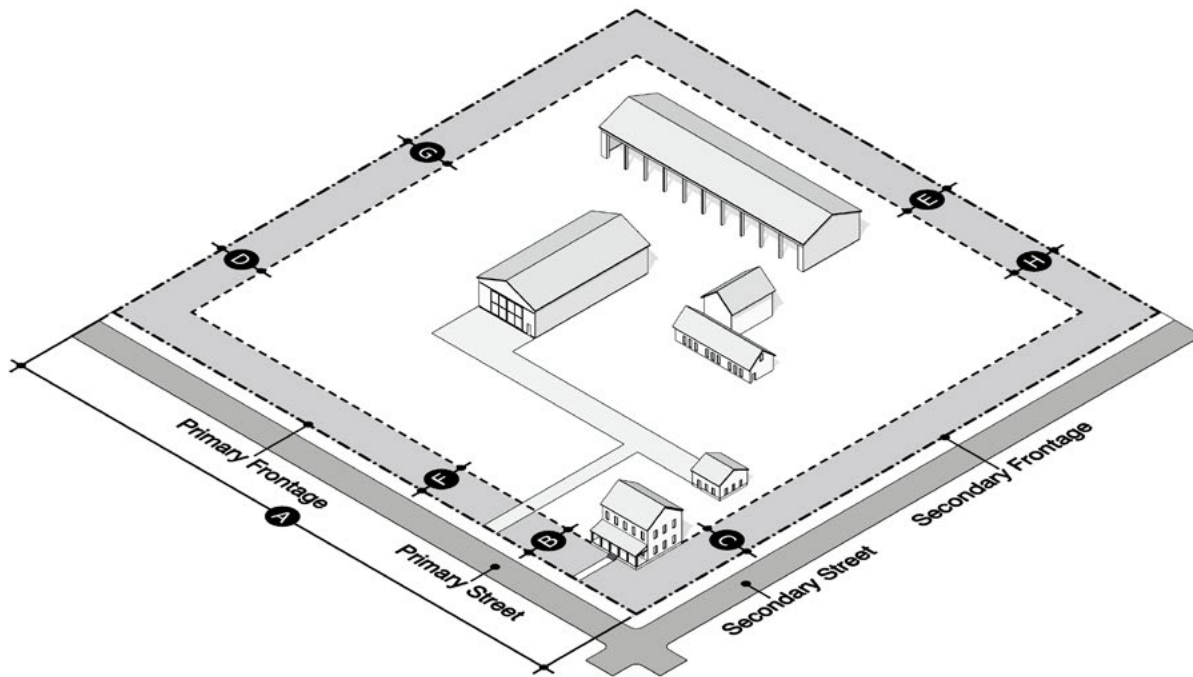
**Structure Height (See Sec. 40-69)**

|                               |                           |
|-------------------------------|---------------------------|
| <b>I</b> Principal Building   | 3 stories max.            |
| <b>J</b> Accessory Structures | 2 stories and 40 ft. max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).



**Table 9: T2.3 Low Density Ag, Small Lot****Illustrated: Setback and Frontages Applied to a Common T2.3 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                             |                              |
|-----------------------------|------------------------------|
| <b>A</b> Lot Width and Area | 100 ft. min. and 1 acre min. |
| Lot coverage                | 30% max.                     |
| Impervious surface          | 40% max.                     |
| Frontage Occupation         | No minimum required          |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings         |             | Accessory Structures        |             |
|-----------------------------|-------------|-----------------------------|-------------|
| <b>B</b> Primary Frontage   | 35 ft. min. | <b>B</b> Primary Frontage   | 35 ft. min. |
| <b>C</b> Secondary Frontage | 35 ft. min. | <b>C</b> Secondary Frontage | 25 ft. min. |
| <b>D</b> Side               | 10 ft. min. | <b>G</b> Side               | 10 ft. min. |
| <b>E</b> Rear               | 50 ft. min. | <b>E</b> Rear               | 25 ft. min. |
| <b>H</b> Rear (alley)       | N/A         | <b>H</b> Rear (alley)       | N/A         |

**Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                             |                                          |
|-----------------------------|------------------------------------------|
| <b>F</b> Primary Frontage   | Principal building setback + 10 ft. min. |
| <b>C</b> Secondary Frontage | 25 ft. min.                              |
| <b>G</b> Side (interior)    | 20 ft. min.                              |
| <b>H</b> Rear (alley)       | N/A                                      |
| <b>E</b> Rear               | 25 ft. min.                              |

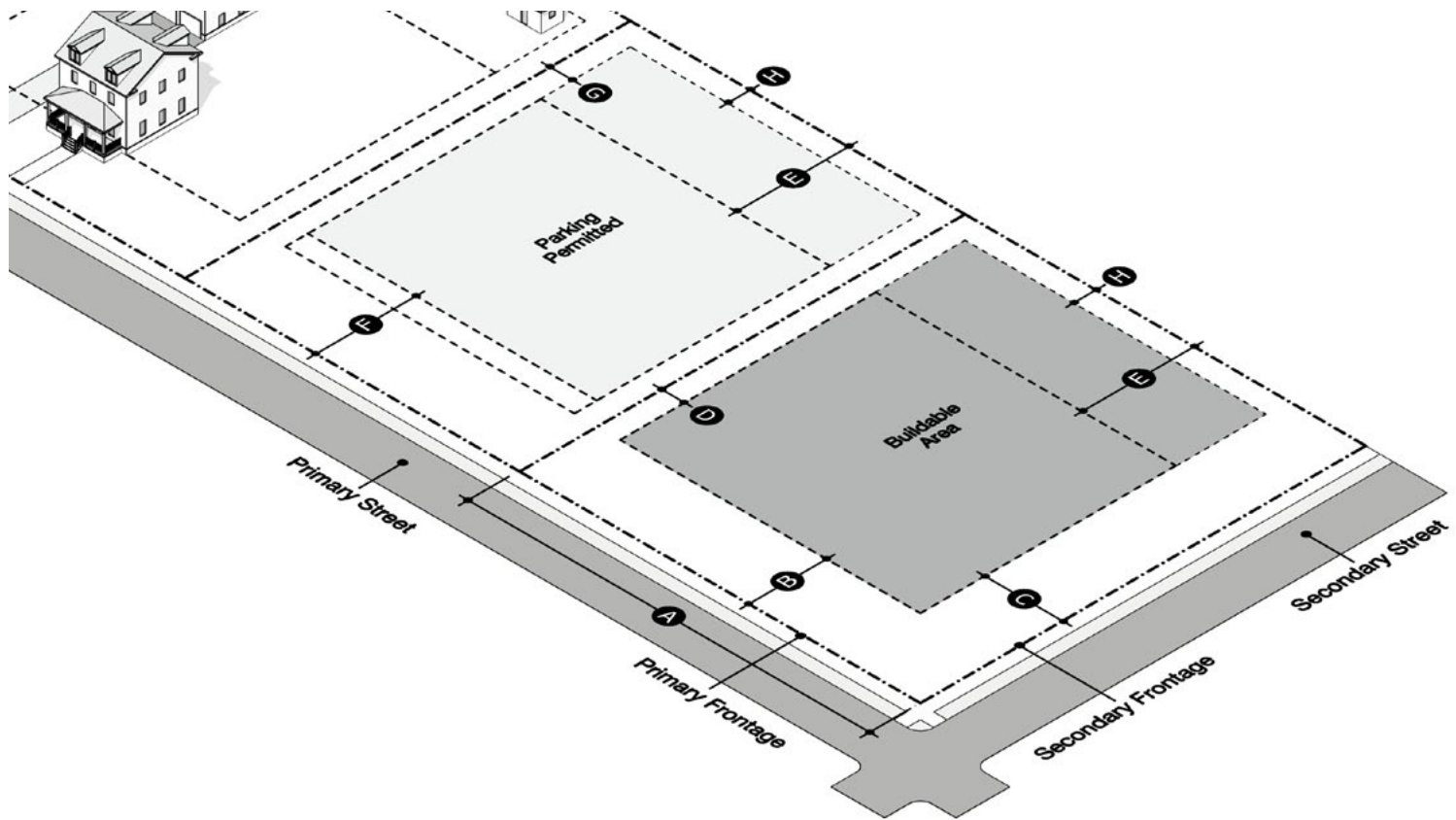
**Structure Height (See Sec. 40-69)**

|                               |                           |
|-------------------------------|---------------------------|
| <b>I</b> Principal Building   | 2.5 stories max.          |
| <b>J</b> Accessory Structures | 2 stories and 40 ft. max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

## ZONES

**Table 10: T3.1 Low Density Neighborhood, Large Lot****Illustrated: Setback and Frontages Applied to a Common T3.1 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                     |
|---------------------|---------------------|
| <b>A</b> Lot Width  | 100 ft. min.        |
| Lot coverage        | 30% max.            |
| Impervious surface  | 50% max.            |
| Frontage Occupation | No minimum required |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings         |             | Accessory Structures               |             |
|-----------------------------|-------------|------------------------------------|-------------|
| <b>B</b> Primary Frontage   | 35 ft. min. | <b>B</b> Primary Frontage          | 35 ft. min. |
| <b>C</b> Secondary Frontage | 25 ft. min. | <b>C</b> Secondary Frontage        | 25 ft. min. |
| <b>D</b> Side               | 10 ft. min. | <b>G</b> Side                      | 10 ft. min. |
| <b>E</b> Rear               | 35 ft. min. | <b>E</b> Rear                      | 15 ft. min. |
| <b>H</b> Rear (alley)       | 50 ft. min. | <b>H</b> Rear (alley) <sup>1</sup> | 1 ft. min.  |

**Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                          |
|------------------------------------|------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 10 ft. min. |
| <b>C</b> Secondary Frontage        | 35 ft. min.                              |
| <b>G</b> Side (interior)           | 10 ft. min.                              |
| <b>H</b> Rear (alley) <sup>1</sup> | 5 ft. max. or 20 ft. min                 |
| <b>E</b> Rear                      | 15 ft. min.                              |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 2.5 stories max. |
| <b>J</b> Accessory Structures | 2 stories max.   |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

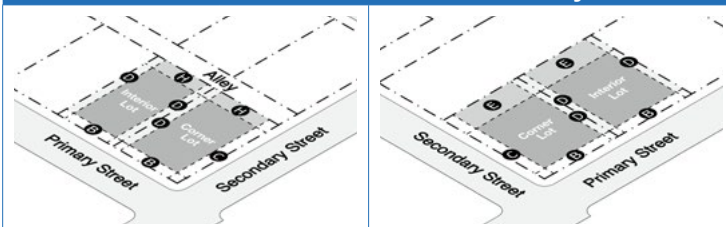
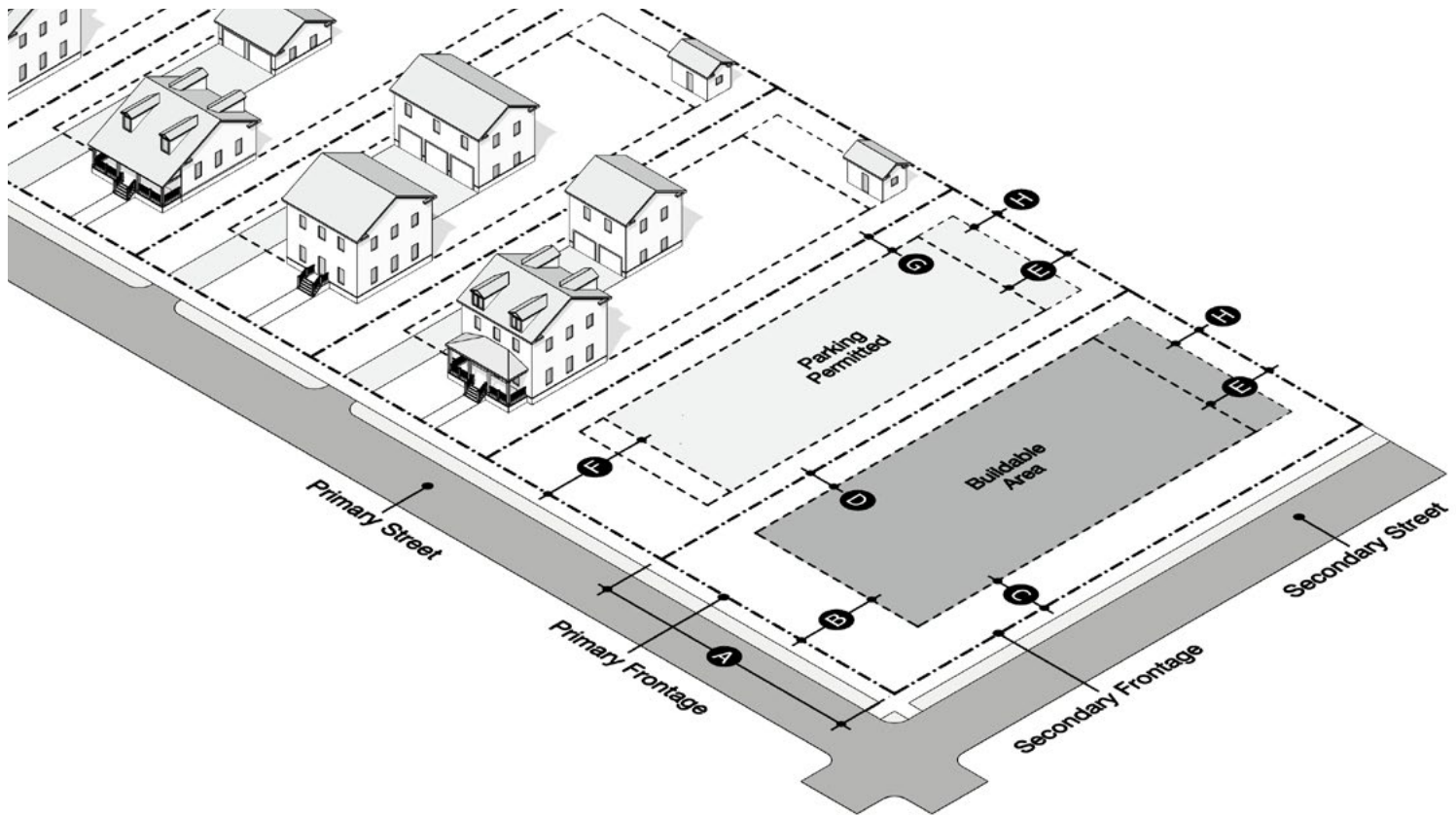
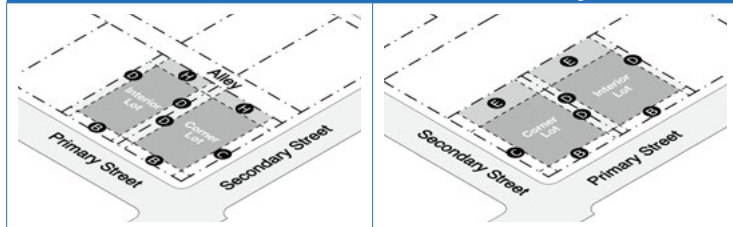
**Setbacks For Sites With and Without an Alley**

**Table 11: T3.2 Low Density Neighborhood, Medium Lot****Illustrated: Setback and Frontages Applied to a Common T3.2 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                     |
|---------------------|---------------------|
| <b>A</b> Lot Width  | 75 ft. min.         |
| Lot coverage        | 40% max.            |
| Impervious surface  | 60% max.            |
| Frontage Occupation | No minimum required |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |             | Accessory Structures               |             |
|------------------------------------|-------------|------------------------------------|-------------|
| <b>B</b> Primary Frontage          | 30 ft. min. | <b>B</b> Primary Frontage          | 30 ft. min. |
| <b>C</b> Secondary Frontage        | 20 ft. min. | <b>C</b> Secondary Frontage        | 20 ft. min. |
| <b>D</b> Side                      | 10 ft. min. | <b>G</b> Side                      | 10 ft. min. |
| <b>E</b> Rear                      | 25 ft. min. | <b>E</b> Rear                      | 10 ft. min. |
| <b>H</b> Rear (alley) <sup>1</sup> | 25 ft. min. | <b>H</b> Rear (alley) <sup>1</sup> | 1 ft. min.  |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                          |
|------------------------------------|------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 10 ft. min. |
| <b>C</b> Secondary Frontage        | 30 ft. min.                              |
| <b>G</b> Side (interior)           | 10 ft. min.                              |
| <b>H</b> Rear (alley) <sup>1</sup> | 5 ft. max. or 20 ft. min.                |
| <b>E</b> Rear                      | 10 ft. min.                              |

**Structure Height (See Sec. 40-69)**

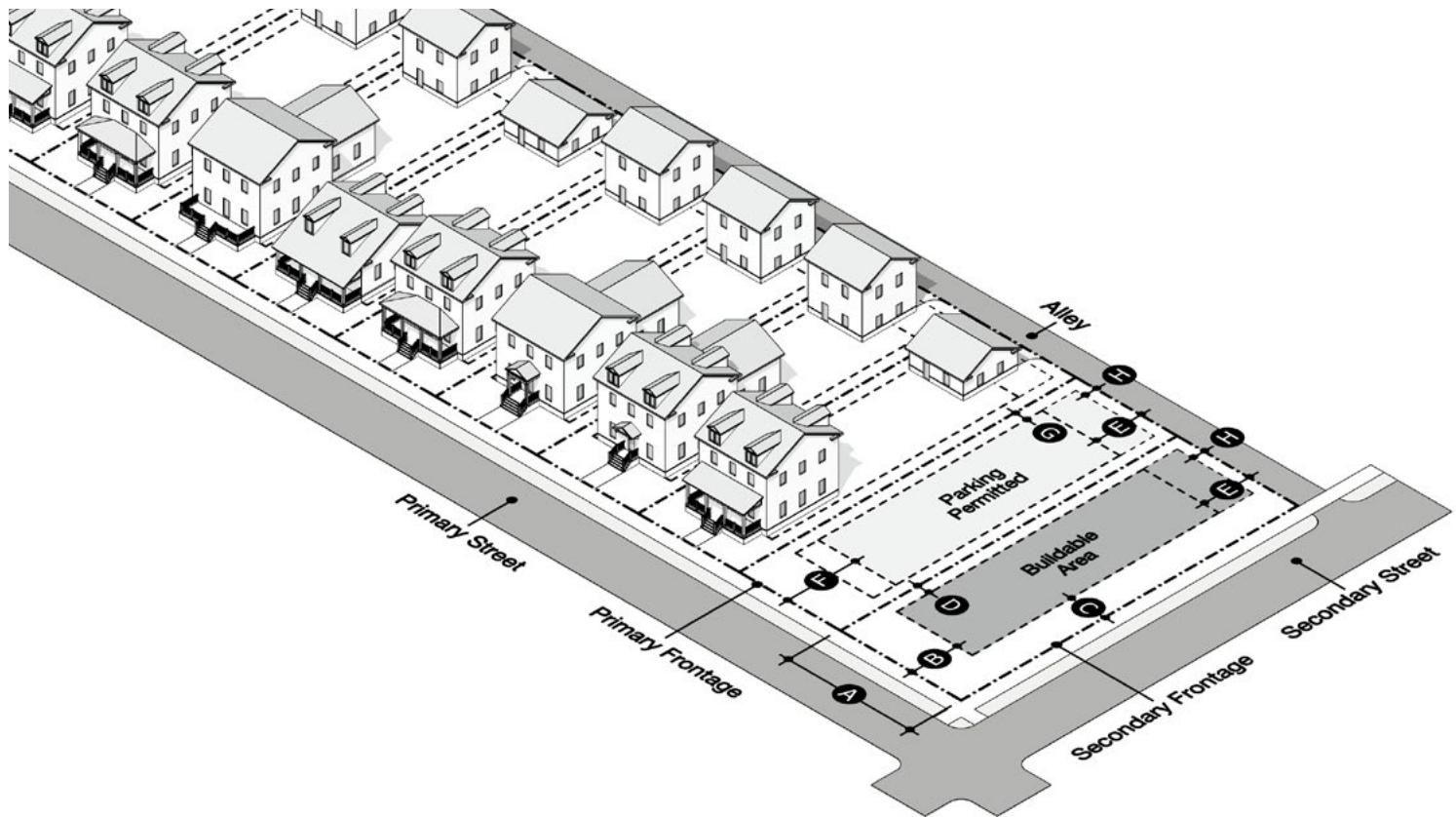
|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 2.5 stories max. |
| <b>J</b> Accessory Structures | 2 stories max.   |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup>Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

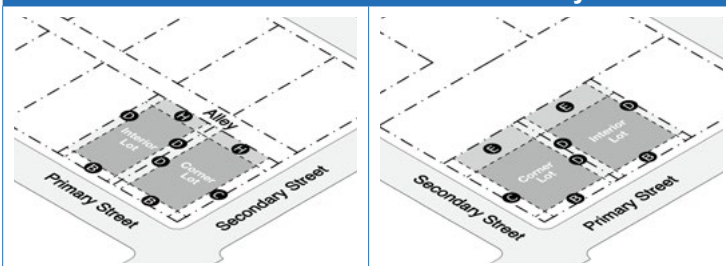
## ZONES

**Table 12: T3.3 Low Density Neighborhood, Small Lot****Illustrated: Setback and Frontages Applied to a Common T3.3 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                     |
|---------------------|---------------------|
| <b>A</b> Lot Width  | 45 ft. min.         |
| Lot coverage        | 50% max.            |
| Impervious surface  | 65% max.            |
| Frontage Occupation | No minimum required |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                         | Accessory Structures <sup>2</sup>  |                         |
|------------------------------------|-------------------------|------------------------------------|-------------------------|
| <b>B</b> Primary Frontage          | 20 ft. min.             | <b>B</b> Primary Frontage          | 20 ft. min.             |
| <b>C</b> Secondary Frontage        | 15 ft. min.             | <b>C</b> Secondary Frontage        | 15 ft. min.             |
| <b>D</b> Side                      | 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 20 ft. min.             | <b>E</b> Rear                      | 10 ft. min.             |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.              | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.              |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                          |
|------------------------------------|------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 10 ft. min. |
| <b>C</b> Secondary Frontage        | 12 ft. min.                              |
| <b>G</b> Side (interior)           | 5 ft. min. <sup>1,3</sup>                |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                |
| <b>E</b> Rear                      | 10 ft. min.                              |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 2.5 stories max. |
| <b>J</b> Accessory Structures | 2 stories max.   |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

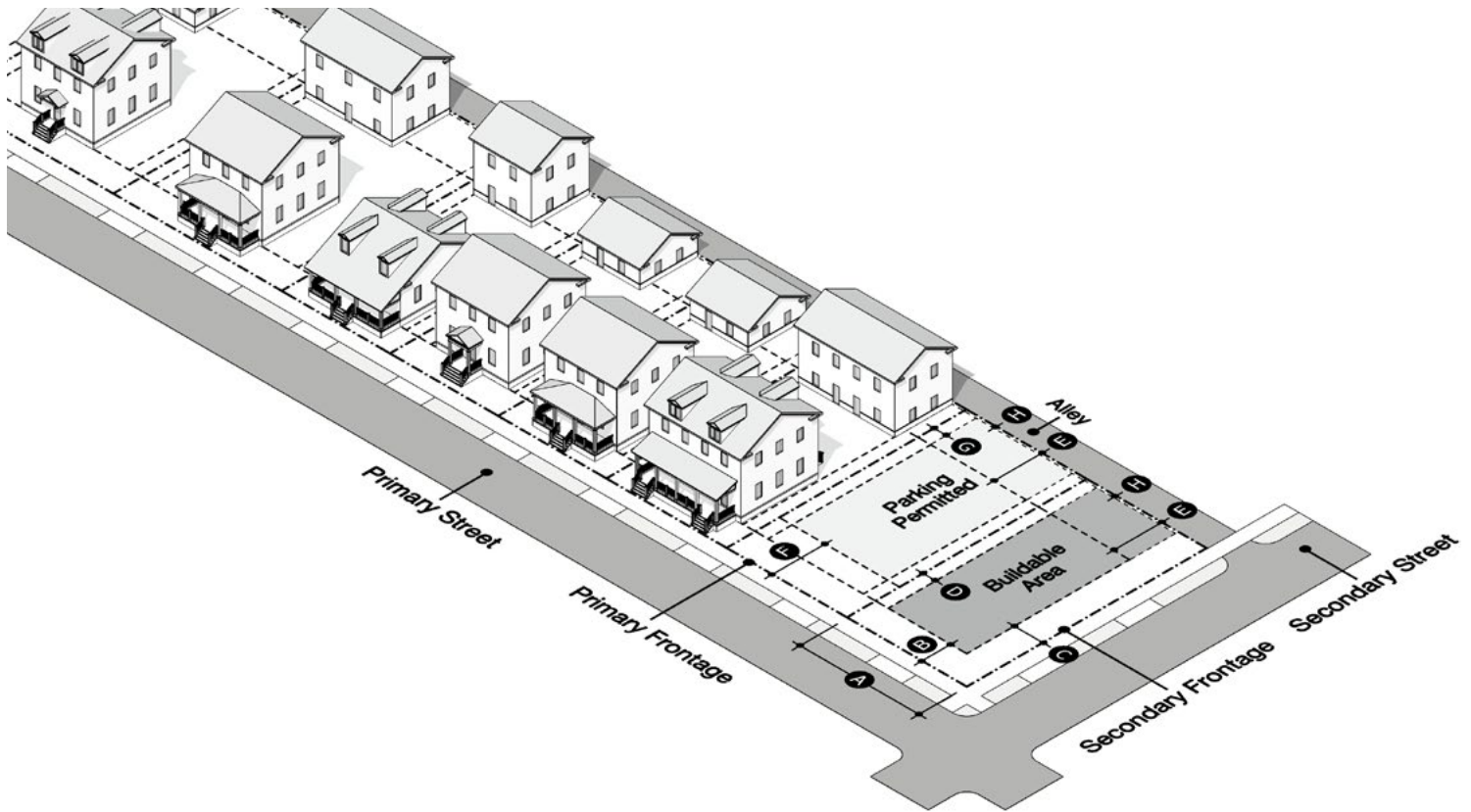
<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

<sup>2</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>3</sup> Surface parking lots require an 8ft. min. setback to accommodate landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

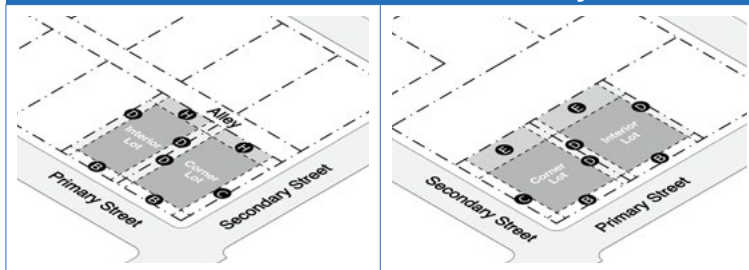


**Table 13: T4.1 Mixed Intensity Neighborhood****Illustrated: Setback and Frontages Applied to a Common T4.1 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                      |
|---------------------|--------------------------------------|
| <b>A</b> Lot Width  | 30 ft. min. or 18 ft. for townhouses |
| Lot coverage        | 60% max.                             |
| Impervious surface  | 70% max.                             |
| Frontage Occupation | No minimum required                  |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                                | Accessory Structures <sup>5</sup>  |                                |
|------------------------------------|--------------------------------|------------------------------------|--------------------------------|
| <b>B</b> Primary Frontage          | 12 ft. min.                    | <b>B</b> Primary Frontage          | 12 ft. min.                    |
| <b>C</b> Secondary Frontage        | 12 ft. min. <sup>2</sup>       | <b>C</b> Secondary Frontage        | 12 ft. min.                    |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1,2</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1,2</sup> |
| <b>E</b> Rear                      | 20 ft. min.                    | <b>E</b> Rear                      | 10 ft. min.                    |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                     | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                     |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 10 ft. min. <sup>6</sup> |
| <b>C</b> Secondary Frontage        | 12 ft. min.                                           |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,2,3</sup>                      |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 2.5 stories max. |
| <b>J</b> Accessory Structures | 2 stories max.   |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

<sup>2</sup> Townhouses and garages can be attached and therefore a 0 foot setback.

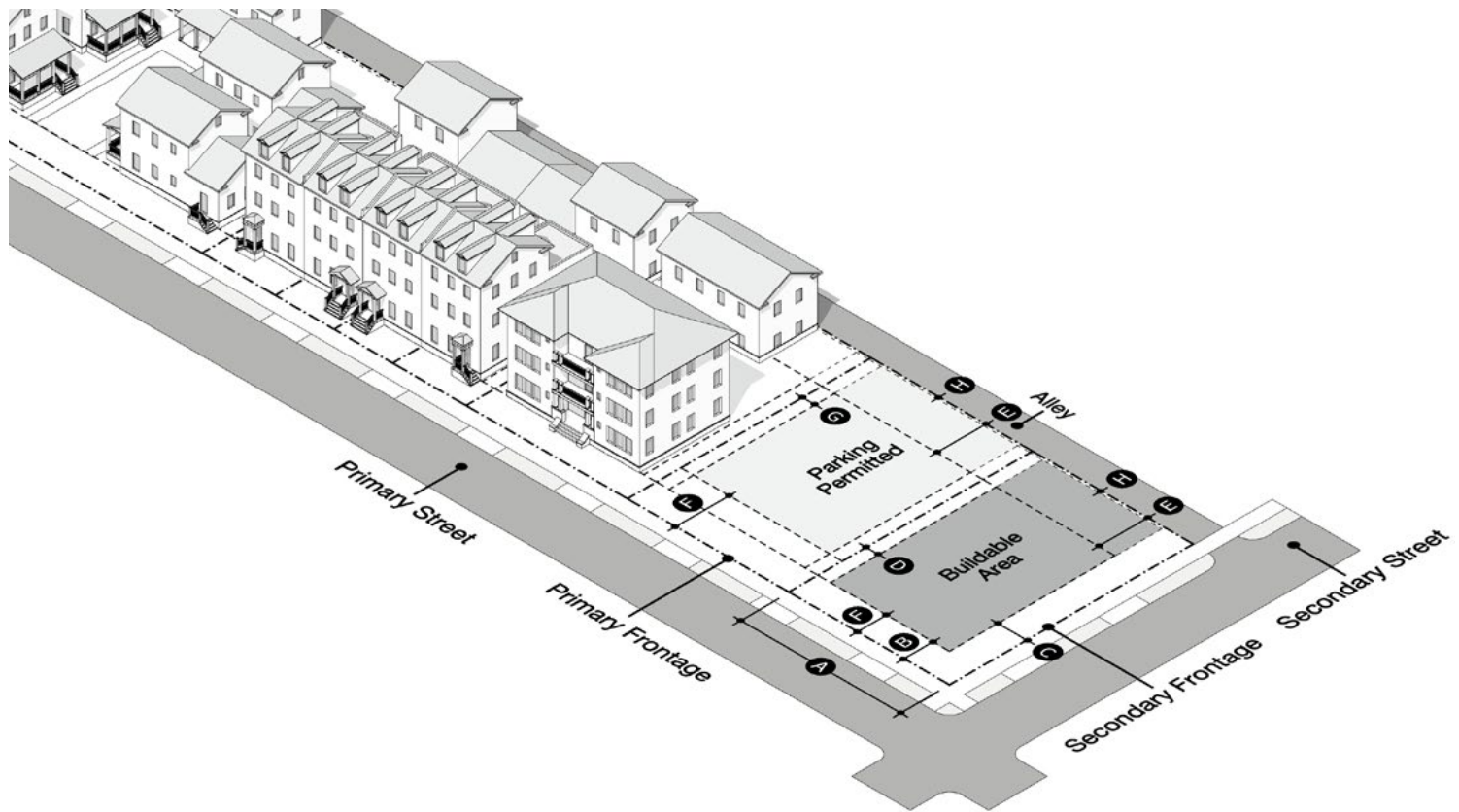
<sup>3</sup> Surface parking lots require an 8ft. min. setback to accommodate landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>6</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

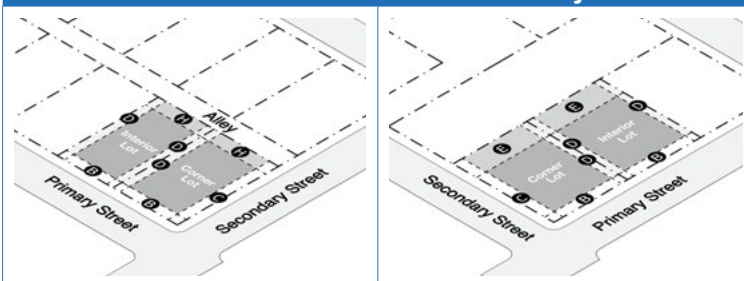
## ZONES

**Table 14: T4.2 Medium Density Neighborhood****Illustrated: Setback and Frontages Applied to a Common T4.2 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                |
|---------------------|--------------------------------|
| <b>A</b> Lot Width  | 18 ft. min.                    |
| Lot coverage        | 70% max.                       |
| Impervious surface  | 70% max. or 80% for townhouses |
| Frontage Occupation | No minimum required            |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                                | Accessory Structures <sup>5</sup>  |                                |
|------------------------------------|--------------------------------|------------------------------------|--------------------------------|
| <b>B</b> Primary Frontage          | 8 ft. min.                     | <b>B</b> Primary Frontage          | 8 ft. min.                     |
| <b>C</b> Secondary Frontage        | 12 ft. min. <sup>2</sup>       | <b>C</b> Secondary Frontage        | 12 ft. min.                    |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1,2</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1,2</sup> |
| <b>E</b> Rear                      | 20 ft. min.                    | <b>E</b> Rear                      | 5 ft. min.                     |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                     | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                     |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 10 ft. min. <sup>6</sup> |
| <b>C</b> Secondary Frontage        | 8 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,2,3</sup>                      |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                |
|-------------------------------|----------------|
| <b>I</b> Principal Building   | 3 stories max. |
| <b>J</b> Accessory Structures | 2 stories max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

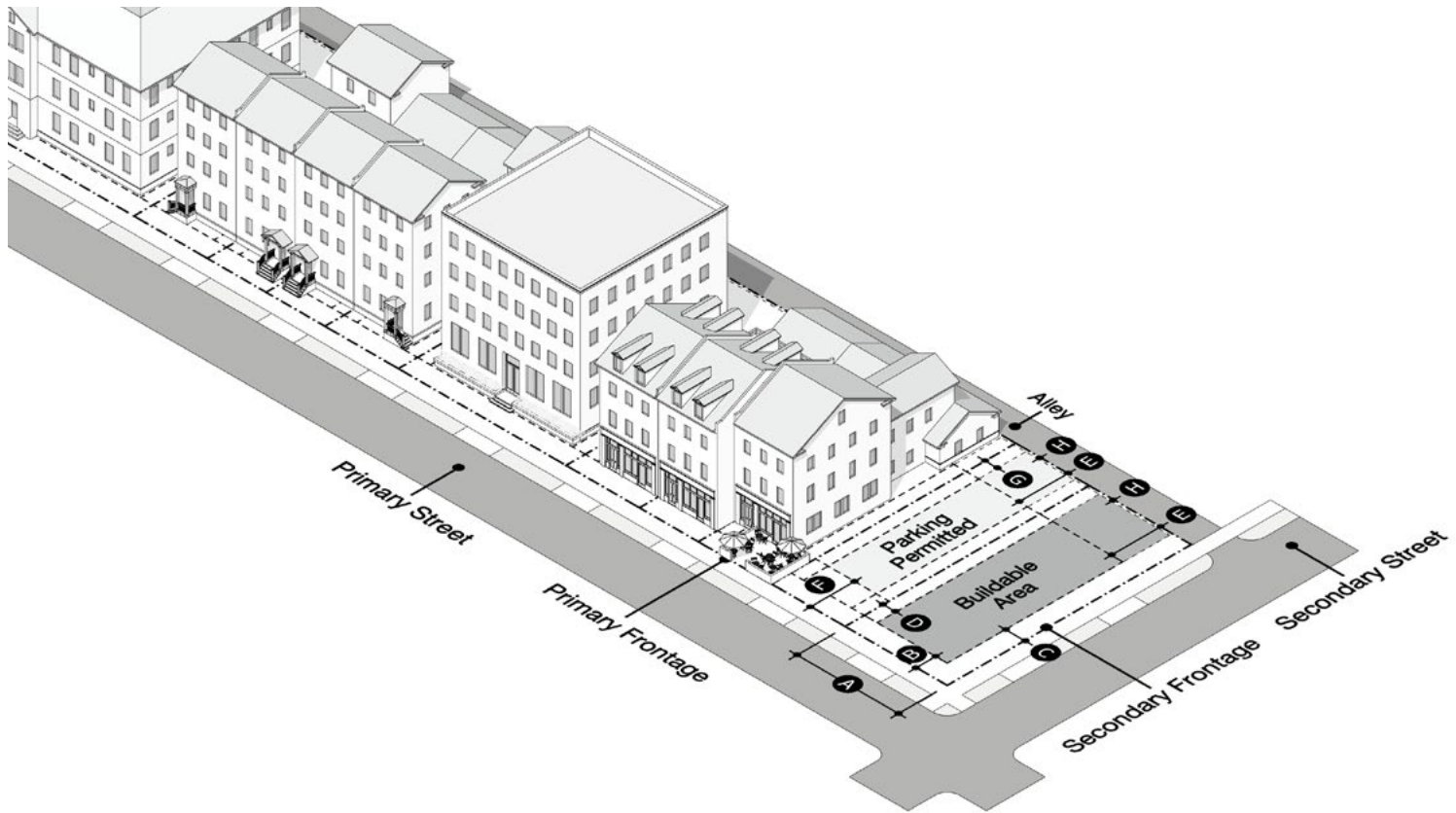
<sup>2</sup> Townhouses and garages can be attached and therefore a 0 foot setback.

<sup>3</sup> Surface parking lots require an 8ft. min. setback to accommodate landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> Accessory structures must not be located between the primary structure façade and the street.

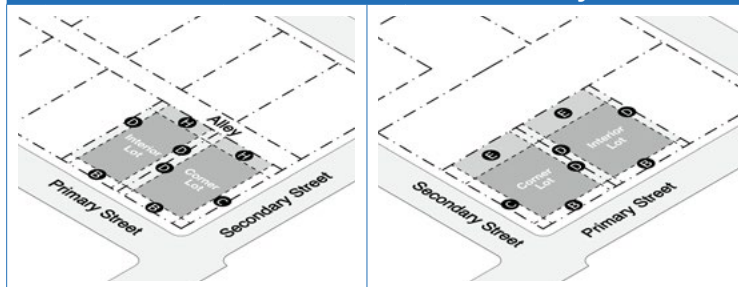
<sup>6</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

**Table 15: T4.3 High Density Neighborhood****Illustrated: Setback and Frontages Applied to a Common T4.3 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                     |
|---------------------|-------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                         |
| Lot coverage        | 70% max.                            |
| Impervious surface  | 80% max.                            |
| Frontage Occupation | 60% min. primary; No min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures <sup>3</sup>  |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 6 - 20 ft.                   | <b>B</b> Primary Frontage          | 6 ft. min.                   |
| <b>C</b> Secondary Frontage        | 8 - 20 ft.                   | <b>C</b> Secondary Frontage        | 8 ft. min.                   |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 10 ft. min.                  | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 10 ft. min. <sup>5</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,2</sup>                        |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 4 stories max.   |
| <b>J</b> Accessory Structures | 2.5 stories max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

<sup>2</sup> Garages may be attached, as accessory structures or within the principal building. Surface parking lots require an 8 ft. min. side setback for landscape.

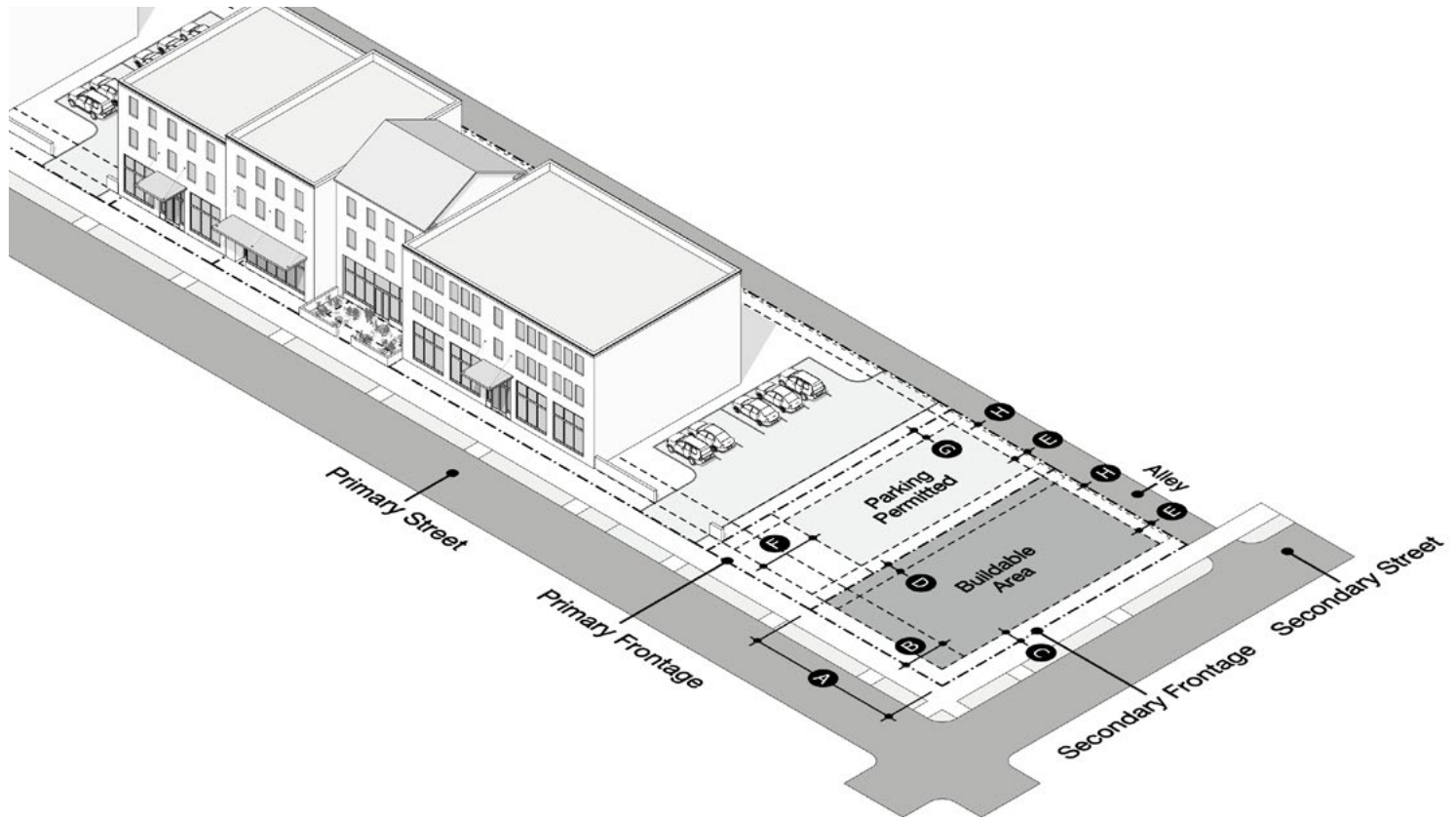
<sup>3</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).



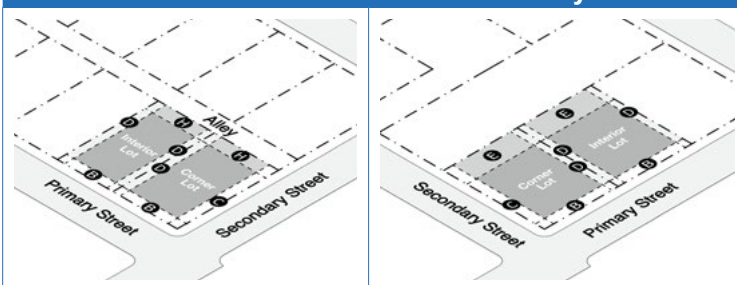
## ZONES

**Table 16: T5.1 Low Intensity Mixed-use****Illustrated: Setback and Frontages Applied to a Common T5.1 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                     |
|---------------------|-------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                         |
| Lot coverage        | 70% max.                            |
| Impervious surface  | 70% max. or 80% for townhouses      |
| Frontage Occupation | 70% min. primary; No min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures <sup>2</sup>  |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 20 ft. max.                  | <b>B</b> Primary Frontage          | 6 ft. min.                   |
| <b>C</b> Secondary Frontage        | 5 - 20ft.                    | <b>C</b> Secondary Frontage        | 5 ft. min.                   |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 5 ft. min.                   | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 20 ft. min. <sup>6</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,3</sup>                        |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                             |
|-------------------------------|-----------------------------|
| <b>I</b> Principal Building   | 3 stories max. <sup>5</sup> |
| <b>J</b> Accessory Structures | 2 stories max.              |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

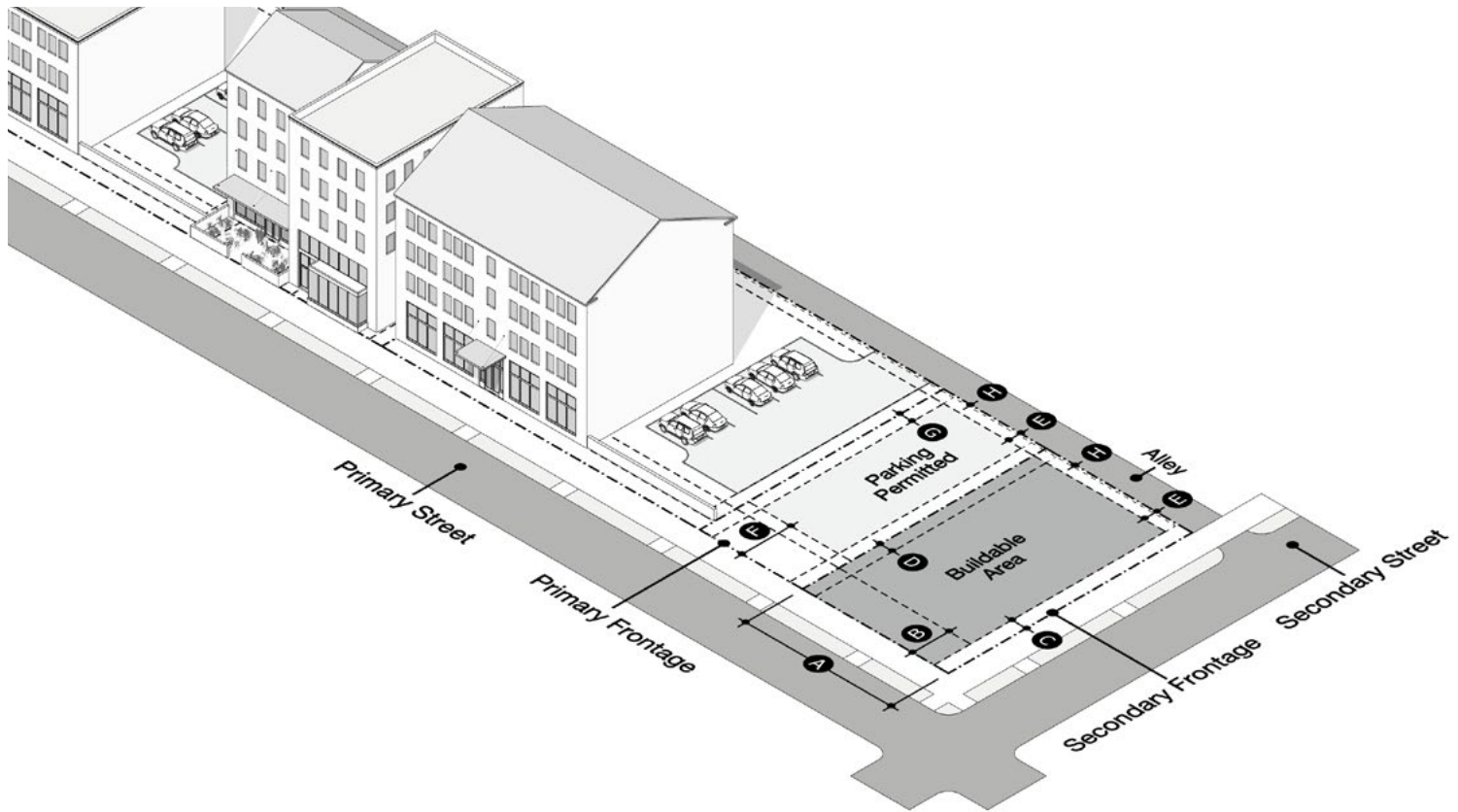
<sup>2</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>3</sup> Surface parking lots may require an 8ft. min. side setback for landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> In Rural Center Place Types, the maximum building height is 2.5 stories for Principal Buildings.

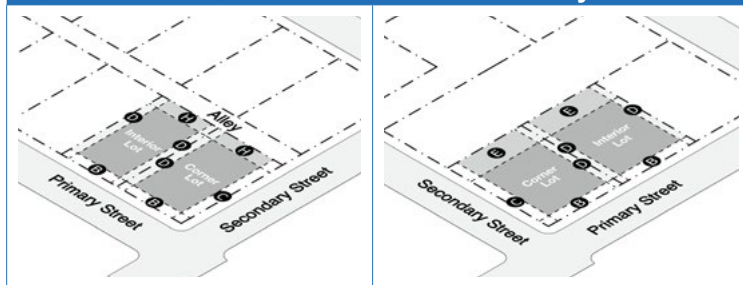
<sup>6</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

**Table 17: T5.2 Medium Intensity Mixed-use****Illustrated: Setback and Frontages Applied to a Common T5.2 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                     |
|---------------------|-------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                         |
| Lot coverage        | 80% max.                            |
| Impervious surface  | 100% max.                           |
| Frontage Occupation | 70% min. primary; No min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures <sup>2</sup>  |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 20 ft. max.                  | <b>B</b> Primary Frontage          | 6 ft. min.                   |
| <b>C</b> Secondary Frontage        | 20 ft. max.                  | <b>C</b> Secondary Frontage        | 2 ft. min.                   |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 5 ft. min.                   | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 20 ft. min. <sup>5</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,3</sup>                        |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 4 stories max.   |
| <b>J</b> Accessory Structures | 2.5 stories max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

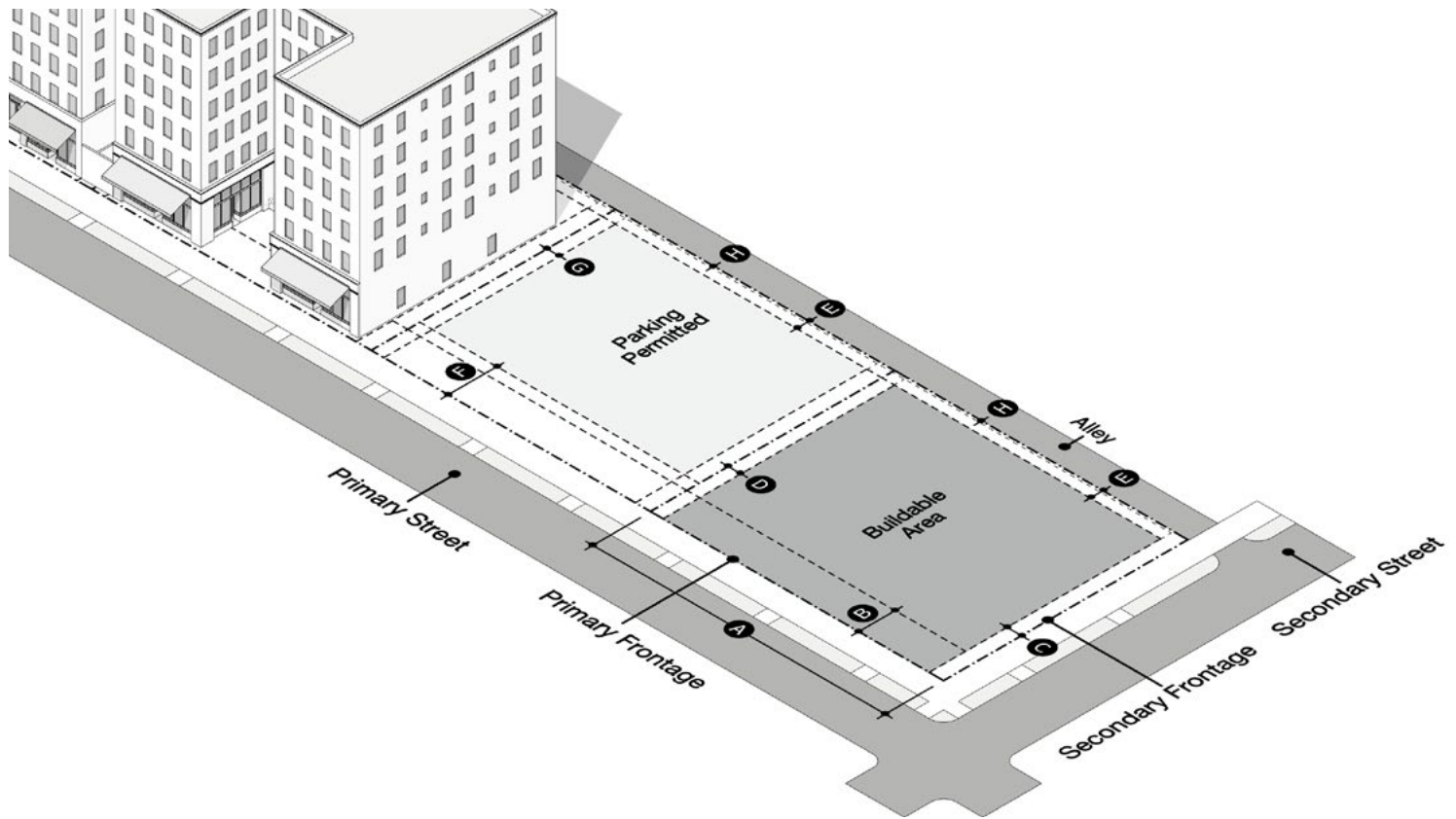
<sup>2</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>3</sup> Surface parking lots require an 8ft. min. side setback for landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

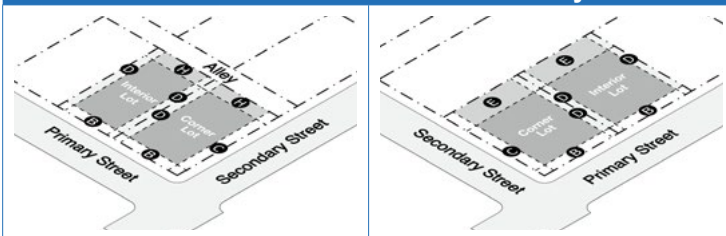
## ZONES

**Table 18: T5.3 High Intensity Mixed-use****Illustrated: Setback and Frontages Applied to a Common T5.3 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                     |
|---------------------|-------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                         |
| Lot coverage        | 90% max.                            |
| Impervious surface  | 100% max.                           |
| Frontage Occupation | 70% min. primary; No min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures <sup>2</sup>  |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 20 ft. max.                  | <b>B</b> Primary Frontage          | 6 ft. min.                   |
| <b>C</b> Secondary Frontage        | 20 ft. max.                  | <b>C</b> Secondary Frontage        | 2 ft. min.                   |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 5 ft. min.                   | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 20 ft. min. <sup>5</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,3</sup>                        |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 6 stories max.   |
| <b>J</b> Accessory Structures | 2.5 stories max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

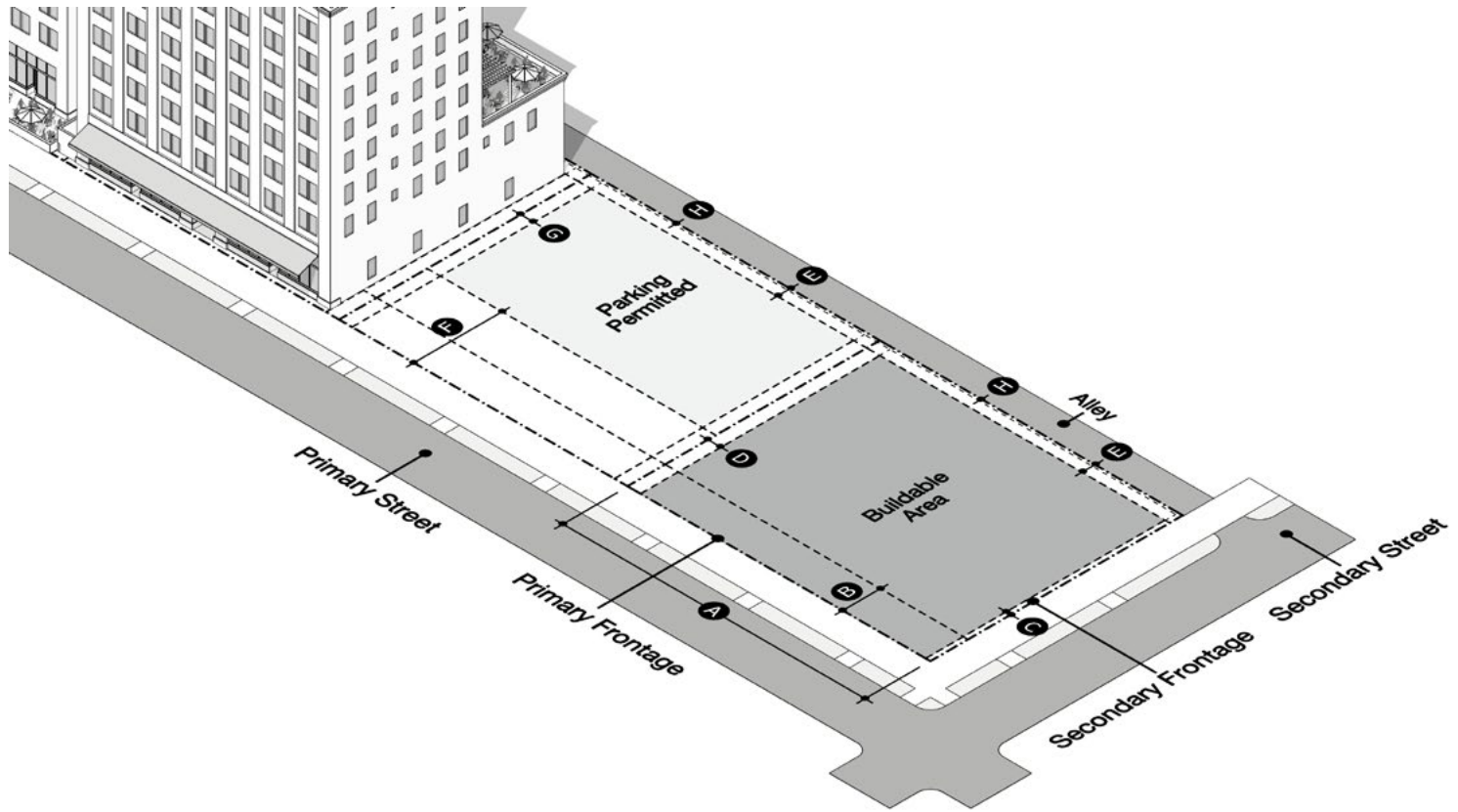
<sup>2</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>3</sup> Surface parking lots require an 8ft. min. side setback for landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

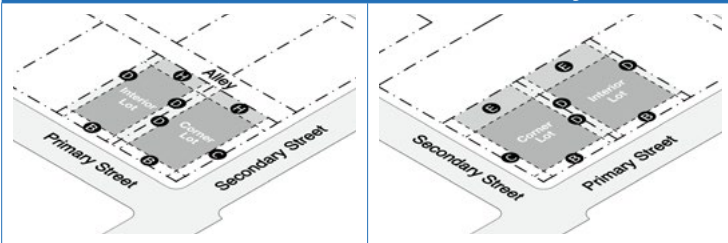


**Table 19: T6.1 Low Intensity High-rise****Illustrated: Setback and Frontages Applied to a Common T6.1 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                     |
|---------------------|-------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                         |
| Lot coverage        | 90% max.                            |
| Impervious surface  | 100% max.                           |
| Frontage Occupation | 80% min. primary; No min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures <sup>2</sup>  |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 20 ft. max.                  | <b>B</b> Primary Frontage          | 6 ft. min.                   |
| <b>C</b> Secondary Frontage        | 20 ft. max.                  | <b>C</b> Secondary Frontage        | 6 ft. min.                   |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 5 ft. min.                   | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>4</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 20 ft. min. <sup>5</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,3</sup>                        |
| <b>H</b> Rear (alley) <sup>4</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 8 stories max.   |
| <b>J</b> Accessory Structures | 2.5 stories max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

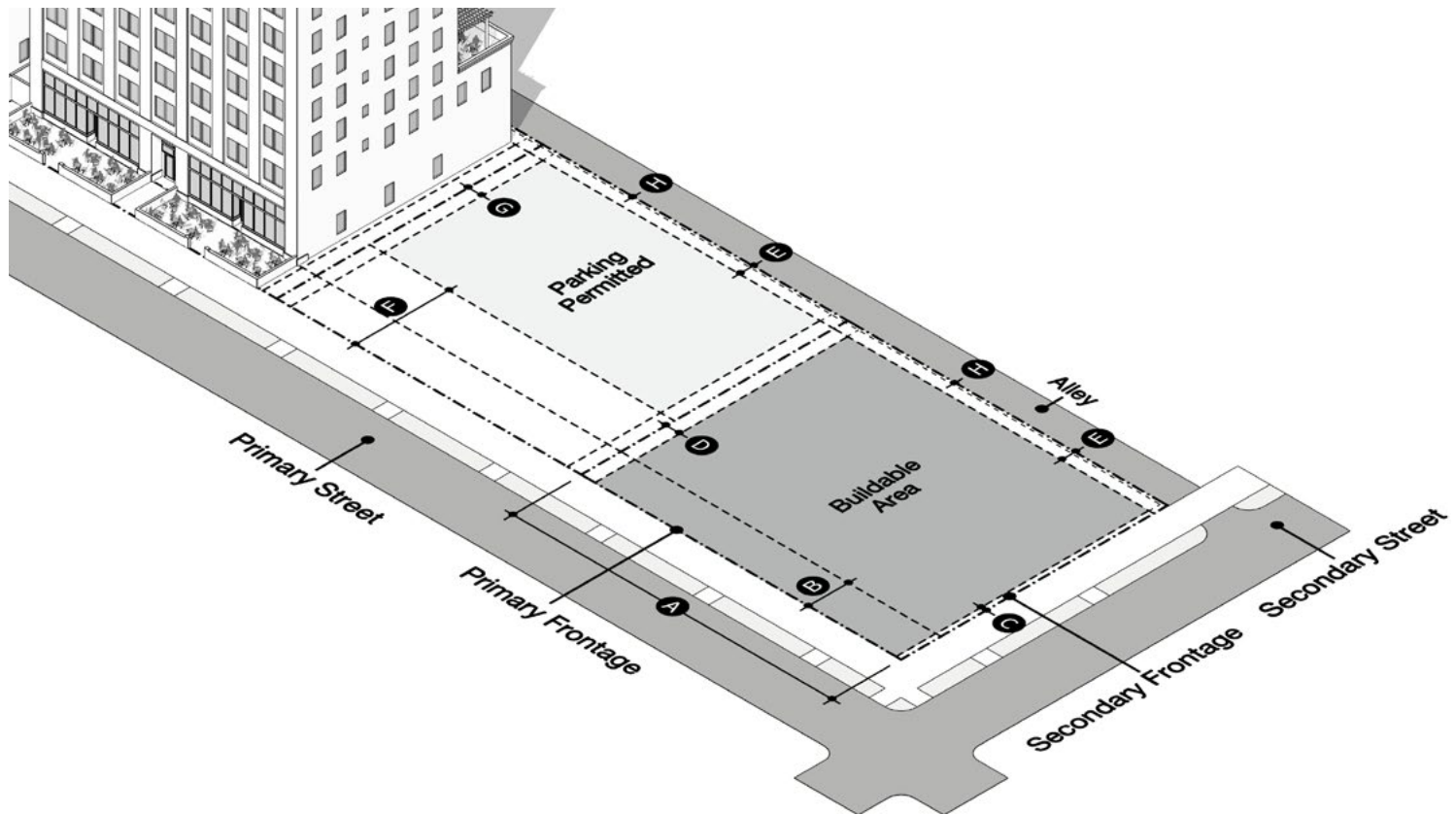
<sup>2</sup> Accessory structures must not be located between the primary structure façade and the street.

<sup>3</sup> Surface parking lots require an 8ft. min. side setback for landscape.

<sup>4</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>5</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

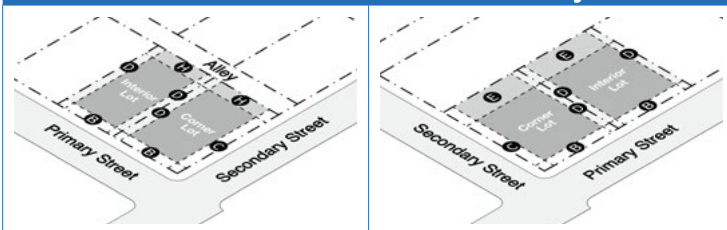
## ZONES

**Table 20: T6.2 Medium Intensity High-rise****Illustrated: Setback and Frontages Applied to a Common T6.2 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                      |
|---------------------|--------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                          |
| Lot coverage        | 90% max.                             |
| Impervious surface  | 100% max.                            |
| Frontage Occupation | 80% min. primary; 40% min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures               |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 20 ft. max.                  | <b>B</b> Primary Frontage          | 15 ft. min.                  |
| <b>C</b> Secondary Frontage        | 20 ft. max.                  | <b>C</b> Secondary Frontage        | 2 ft. min.                   |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 5 ft. min.                   | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>3</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>3</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 20 ft. min. <sup>4</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,2</sup>                        |
| <b>H</b> Rear (alley) <sup>3</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                  |
|-------------------------------|------------------|
| <b>I</b> Principal Building   | 10 stories max.  |
| <b>J</b> Accessory Structures | 2.5 stories max. |

See detailed requirements in [Division 3: Sites and Buildings](#).

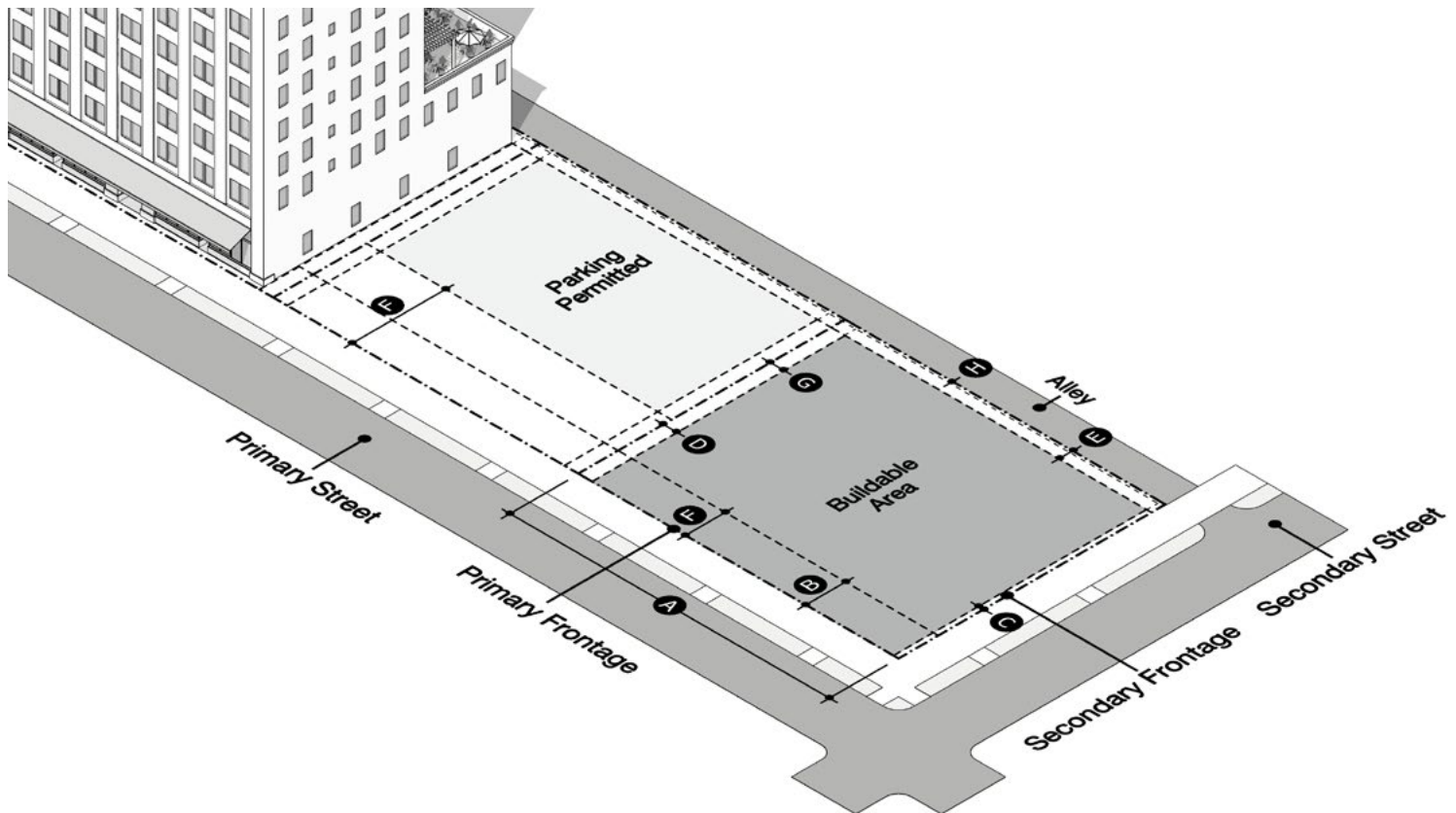
Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

<sup>2</sup> Surface parking lots require an 8ft. min. side setback for landscape.

<sup>3</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

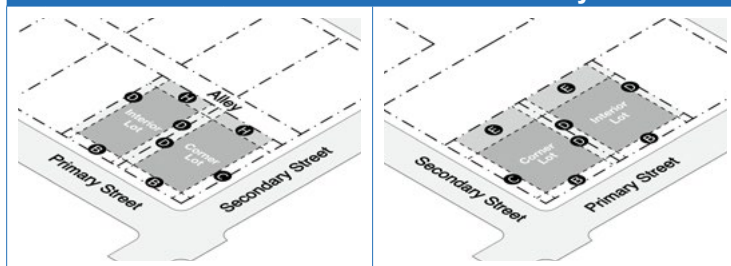
<sup>4</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

**Table 21: T6.3 High Intensity High-rise****Illustrated: Setback and Frontages Applied to a Common T6.3 Lot****Lot Size and Occupation (See Sec. 40-66)**

|                     |                                      |
|---------------------|--------------------------------------|
| <b>A</b> Lot Width  | 16 ft. min.                          |
| Lot coverage        | 90% max.                             |
| Impervious surface  | 100% max.                            |
| Frontage Occupation | 80% min. primary; 40% min. secondary |

**Setbacks - Structures (See Sec. 40-67)**

| Principal Buildings                |                              | Accessory Structures               |                              |
|------------------------------------|------------------------------|------------------------------------|------------------------------|
| <b>B</b> Primary Frontage          | 20 ft. max.                  | <b>B</b> Primary Frontage          | 15 ft. min.                  |
| <b>C</b> Secondary Frontage        | 20 ft. max.                  | <b>C</b> Secondary Frontage        | 15 ft. min.                  |
| <b>D</b> Side                      | 0 or 5 ft. min. <sup>1</sup> | <b>G</b> Side                      | 0 or 5 ft. min. <sup>1</sup> |
| <b>E</b> Rear                      | 5 ft. min.                   | <b>E</b> Rear                      | 5 ft. min.                   |
| <b>H</b> Rear (alley) <sup>3</sup> | 1 ft. min.                   | <b>H</b> Rear (alley) <sup>3</sup> | 1 ft. min.                   |

**Setbacks For Sites With and Without an Alley****Setbacks - Garages & Parking Lots (See Sec. 40-67)**

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| <b>F</b> Primary Frontage          | Principal building setback + 20 ft. min. <sup>4</sup> |
| <b>C</b> Secondary Frontage        | 6 ft. min.                                            |
| <b>G</b> Side (interior)           | 0 or 5 ft. min. <sup>1,2</sup>                        |
| <b>H</b> Rear (alley) <sup>3</sup> | 5 ft. max. or 20 ft. min.                             |
| <b>E</b> Rear                      | 8 ft. min.                                            |

**Structure Height (See Sec. 40-69)**

|                               |                                                       |
|-------------------------------|-------------------------------------------------------|
| <b>I</b> Principal Building   | 12 max.<br>Max. 25 stories in Tourist Activity Center |
| <b>J</b> Accessory Structures | 2.5 stories max.                                      |

See detailed requirements in [Division 3: Sites and Buildings](#).

Lots abutting water bodies are subject to setback regulations in regards to the Normal High Water Elevation (NHWE) in [Sec. 40-67\(a\) Structure Setbacks](#).

<sup>1</sup> Per [Sec. 40-60\(a\)\(1\)d](#) increased side setbacks are required for infill projects.

<sup>2</sup> Surface parking lots require an 8ft. min. side setback for landscape.

<sup>3</sup> Additional setback from alleys may be required for gravity sewer and emergency access, see [Sec. 40-215 Alleys](#).

<sup>4</sup> Parking within Frontage Parking Lanes are not subject to the primary frontage parking setback, see [Sec. 40-205\(h\)\(7\) Frontage Parking Lanes](#).

## SPECIAL ZONES

***DIVISION 2: SPECIAL ZONES******SEC. 40-56 INTENT.***

- (a) Special Zones accommodate development that is not compatible with residential or mixed-uses, that requires special consideration for adjacencies and buffering not otherwise addressed within Transect Zones, or is arranged in manner that does not fit within a network of blocks, bound by streets, which buildings generally face onto.
- (b) Special Zones are limited in application to uses with unique requirements or externalities harmful to the public interest.
- (c) Special Zones allow flexibility in responding to the need for specific uses by imposing additional requirements to mitigate potential impacts to neighboring properties and natural lands, trees, and water bodies.

***SEC. 40-57 GENERAL.***

- (a) Development within Special Zones must comply with this Division, and:
  - (1) [Sec. 40-74 Screening and Buffering.](#);
  - (2) [Article 3, Division 4: Parking and Loading](#);
  - (3) [Article 3, Division 5: Landscape Standards](#);
  - (4) [Article 3, Division 6: Signs](#);
  - (5) [Article 4, Division 2: Performance Standards](#);
  - (6) [Article 5, Division 2: Roads](#);
  - (7) [Article 5, Division 3: Utilities](#); and
  - (8) Chapter 15, Article VIII, (Tree Protection and Removal) of County Code.
- (b) Special Zones are subject to the review requirements specified in [Sec. 40-17 Special Zone Approval Processes](#).
- (c) Development within Special Zones must be setback a minimum of 50 feet from the Normal High Water Elevation (NHWE).

***SEC. 40-58 EDUCATION ZONE (SZ-ED).***

- (a) ***Intent.***
  - (1) To provide for educational uses in a campus environment that separates most pedestrian activities from cars, which is not accommodated by the standard Transect Zones.
- (b) ***Applicability.***
  - (1) Properties proposed to be operated as campus-style educational uses may be rezoned to SZ-ED.
  - (2) Orange County Public School sites zoned SZ-ED are subject to [Article 4, Division 7: Public School Siting Regulations](#) for site and building standards and are exempted from this division.
  - (3) Changes to approved Master Plans or Development Plans or existing developments considered Minor Variations or Non-Substantial Changes (see [Sec. 40-18 Changes to Approved Plans and Existing Developments.](#)) or that meet the standards for [Sec. 40-201\(b\) Small Sites](#). must comply with (c) [Site and Building Standards](#). and (e) [Site Circulation](#). for all new infrastructure.
  - (4) Changes to approved Master Plans or Development Plans or existing developments considered Substantial Changes (see [Sec. 40-18 Changes to Approved Plans and Existing Developments.](#)) must comply with (c) [Site and Building Standards](#). and (e) [Site Circulation](#). for all new infrastructure and may be subject to further site improvements to bring the site further into compliance with Orange Code subject to DRC and BCC approval.
  - (5) All new developments must show compliance with (c) [Site and Building Standards](#). and (e) [Site Circulation](#).



**(c) Site and Building Standards.**

- (1) SZ-ED sites must be 5 developable acres or more in area, unless the site is for Orange County Public Schools, which are subject to [Article 4, Division 7: Public School Siting Regulations](#).
- (2) Buildings must be set back from the boundary of SZ-ED property lines as follows:
  - a. Primary Frontage: the greater of 15 feet or the primary frontage setback of the most restrictive abutting Transect Zone along the property line; and
  - b. Secondary Frontage, Side, and Rear: 25 feet minimum.
- (3) Impervious surfaces are limited to 70% of the SZ-ED site area.
- (4) A minimum of 10% of SZ-ED sites must be Civic Space or Open Space and limited to civic space types of green, compact green, and square, subject to [Article 5, Division 4: Civic and Open Space](#). Plazas and other civic space types are permitted but do not count towards the 10% minimum requirement.
- (5) Landscape buffers are required as specified in [Sec. 40-71\(b\) Side and Rear Buffers](#).
- (6) Building height shall be unlimited however, buildings located within 100 feet from the property line of a transect zone must not exceed the permitted height of that transect zone by more than one story.
- (7) Illuminated athletic fields areas must be setback a minimum of 100 feet from property boundaries abutting T3 or T4 and 50 feet from the Normal High Water Elevation (NHWE).

**(d) Parking.**

- (1) A parking study is required, pursuant to [Division 4: Parking and Loading](#).

**(e) Site Circulation.**

- (1) The Concept Plan must provide on-site bicycle and pedestrian circulation to all buildings, recreation areas, and parking lots, as well as connections to adjacent existing or planned transit stops, sidewalks, and shared use paths.
- (2) A traffic study and circulation plan are required, addressing multi-modal access management and traffic control.
- (3) Pedestrian walkways must meet the requirements of [Sec. 40-83\(i\) Pedestrian Walkways and Facilities](#).
- (4) Pedestrian focused site designs must include additional landscape areas planted with canopy and understory trees to encourage shading and walkability.
- (5) Roads and framework streets must be designed according to [Article 5, Division 2: Roads](#).
- (6) All parking areas must be paved.
- (7) Parking lots must be designed in accordance with [Division 4: Parking and Loading](#).

**SEC. 40-59 ENTERTAINMENT AND RESORT ZONE (SZ-EN).****(a) Intent.**

- (1) To support the unique tourist economy of Orange County;
- (2) To accommodate a variety of tourist-oriented uses such as theme parks, large-scale attractions, and resort hotels that may be disconnected from surrounding land uses; and
- (3) To enable high quality amenities that will enhance Orange County as a major tourist destination.

**(b) Applicability.**

- (1) Changes to approved Master Plans or Development Plans or existing developments considered Minor Variations or Non-Substantial Changes or that meet the standards for [Sec. 40-201\(b\) Small Sites](#), must comply with [\(c\) Site and Building Standards](#), and [\(e\) Site Circulation](#), for all new infrastructure.
- (2) Changes to approved Master Plans or Development Plans or existing developments considered Substantial Changes must comply with [\(c\) Site and Building Standards](#), and [Sec. 40-59\(e\) Site Circulation](#), for all new infrastructure and may be subject to further site improvements to bring the site further into compliance with Orange Code subject to DRC and BCC approval.
- (3) All new developments must show compliance with [\(c\) Site and Building Standards](#), and [\(e\) Site Circulation](#).

**(c) Site and Building Standards.**

- (1) SZ-EN sites must be 30 developable acres or more in area.
- (2) SZ-EN sites must be at least 150 feet wide.
- (3) The maximum allowable impervious coverage is 70% of the net lot area.
- (4) A minimum of 5% of the site must be civic space, limited to green, compact green, and square civic space types, or 15% may be open space in lieu of civic space, subject to [Article 5, Division 4: Civic and Open Space](#).
- (5) Landscape buffers are required as specified in [Sec. 40-71\(b\) Side and Rear Buffers](#).

## SPECIAL ZONES

- (6) Building height is limited as follows:
  - a. Building Height is limited to 16 stories; and
  - b. Buildings located within:
    - 1. 300 feet of T3 and T4 are limited to 5 stories; and
    - 2. 100 feet of T3 and T4 are limited to the maximum height of that Transect Zone plus 1 additional story.
- (7) Structures and parking must be set back from property lines as follows:
  - a. The minimum setback from limited access highways is 75 feet;
  - b. The minimum setback from the Normal High Water Elevation (NHWE) is 50 feet;
  - c. The minimum setback from all property lines is:
    - 1. Primary Frontage and Secondary Frontage Setbacks: the greater of 15 feet or the primary frontage setback of the most restrictive abutting transect zone along the property line;
    - 2. Side Setback: 30 feet; and
    - 3. Rear Setback: 30 feet.
  - d. Parking is not permitted within setbacks except along limited access highways.

**(d) *Parking.***

- (1) A parking study is required, pursuant to [Division 4: Parking and Loading](#).

**(e) *Site Circulation.***

- (1) The Concept Plan must provide on-site bicycle and pedestrian circulation to all buildings, recreation areas, and parking lots, as well as connections to adjacent existing or planned transit stops, sidewalks, and shared use paths.
- (2) A traffic study and plan is required, addressing multi-modal access management and traffic control.
- (3) Pedestrian walkways must meet the requirements of [Sec. 40-83\(i\) Pedestrian Walkways and Facilities](#).
- (4) Pedestrian focused site designs must include additional landscape areas planted with canopy and understory trees to encourage shading and walkability.
- (5) Roads and framework streets must be designed according to [Article 5, Division 2: Roads](#).
- (6) All parking areas must be paved.
  - a. Theme parks or attraction-type developments which experience holiday or special event parking demands may, subject to the approval of the County Engineer, use unpaved parking areas to meet those demands.
- (7) Parking lots must be designed in accordance with [Division 4: Parking and Loading](#).

**SEC. 40-60 INDUSTRIAL ZONES (SZ-LI & SZ-HI).****(a) *Intent.***

- (1) To promote the development of a wide variety of general industrial and related activities.
- (2) To protect adjacent residential and commercial developments from negative impacts from industries.
- (3) To provide space for industries that require locations accessible to major transportation facilities.
- (4) To provide locations for industries that employ the processing of bulk material and which require space for open storage of materials.
- (5) The Industrial Sub-zones have the following unique additional purposes:
  - a. SZ-LI: Light Industrial:
    - 1. To promote the development of and provide areas for light manufacturing and industry that will provide low intensity industrial development which has minimal impact on the surrounding areas.
    - 2. To provide space for industries and other uses of land that require a location in close proximity to airports and to high intensity mixed-use areas.
    - 3. To allow industrial uses in proximity to mixed-use areas by limiting the manner and extent of industrial operations and limiting the negative impacts of emissions and waste.
  - b. SZ-HI: Heavy Industrial:
    - 1. To provide for industrial operations of all types, which may produce such by-products as odor, smoke, dust, and noise and satisfactorily mitigate such impacts on the surrounding area.

**(b) Applicability.**

- (1) Changes to approved Master Plans or Development Plans or existing developments considered Minor Variations or Non-Substantial Changes or that meet the standards for [Sec. 40-201\(b\) Small Sites](#), must comply with (c) [Site and Building Standards](#), and (d) [Open Storage and Processing Activities](#), and (e) [Parking and Circulation](#), for all new infrastructure.
- (2) Changes to approved Master Plans or Development Plans or existing developments considered Substantial Changes must comply with (c) [Site and Building Standards](#), and (d) [Open Storage and Processing Activities](#), and (e) [Parking and Circulation](#), for all new infrastructure and may be subject to further site improvements to bring the site further into compliance with Orange Code subject to DRC and BCC approval.
- (3) All new developments must show compliance with (c) [Site and Building Standards](#), and (d) [Open Storage and Processing Activities](#), and (e) [Parking and Circulation](#).

**(c) Site and Building Standards.**

- (1) The minimum building and parking setback from the Normal High Water Elevation (NHWE) is 50 feet.
- (2) SZ-LI and SZ-HI are subject to the standards of [Table 22: SZ-LI & SZ-HI Building Standards](#).
- (3) Railroad spurs are prohibited within 300 feet of any T3 or T4 property.
- (4) Landscape buffers are required as specified in [Sec. 40-71\(b\) Side and Rear Buffers](#).
- (5) Proposed uses in SZ-LI & SZ-HI with any portions abutting other zones may be required to submit a noise compliance and compatibility study to the Environmental Protection Division.

**Table 22: SZ-LI & SZ-HI Building Standards**

| Standards                   | SZ-LI                                                                                                                                 | SZ-HI       |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Height <sup>1</sup>         | The greater of 5 stories or 75 feet max.                                                                                              |             |
| Transition Standards        | See <a href="#">Sec. 40-71 Transitions Between Zones</a> , for required height, buffering, landscape, and other transition standards. |             |
| Impervious Coverage         | 80% of the net site area, max.                                                                                                        |             |
| Setback: Primary Frontage   | 5 ft. min.                                                                                                                            | 35 ft. min. |
| Setback: Secondary Frontage | 5 ft. min.                                                                                                                            | 25 ft. min. |
| Setback: Side <sup>2</sup>  | 5 ft. min.                                                                                                                            | 25 ft. min. |
| Setback: Rear <sup>2</sup>  | 10 ft. min.                                                                                                                           | 25 ft. min. |

<sup>1</sup> Within 100 feet of a T3 or T4 transect zone, maximum building height is the maximum height of the adjacent Transect Zone plus 1 additional story.

<sup>2</sup> Rear and side setbacks are 0 when the rear or side property lines abut the boundary of a railroad right-of-way and the building has railroad loading and unloading capabilities.

**(d) Open Storage and Processing Activities.**

- (1) Open storage is limited in accordance with [Article 4, Division 1: Permitted Uses](#).
- (2) Open storage of equipment, materials, or commodities may be permitted, provided:
  - a. Storage is not located within any required setback or buffer; and
  - b. Storage is screened as specified in [Sec. 40-74 Screening and Buffering](#), except from abutting SZ-HI properties.
- (3) Processing activities not enclosed within a building are subject to the same requirements as open storage.

**(e) Parking and Circulation.**

- (1) A traffic study and plan is required, addressing multi-modal access management and traffic control.
- (2) Parking is required as specified in [Division 4: Parking and Loading](#).
- (3) The parking of passenger and commercial vehicles must not be located in any setback, buffer, or landscape area.
- (4) The parking of commercial vehicles, such as trucks, cargo trailers, and tractors must be on paved surfaces to minimize sediment.
- (5) Trees otherwise required for parking lot landscaping may be relocated to the perimeter of the parking lot in lots intended for commercial vehicles, including trucks, vehicles intended for sale, taxis, limousines, and rental cars. Additional planting space must be provided to accommodate the relocated trees.
- (6) Parking and circulation must comply with [Sec. 40-212\(f\) Sight Distance](#).

## SPECIAL ZONES

**SEC. 40-61 MOBILE HOME PARKS (SZ-MH).****(a) Intent.**

- (1) To ensure mobile home parks are compatible with neighboring uses, provide adequate civic space or open space for residents, provide sufficient buffering and landscaping, and have adequate facilities for vehicle movement and parking.

**(b) Applicability.**

- (1) Changes to approved Master Plans or Development Plans or existing developments considered Minor Variations or Non-Substantial Changes or that meet the standards for [Sec. 40-201\(b\) Small Sites](#), must comply with [\(e\) Required Parking](#), for all new infrastructure.
- (2) Changes to approved Master Plans or Development Plans or existing developments considered Substantial Changes must comply with [\(d\) Mobile Home Site Standards](#), and [\(e\) Required Parking](#), for all new infrastructure and may be subject to further site improvements related to [\(c\) Mobile Home Park Standards](#), subject to DRC and BCC approval.
- (3) All new developments must show compliance with [\(c\) Mobile Home Park Standards](#), [\(d\) Mobile Home Site Standards](#), and [\(e\) Required Parking](#).

**(c) Mobile Home Park Standards.**

- (1) SZ-MH sites must be a minimum of 5 developable acres.
- (2) SZ-MH sites must have at least one property line 200 feet or greater abutting a road.
- (3) SZ-MH sites are subject to the following perimeter setback requirements:
  - a. The primary and secondary frontage setbacks are 35 feet minimum from the perimeter of the property;
  - b. The side setback from the perimeter of the property is 10 feet minimum, 15 feet minimum adjacent to T4, and 20 feet minimum adjacent to T3 and T2;
  - c. The rear setback from the perimeter of the property is 50 feet minimum; and
  - d. The minimum building and parking setback from the Normal High Water Elevation (NHWE) is 50 feet.
- (4) SZ-MH sites must have paved access to a publicly-maintained road;
- (5) SZ-MH sites must provide a minimum of 5% civic space, subject to [Article 5, Division 4: Civic and Open Space](#), and limited to green, compact green, and square civic space types;
- (6) Sites for individual mobile homes within the mobile home park are subject to [\(d\) Mobile Home Site Standards](#).
- (7) Pedestrian ways must be provided around recreation, management, and service areas.
- (8) Pedestrian ways must be paved and at least 5 feet wide;
- (9) Roads within the mobile home park must meet the following requirements:
  - a. Roads must be two-way, 40 feet in width, have an improved surface of not less than 24 feet, and must meet the requirements of [ARTICLE V—LAND DEVELOPMENT](#);
  - b. Any roads with an unobstructed paved width less than 24 feet is subject to approval by the Fire Marshal; and
  - c. Roads must be illuminated.
- (10) Landscape buffers are required as specified in [Sec. 40-71\(b\) Side and Rear Buffers](#).

**(d) Mobile Home Site Standards.**

- (1) The minimum mobile home site is 3,000 square feet.
- (2) Minimum separation between mobile homes is 15 feet.
- (3) Each mobile home site must have a minimum of 15 feet of frontage on a road or lane within the boundary of the park.
- (4) Each mobile home site must be landscaped with turf, shrubs, trees, or other plantings for a minimum of 5% of the space area.
- (5) Each mobile home site must be connected with a water system and sewage treatment and disposal system approved by the County and state health department.
- (6) The following mobile home additions may encroach, reducing the separation between adjacent mobile homes and the listed additions to 10 feet: porches, screened rooms, carports, and attached or detached accessory buildings to store gardening equipment.
- (7) All additions to a mobile home must comply with County building department regulations.

**(e) Required Parking.**

- (1) A minimum of 2 parking spaces must be provided for each mobile home.
- (2) At least 1 parked space must be located within the mobile home site.
- (3) Parking within the mobile home site must be accessed by a paved driveway a minimum of 9 feet wide.
- (4) All parking spaces must be paved.

**SEC. 40-62     RESERVED.**

**SEC. 40-63     RESERVED.**

**SEC. 40-64     RESERVED.**

**SEC. 40-65     RESERVED.**





***DIVISION 3: SITES AND BUILDINGS******SEC. 40-66 LOTS.******(a) Lot Dimensions.***

- (1) Lot width must be equal to or greater than the minimum specified in [Sec. 40-52 Building Form Standards](#).
- (2) The width of a lot is measured along its primary frontage, as specified in [\(b\) Lot Frontages](#).
- (3) Where [Sec. 40-52 Building Form Standards](#) specifies a minimum lot area, the net lot area must be equal to or greater than the minimum specified.
- (4) Additional lot area restrictions may apply to properties located in Rural Settlements, Rural Centers, as specified in the Comprehensive Plan, and lots serviced by septic.
- (5) Substandard properties are subject to [Article 2, Division 5: Nonconformities](#).
- (6) When included on a lot, designated wetland or surface waters (or “Conservation Areas” as defined in Chapter 15-364) do not contribute to the minimum lot size, per Chapter 34-152(g) of County Code.

***(b) Lot Frontages.***

- (1) Lot lines are designated as primary frontages or secondary frontages as follows:
  - a. For lots abutting a road, pedestrian way, civic space, or open space along a single lot line, the abutting lot line is designated the primary frontage;
  - b. For corner lots abutting a road, pedestrian way, civic space, or open space along 2 connected lot lines, the narrow side of the lot is designated the primary frontage, except where the Zoning Manager determines that the wider lot line is of greater importance to pedestrians;
  - c. For lots abutting roads, non-vehicular ways, civic spaces, or open spaces along 2 disconnected lot lines, including through lots as illustrated in [Figure 26: Setbacks for Lots Within Recent Subdivisions](#), the primary frontage is designated by the Zoning Manager and County Engineer, or their designee(s). 2 primary frontages may be required.
  - d. For lots abutting roads, non-vehicular ways, civic spaces, or open spaces along more than 2 lot lines, the primary frontage or multiple primary frontages are designated by the Zoning Manager and County Engineer, or their designee(s), as illustrated in [Figure 24: Frontage Determination for Lots With Multiple Frontages](#), and based upon the following:
    1. Corridors designated in the Comprehensive Plan are deemed primary frontages;
    2. Entries to subdivisions which are intended as the principal pedestrian access to the subdivision should be deemed primary frontages;
    3. Roads where nearby lots abut with primary frontages should be considered for primary frontages;
    4. Roads where nearby lots abut with secondary frontages should be deemed secondary frontages;
    5. Roads, other than corridors, that are designed principally for vehicles and not pedestrians should be considered for secondary frontages, considering numerically higher road design context as pedestrian-oriented, addressing the size of sidewalks, whether on-street parking exists, and the frequency of intersecting roads;
    6. Roads within a subdivision other than entry roads should be considered for secondary frontages where a more qualifying primary frontage is established; and
    7. Sites should have no more than 50% of frontages deemed primary.
  - e. Lot lines other than the primary frontage are designated the secondary frontage; and
  - f. For a lot that does not have frontage on a right-of-way, or where yard determinations are unclear, the Zoning Manager will designate the lot frontages.
- (2) Lot lines for primary and secondary frontages are illustrated in [Figure 23: Primary and Secondary Frontage Location](#).

Figure 23: Primary and Secondary Frontage Location

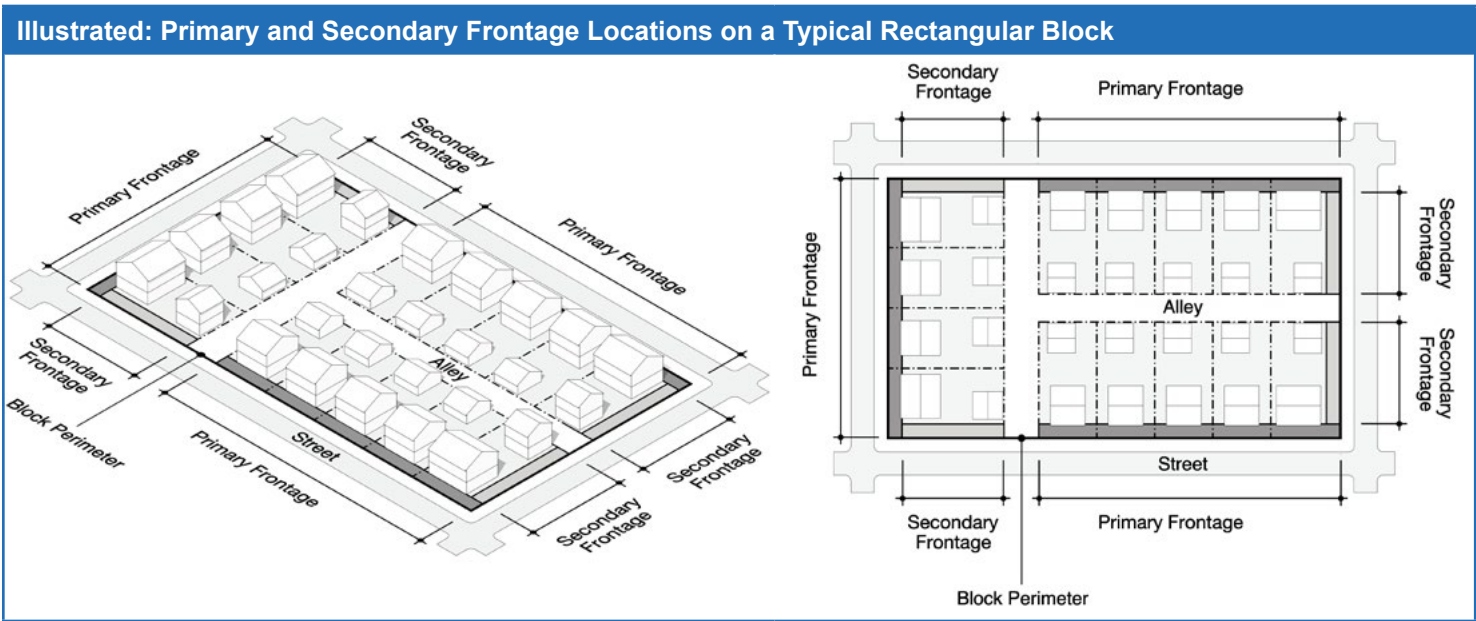
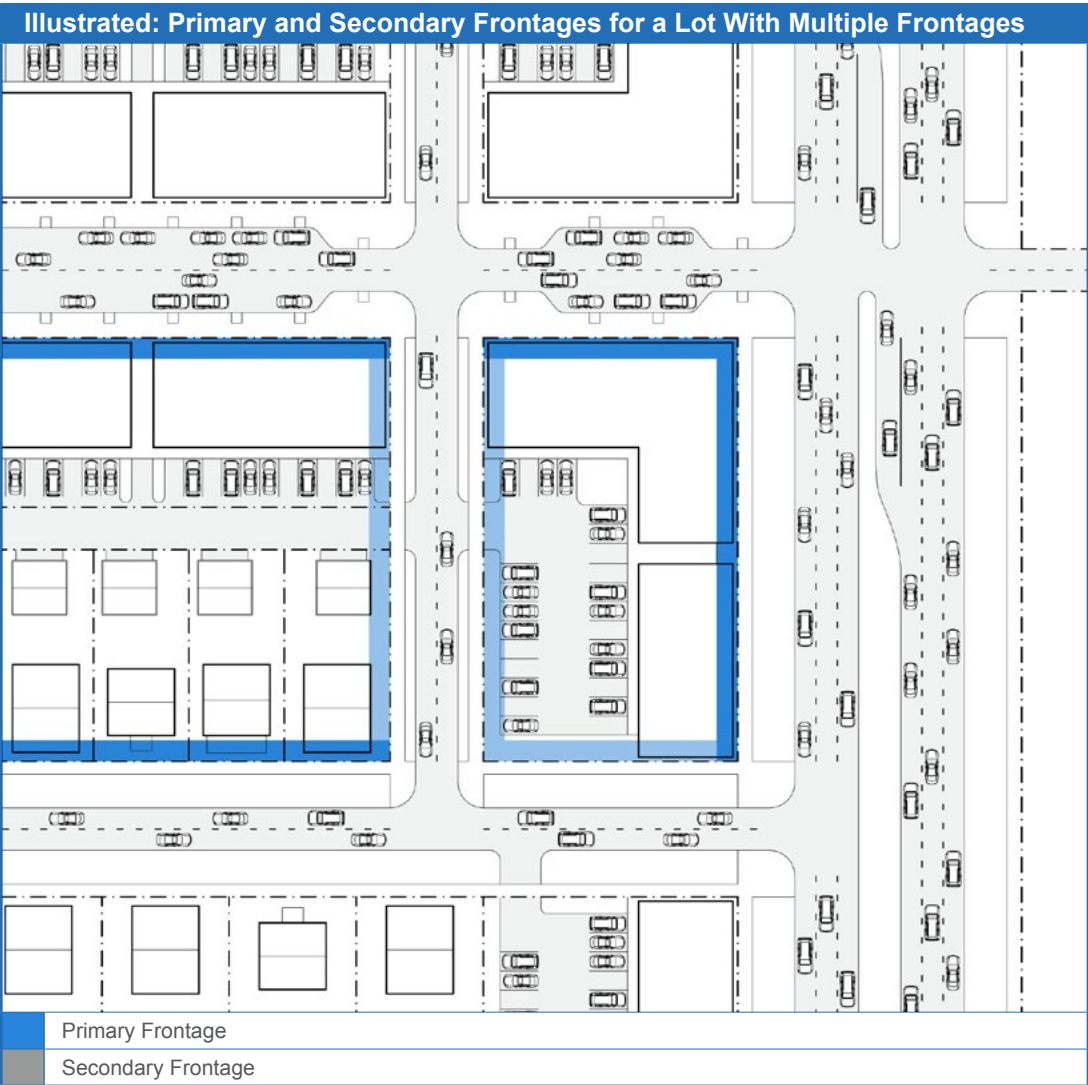


Figure 24: Frontage Determination for Lots With Multiple Frontages



**(c) Lot Coverage.**

- (1) The footprint of all covered structures is limited to a maximum percentage of the lot area, specified as lot coverage in [Sec. 40-52 Building Form Standards](#).
- (2) The total area of all impervious surfaces, including the footprint of covered structures, is limited to a maximum percentage of the lot area, specified as impervious surface in [Sec. 40-52 Building Form Standards](#).
- (3) Sites that are part of a Development Plan are subject to additional impervious surface requirements, as specified in [Sec. 40-201 Development Plan Standards](#).

**(d) Pedestrian Walkways.**

- (1) Pedestrian walkways are required connecting building entrances with sidewalks and shared use paths.
- (2) Pedestrian walkways must be a minimum of 5 feet wide.
- (3) Additional pedestrian walkways are required within parking lots, as specified in [Sec. 40-83\(i\) Pedestrian Walkways and Facilities](#).
- (4) Retrofits of sidewalks adjacent to the site to bring them into compliance with ADA standards are required, including but not limited to:
  - a. Expanding sidewalk width;
  - b. Adding ADA-complaint ramps;
  - c. Changing sidewalk slope and cross-slope; and
  - d. Standards set forth in [Sec. 40-215\(b\) Sidewalks and Shared Use Paths](#).

**(e) Other Lot Improvements.**

- (1) Landscaping is subject to [Division 5: Landscape Standards](#).
- (2) Equipment, waste, and storage areas are subject to [Sec. 40-74 Screening and Buffering](#).
- (3) Sidewalks are subject to [Sec. 40-215\(b\) Sidewalks and Shared Use Paths](#).

**SEC. 40-67 SETBACKS.****(a) Structure Setbacks.**

- (1) Structures must be set back from lot lines according to [Sec. 40-52 Building Form Standards](#), [Figure 26: Setbacks for Lots Within Recent Subdivisions](#), [Figure 27: Setbacks for Historic Lot Types](#), and the following:
  - a. Maximum setbacks pertain only to the amount of principal building façade required to meet the minimum frontage occupation requirements of [Sec. 40-72 Building Design Standards](#);
  - b. Where easements don't allow structures between the maximum setback and the lot line, the maximum setback is adjusted to project from the inner edge of the easement rather than the lot line, as illustrated in [Figure 25: Structure Setbacks and Easements](#);
  - c. Side setback from shared lot lines specified as 0 or 5 feet minimum:
    1. Structures built along the side lot line; or
    2. Structures set back 5 feet minimum from the side lot line.
  - d. Side setbacks for infill projects that are not a part of a stormwater system within T3.3, T4, T5, and T6 must be a minimum of 8 feet. The County Engineer may approve a 5-foot setback under the following conditions:
    1. Gutters and downspouts are installed. Downspouts must be piped underground with positive drainage directed away from adjacent properties and toward the center of the yard. If the discharge point is located at the front of the yard, it must be placed at least 5 feet from the right-of-way line;
    2. Impervious surfaces and appurtenances, such as air conditioner pads shall be in the rear of the property and may not impede stormwater conveyance; and
    3. Stormwater conveyance through the side yard setback must be adequately designed, ensuring that stormwater runoff remains on site or is directed away without adversely impacting neighboring properties.
  - e. A minimum side setback of 8 feet is required on one side of the principal structure where on-site septic sewer is proposed or located in the rear of the property. The County Engineer may approve a 6-foot setback under the following conditions:
    1. Gutters and downspouts are installed. Downspouts must be piped underground with positive drainage directed away from adjacent properties and toward the center of the yard. If the discharge point is located at the front of the yard, it must be placed at least 5 feet from the right-of-way line;
    2. Impervious surfaces and appurtenances, such as air conditioner pads must be in the rear of the property and may not impede stormwater conveyance;
    3. Stormwater conveyance through the side yard setback must be adequately designed, ensuring that

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- runoff remains on site or is directed away without adversely impacting neighboring properties; and
4. Any County Engineer decision with respect to this reduced setback is appealable to the DRC. Such appeal must be submitted within 30 days of the decision. Any DRC decision regarding an appeal with respect to this reduced setback may be appealed in accordance with Sec.40-38. Appeals of DRC Decisions
    - f. Zone transitions may affect minimum setbacks, as specified in [Sec. 40-71 Transitions Between Zones.](#); and
    - g. Screening and buffering requirements may affect minimum setbacks, as specified in [Sec. 40-74 Screening and Buffering.](#)
  - (2) Reduced setback may be permitted by Minor Deviation as indicated in [Table 5: Minor Deviation Review Criteria](#), subject to approval by the Zoning Manager.
  - (3) Lots abutting water bodies are subject to the following:
    - a. Setbacks from the Normal High Water Elevation contour on any natural surface water body and any natural or artificial extension of a water body are as follows:
      1. Structures must be setback 50 feet minimum from the Normal High Water Elevation;
      2. Accessory structures, swimming pools, decks, and parking lots must meet the setback requirements of the respective zone as measured from the Normal High Water Elevation; and
      3. An upland buffer of 100 feet may be required by the Environmental Protection Division, as specified in Chapter 15, Article X of County Code.
  - (4) Setbacks for accessory structures are as specified in [Sec. 40-52 Building Form Standards.](#)
  - (5) For corner lots, structures must not obstruct sight distances specified in [Sec. 40-212\(f\) Sight Distance.](#);
  - (6) No structures may be located within easements, unless otherwise authorized by the easement holder;
  - (7) Setbacks may affect the placement and material of water, waste water, and right-of-way utilities; and
  - (8) Setbacks must allow for the proper maintenance of structures and public utilities and ensure appropriate management of stormwater runoff to prevent adverse impacts on adjacent or off-site properties.

**Figure 25: Structure Setbacks and Easements**

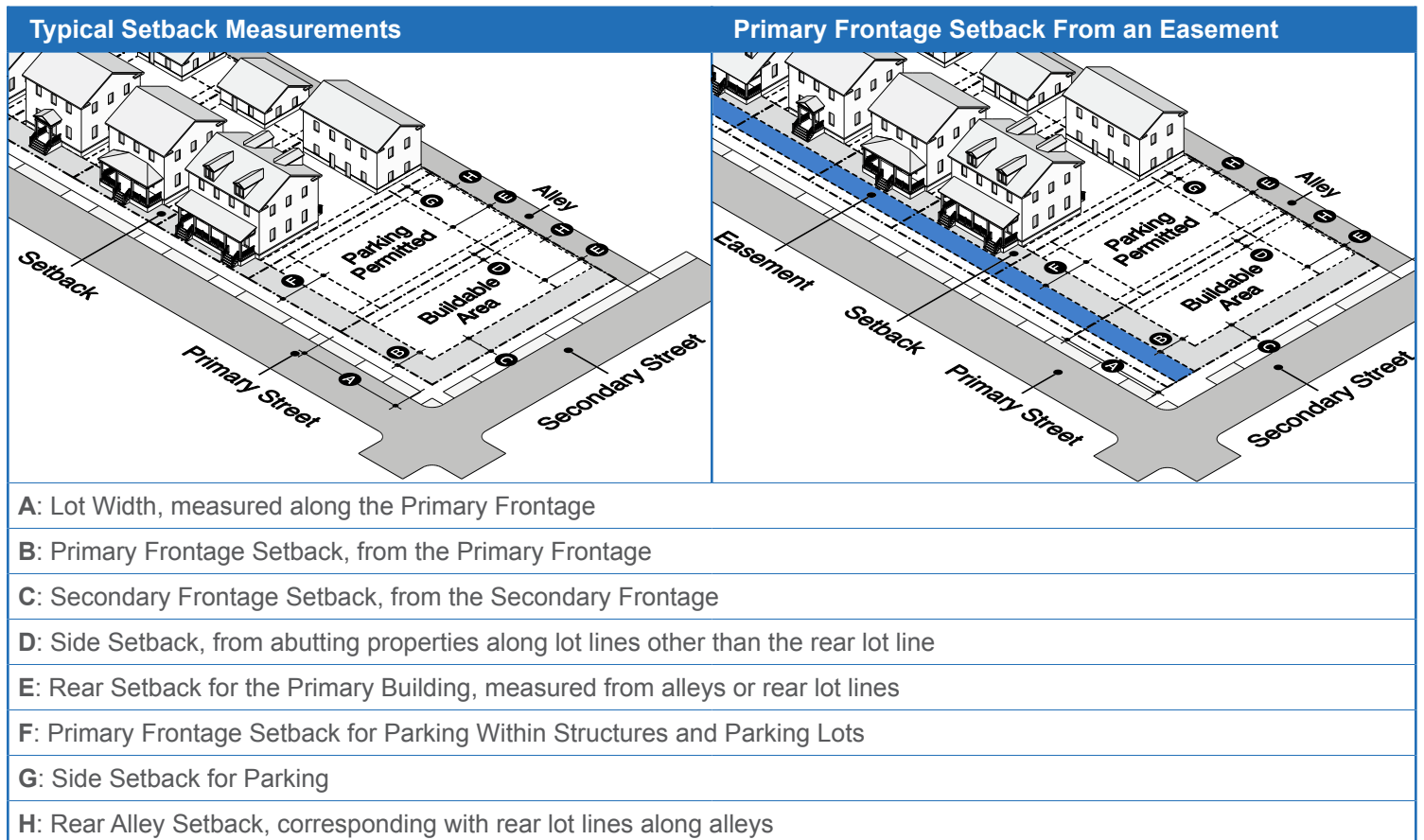




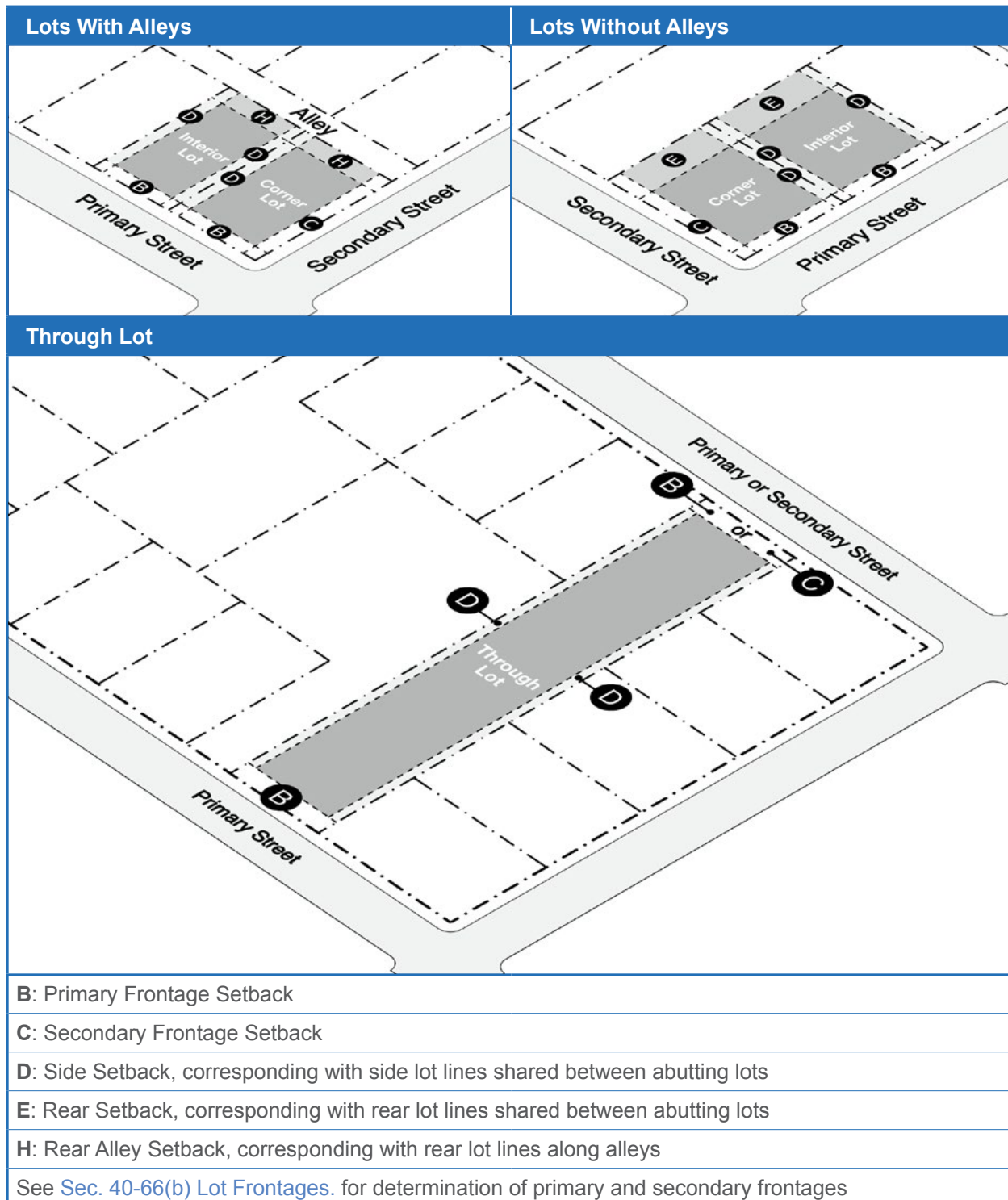
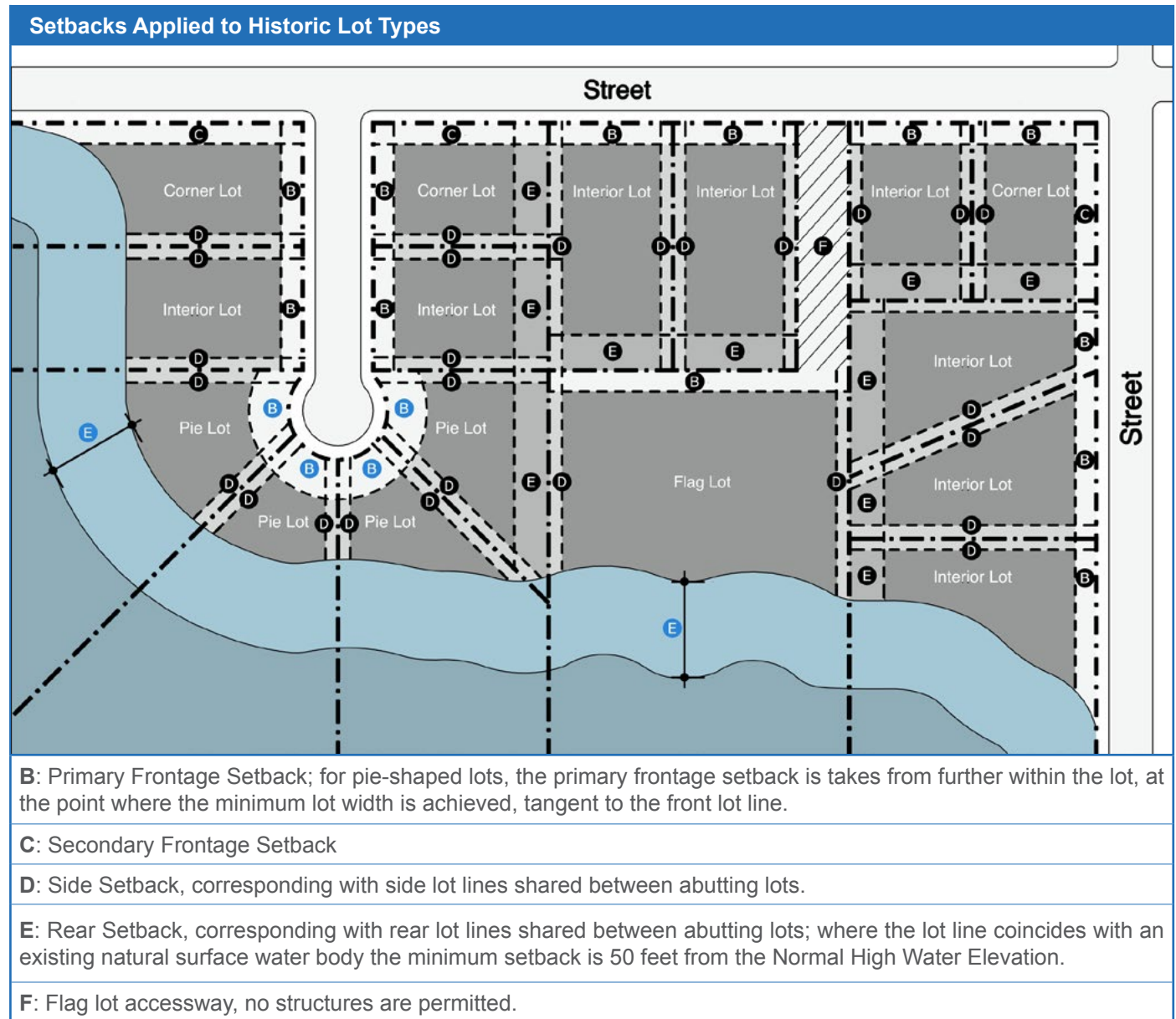
**Figure 26: Setbacks for Lots Within Recent Subdivisions**

**Figure 27: Setbacks for Historic Lot Types**





**(b) Parking Setbacks.**

- (1) Surface parking lots, garages, and structured parking must be set back from lot lines as specified in [Sec. 40-52 Building Form Standards.](#), [Sec. 40-68 Vehicular Access.](#), and [Sec. 40-83 Off-street Parking Design Standards.](#), including parking within or attached to the principal structure and in free standing garages.
- (2) Surface parking lot setbacks must provide for required landscaping, specified in [Sec. 40-83\(j\) Parking Lot Landscaping.](#)
- (3) Frontage parking lanes permitted in [Sec. 40-205\(h\) Circulation.](#) are exempt from the parking setback requirements specified in this section, however additional off-street parking is subject to the above referenced requirements.

**(c) Emergency Generators and Other Mechanical Equipment.**

- (1) Utility equipment such as transformers and pedestals are exempt from this section.
- (2) Mechanical equipment is prohibited within primary and secondary frontage setbacks.
- (3) All ground mounted mechanical equipment visible from the right of way, except those in SZ-HI, must be screened on all sides facing sidewalks by a fence or vegetative buffer.
- (4) Mechanical equipment is permitted within rear and side yards, excluding secondary frontages, subject to the following setbacks:
  - a. Single dwellings, duplexes, and townhouses:
    1. Minimum 5-foot setback from the rear lot line; and
    2. Minimum 2-foot setback from the side lot line; except where the side yard setback for the district is 0 ft., where it may be 0 ft.
  - b. Non-residential and multi-dwelling:
    1. Subject to the same setback requirement for principal structures within the applicable zone, as specified in [Sec. 40-52 Building Form Standards.](#); and
    2. Mechanical equipment mounted on the roof must be screened in accordance with [Sec. 40-72 Building Design Standards.](#)
  - c. Side setbacks may be further restricted as specified in [Sec. 40-67\(a\) Structure Setbacks.](#)

**(d) Refuse and Recycling Collection Areas.**

- (1) Service areas, recycling, and solid waste refuse (dumpsters) must comply with the following requirements:
  - a. Are subject to the minimum setback requirements for accessory structures;
  - b. Are not permitted within frontage yards;
  - c. Must not be located within required landscape buffers; and
  - d. Disposal areas must be screened as specified in [Sec. 40-74\(c\) Service Area and Open Storage Area Screening.](#)
- (2) Commercial refuse areas must have space reserved for the required recycling adjacent to the dumpster facility, and must meet all requirements of [Chapter 32, Article IV, Section 32-163 of the Orange County Code.](#)
- (3) Centralized refuse collection containers, including construction dumpsters and recycling containers, must meet all requirements of [Chapter 21, Article VI, Division 3, Section 21-241 of the Orange County Code.](#)

**SEC. 40-68 VEHICULAR ACCESS.****(a) Vehicular Access.**

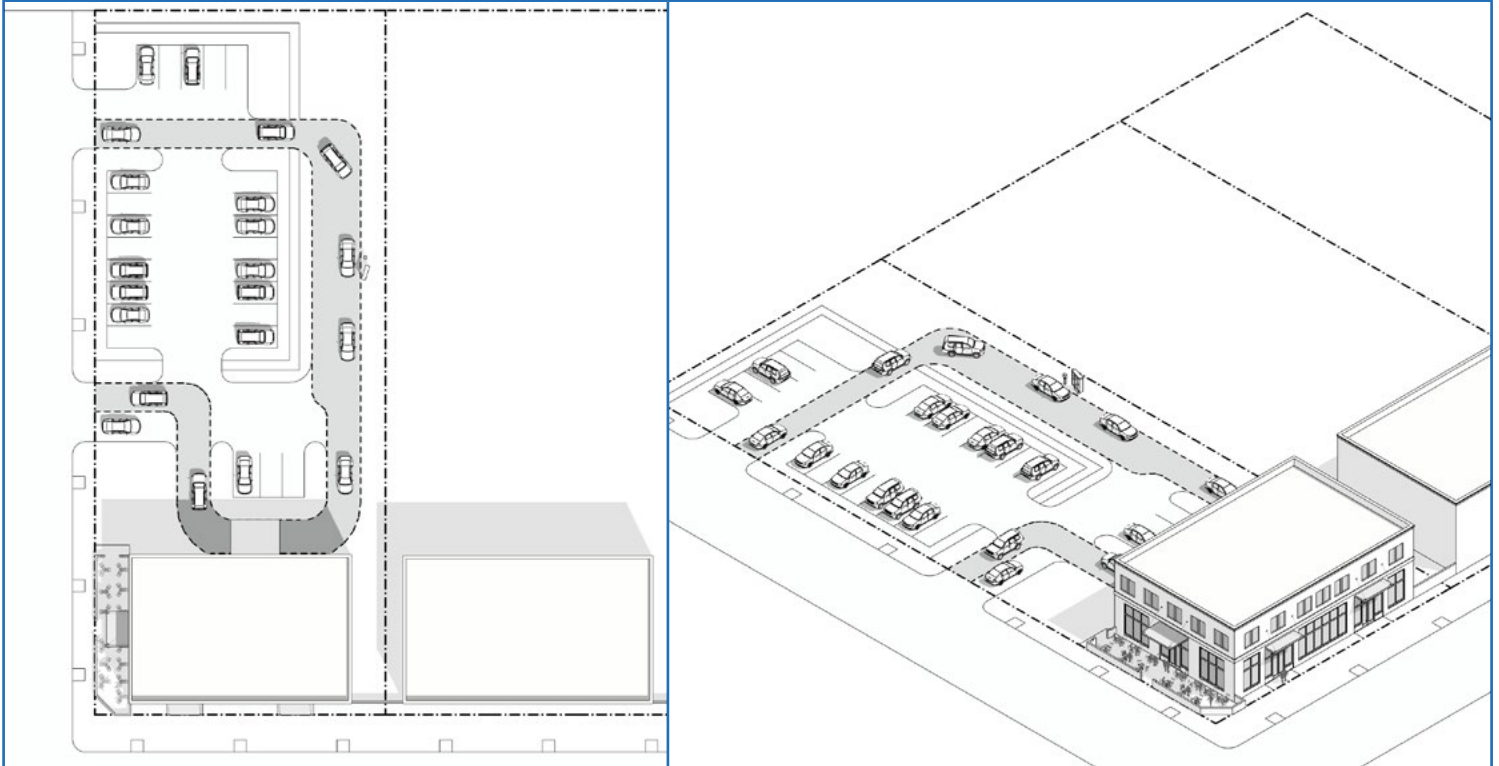
- (1) Driveway location is subject to access management standards, as specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
- (2) Driveways accessing on-site parking is limited as specified in [Sec. 40-83\(c\) Driveway Restrictions](#).
- (3) Maneuvering areas for emergency vehicles, waste collection, and service vehicles must be designed so all backing and maneuvering occurs on site.
  - a. A swept path analysis for serving refuse areas and regular garbage collection as part of development review will be required.

**(b) Drive-Throughs.**

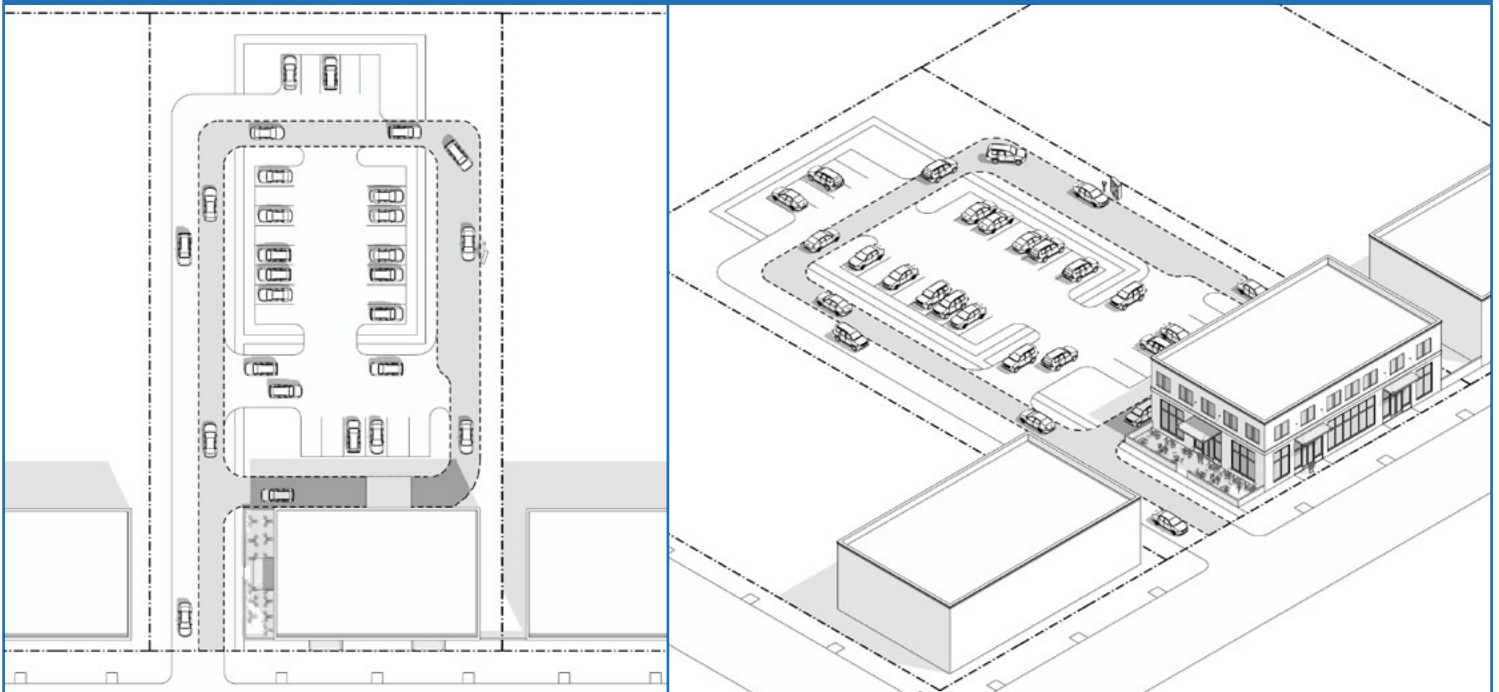
- (1) Drive-through windows and queuing lanes must not be located between buildings and primary or secondary frontage lines, as illustrated in [Figure 28: Drive-Through Location](#); and
- (2) A permanent porte-cochere type structure must be constructed over the drive-through and service window as follows:
  - a. It must extend the width of the drive, and be a minimum of 20 feet in length; and
  - b. It must be integrated structurally into the building, and match the architectural façade and roof design of the building.
- (3) A stacking study is required to demonstrate sufficient storage capacity based on the specific use. The design must safely hold all queued vehicles entirely within the boundaries of the site.
- (4) A landscape buffer is required along both sides of the entire length of drive-through stacking and queuing lanes, except where the stacking or queuing lanes abut the primary structure, as follows:
  - a. The landscape buffer must be a minimum of 5 feet wide;
  - b. Sidewalks, service areas, loading docks, and dumpsters must not be located within the buffer;
  - c. The landscape buffer must include:
    1. Hedges, groundcover and understory trees. Turf, turf grass and sod, artificial turf, stone, gravel and/or other inorganic materials are prohibited;
    2. Understory trees every 20 linear feet on center. Palms do not count towards this requirement;
    3. A continuous hedge a minimum of 3 feet in height at planting, spaced no more than 30 inches on-center and capable of attaining a height of 5 feet in 18 months; and
    4. Must be 50% opacity at the time of planting and 75% within 18 months.
  - d. Drive-through landscape buffers may include openings for pedestrian access, vehicular access, and access to utilities; and
  - e. Landscape provided to fulfill drive-through landscape standards can apply to other landscape requirements.

**Figure 28: Drive-Through Location**

**Illustrated: Corner lot with access from both primary and secondary frontages and the drive-through along the side lot line**



**Illustrated: Midblock lot with access from primary frontage and the drive-through along the side lot line**



## SITES AND BUILDINGS

**SEC. 40-69 HEIGHT RESTRICTIONS.****(a) Structures.**

- (1) The height of structures is limited according to [Sec. 40-52 Building Form Standards](#), and the following:
  - a. Height may be measured in stories, in feet above grade, or both, as illustrated in [Figure 30: Building Height Measurement](#);
  - b. Where height is measured both in stories and feet, both standards apply;
  - c. Below ground stories are not counted except where they exceed 3 feet above the site grade at the nearest property line;
  - d. Mezzanines that occupy more than 50% of the ground floor area count as an additional story; and
  - e. Half stories are limited in area up to 50% of the building footprint, including areas not covered by a roof.
- (2) Each story is limited by height in feet according to [Table 29: Story Height](#) and the following:
  - a. Stories for all interior spaces are measured as shown in [Figure 30: Building Height Measurement](#); and as follows:
    1. From finished floor to the surface of the next finished floor above it;
    2. If there is no floor above it, then the space between finished floor and ceiling next above it; or
    3. From finished floor to the top plate if there is no floor or ceiling above it.
  - b. Where a range is specified, the lower number is the minimum story height and the higher number is the maximum story height;
  - c. Minimum story height does not pertain to storage areas, closets, kitchens, restrooms, or other secondary interior spaces; and
  - d. Stories exceeding maximum height per story are counted as multiple stories.
- (3) Roofs and parapet walls are limited as follows:
  - a. Roofs may extend above interior spaces to a maximum slope of 10:12; and
  - b. Parapet walls may extend up to 6 feet above the top of a flat roof.
- (4) Height may be further restricted where sites abut a different Transect Zone, as specified in [Sec. 40-71 Transitions Between Zones](#).

**(b) Parking Structures.**

- (1) Each flat or sloped deck level counts as 1 story, and is limited by the permitted number of structure stories specified in [Sec. 40-52 Building Form Standards](#).
- (2) Parking structure stories are measured as follows:
  - a. Stories are measured from the deck surface to the bottom of the deck above, as illustrated in [Figure 31: Parking Structure Height Measurement](#);
  - b. Parking structures stories must be 8 to 12 feet in height, except the ground level which may be up to the maximum height of the ground floor of the attached building;
    1. Detached parking structures may permit ground levels up to 20 feet in height.
  - c. Stories exceeding the maximum height are counted as multiple stories, determined by dividing the story height by the maximum permitted story height and rounding up to the nearest integer.
- (3) Parking structures that are lined with habitable space along at least 80% of the primary frontage and 60% of the secondary frontage may extend to the lowest eave or parapet height of the habitable space lining frontages, regardless of parking stories behind.
- (4) Parking structures that do not qualify for c. above must:
  - a. Have flat, not sloped decks along the exterior elevation of the structure; and
  - b. Have a ground floor ceiling height of 14 feet minimum.
- (5) Ground floor height must accommodate the necessary utility access and drainage easements, ensuring proper infrastructure maintenance, grading, and drainage, subject to approval from the County Engineer.
- (6) Height may be further restricted where sites abut a different Transect Zone, as specified in [Figure 34: Transitions Between Zones](#).

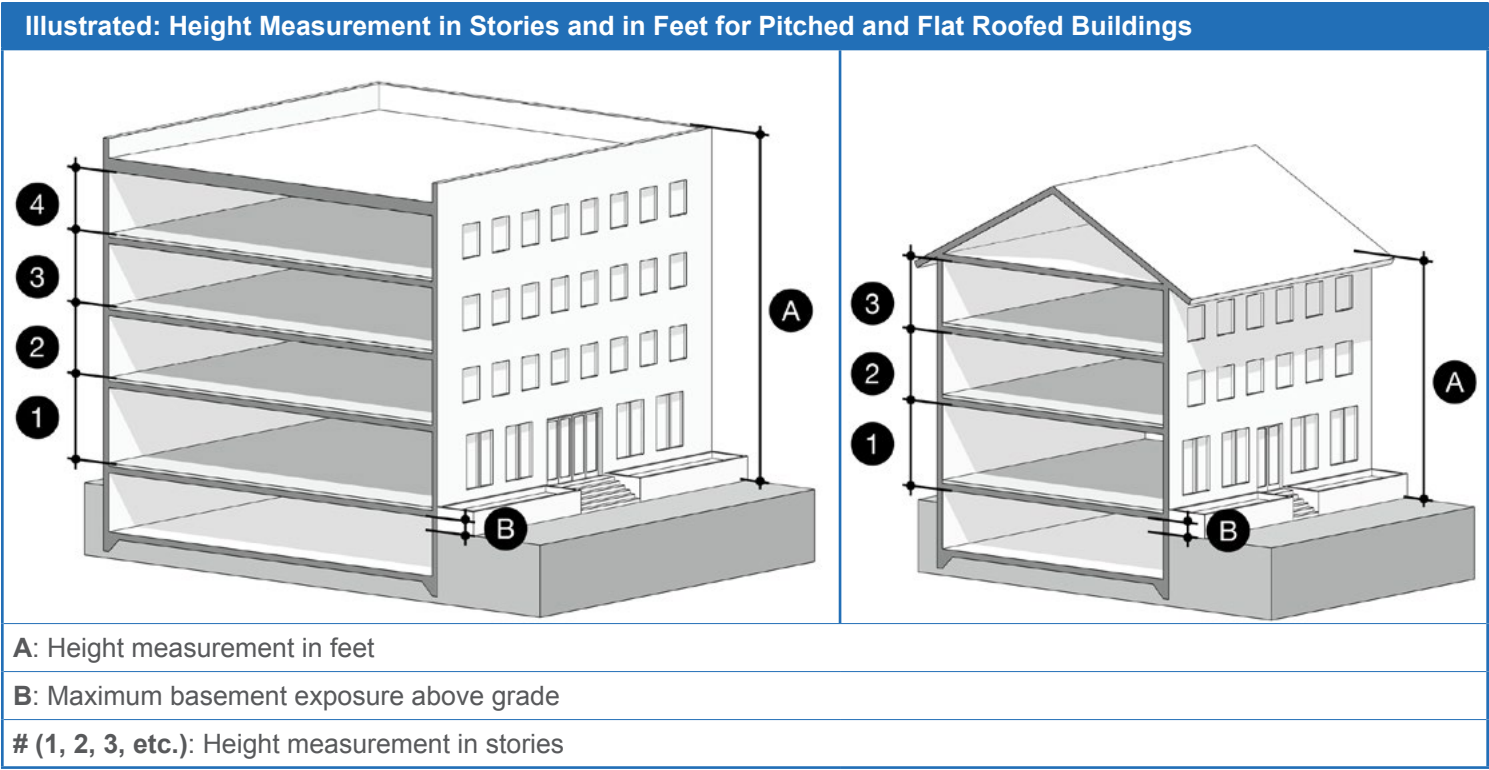
**(c) Vertical Projections.**

- (1) Vertical projections such as chimneys, spires, domes, non-enclosed rooftop structures, elevator shaft and stair housings, antennae, mechanical equipment, vents, and flag poles, may extend above the roof line if the projection height does not exceed 10 feet above the roof height.
- (2) The Zoning Manager may approve a Minor Deviation for additional types of vertical projections and additional height for decorative and non-functional vertical projections, as specified in [Table 5: Minor Deviation Review Criteria](#).

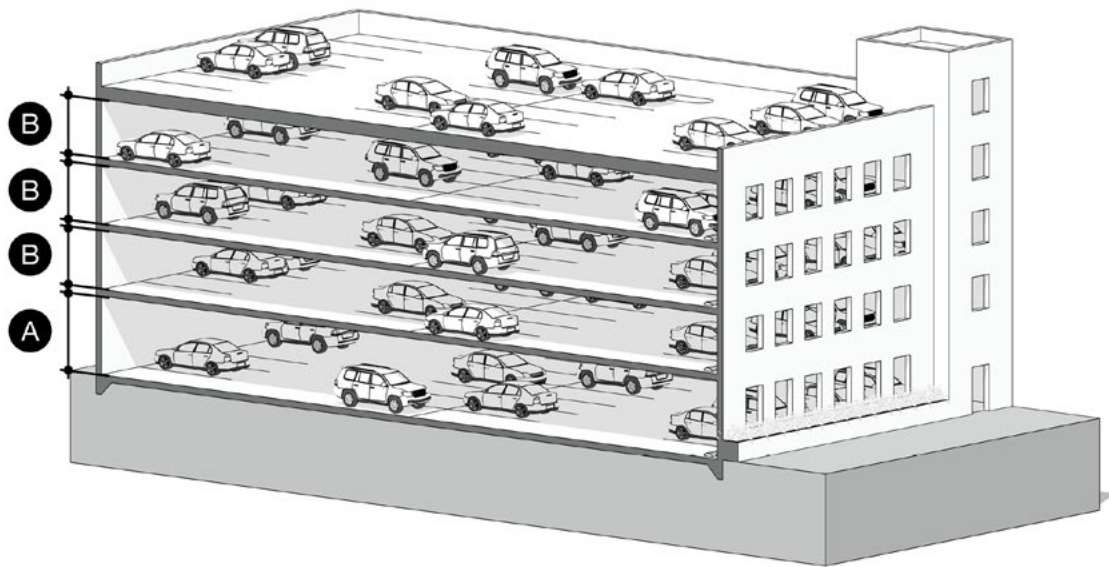
Table 29: Story Height

| Use                                    |                    | T2                                                                        | T3        | T4          | T5                                                                                                      | T6 |
|----------------------------------------|--------------------|---------------------------------------------------------------------------|-----------|-------------|---------------------------------------------------------------------------------------------------------|----|
| Residential                            | Ground Floor       | 8 -12 ft.                                                                 |           | 8 -14 ft.   | 8 - 16 ft.                                                                                              |    |
|                                        | Above Ground Floor | 8 - 12 ft.                                                                |           |             | 8 - 14 ft.                                                                                              |    |
| Accessory Building                     | Ground Floor       | 8 - 14 ft.                                                                |           |             | 8 - 16 ft.                                                                                              |    |
|                                        | Above Ground Floor | 12 ft. max.                                                               |           |             |                                                                                                         |    |
| Non-Residential, Live/Work & Mixed-Use | Ground Floor       | 18 ft. max.                                                               | 8 -12 ft. | 10 - 14 ft. | 14 - 25 ft.                                                                                             |    |
|                                        | Above Ground Floor | 14 ft. max.                                                               | 8 -12 ft. | 9 - 12 ft.  | 16 ft. max.                                                                                             |    |
| Medical Office & Hospital              |                    | NA                                                                        |           | 10 - 14 ft. | May exceed non-residential height by Minor Deviation, see <a href="#">Sec. 40-24 Minor Deviations</a> . |    |
| Place of Assembly                      |                    | May exceed max. listed height for non-residential uses by Minor Deviation |           |             |                                                                                                         |    |

Figure 30: Building Height Measurement



## SITES AND BUILDINGS

**Figure 31: Parking Structure Height Measurement****Illustrated: Height Measurement in Stories for a Parking Structure**

**A:** Ground floor story height measurement in feet

**B:** Measure of stories above the ground floor, individually in feet



**SEC. 40-70 PERIMETER TREES.**

- (a) On side or rear lot lines not abutting the primary or secondary frontage:
  - (1) Where a proposed structure is setback greater than or equal to 8 feet, 1 canopy tree must be provided every 50 linear feet or fraction thereof;
    - a. An 8 ft. wide landscape strip shall be provided on side and rear lot lines. The width of the landscape strip may be reduced where proposed structures and improvements overlap.
  - (2) Where a proposed structure is setback less than 8 feet but greater than 4 feet, 1 understory tree must be provided every 25 linear feet or fraction thereof.
    - a. A landscape strip shall be provided on side and rear lot lines equivalent to the width of the setback provided. The width of the landscape strip may be reduced where proposed structures and improvements overlap.
- (b) Where conflict exists, [Sec. 40-71\(b\) Side and Rear Buffers.](#) and [Sec. 40-83\(j\) Parking Lot Landscaping.](#) take precedence.
- (c) Exemption. Development applications involving one (1) single-family dwelling or a duplex residential project, on either a single lot or parcel, are exempt from these requirements.

**SEC. 40-71 TRANSITIONS BETWEEN ZONES.**

Purpose: To provide for compatibility between abutting properties in instances where the abutting Transect Zones differ in intensity such that the compatibility provided by the Transect is not sufficient and additional setbacks, height restrictions, and landscape buffering may be required.

**(a) Applicability.**

- (1) Where abutting properties differ by more than one full Transect Zone (e.g. T3-to-T5, T4-to-T6), the applicant must provide the transitions specified in this section, as generally illustrated in [Figure 34: Transitions Between Zones.](#)
- (2) Where there are abutting Special Zones of differing designations or abutting Special Zones and Transect Zones, the applicant must provide the transitions specified in this section.

**(b) Side and Rear Buffers.**

- (1) Buffers must be configured as specified in [Table 33: Buffer Configuration](#), and [Division 5: Landscape Standards.](#)
- (2) Where this buffer conflicts with Parking Lot Perimeter Landscaping as required by [Table 55: Parking Lot Landscape Requirements](#), the Parking Lot Perimeter Landscaping requirements apply.
- (3) Buffers are required between abutting properties that differ in zone where specified in [Table 32: Buffer Requirement.](#)
- (4) Buffers must be configured as specified in [Table 33: Buffer Configuration](#), and [Division 5: Landscape Standards.](#)
- (5) For buffers between a proposed development and a Planned Development (PD), the table is applied as follows:
  - a. For single dwelling lots within the PD, use T3 standards for those lots;
  - b. For multi-dwelling lots within the PD, use T4 standards for those lots; and
  - c. For commercial and mixed-use lots within the PD, use T5 standards for those lots.
- (6) Industrial Zones (SZ-LI & SZ-HI) abutting any other zones are subject to the following:
  - a. Submission of a noise compliance and compatibility study may be required by the Environmental Protection Division; and
  - b. May be required to provide a wall up to 10 feet tall for noise abatement, permitted to exceed the standards of [Sec. 40-75 Fencing and Walls.](#) on a case-by-case basis by the Environmental Protection Division.
- (7) New development with residential areas and noise sensitive zones as defined in Chapter 15, Article V, abutting Industrial Zones (SZ-LI & SZ-HI) must:
  - a. Be positioned to maximize to the extent practicable the separation distance and buffering from any abutting industrial uses; and
  - b. Provide the buffer required in [Table 32: Buffer Requirement](#) if a buffer does not already exist on the industrial property.

**Table 32: Buffer Requirement**

| Subject Property | Abutting Property |        |        |        |        |        |        |        |        |       |        |        |
|------------------|-------------------|--------|--------|--------|--------|--------|--------|--------|--------|-------|--------|--------|
|                  | T2                | T3     | T4     | T5     | T6     | SZ-ED  | SZ-MH  | SZ-LI  | SZ-EN  | SZ-HI | CZ-CF  | CZ-OS  |
| <b>T2</b>        | n/a               | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>T3</b>        | n/a               | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>T4</b>        | 10 ft.            | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>T5</b>        | 10 ft.            | 10 ft. | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>T6</b>        | 10 ft.            | 10 ft. | 10 ft. | n/a    | n/a    | n/a    | n/a    | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>SZ-ED</b>     | 10 ft.            | 25 ft. | 20 ft. | 10 ft. | 10 ft. | n/a    | 10 ft. | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>SZ-MH</b>     | 20 ft.            | 20 ft. | 15 ft. | 10 ft. | 10 ft. | 10 ft. | n/a    | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>SZ-LI</b>     | 10 ft.            | 20 ft. | 15 ft. | 10 ft. | 10 ft. | 15 ft. | 20 ft. | n/a    | n/a    | n/a   | n/a    | n/a    |
| <b>SZ-EN</b>     | 10 ft.            | 30 ft. | 25 ft. | 10 ft. | 10 ft. | 20 ft. | 20 ft. | 10 ft. | n/a    | n/a   | n/a    | n/a    |
| <b>SZ-HI</b>     | 50 ft.            | 50 ft. | 50 ft. | 50 ft. | 50 ft. | 50 ft. | 50 ft. | n/a    | 50 ft. | n/a   | 50 ft. | 50 ft. |

Distances specify the minimum buffer depth required.

**Table 33: Buffer Configuration**

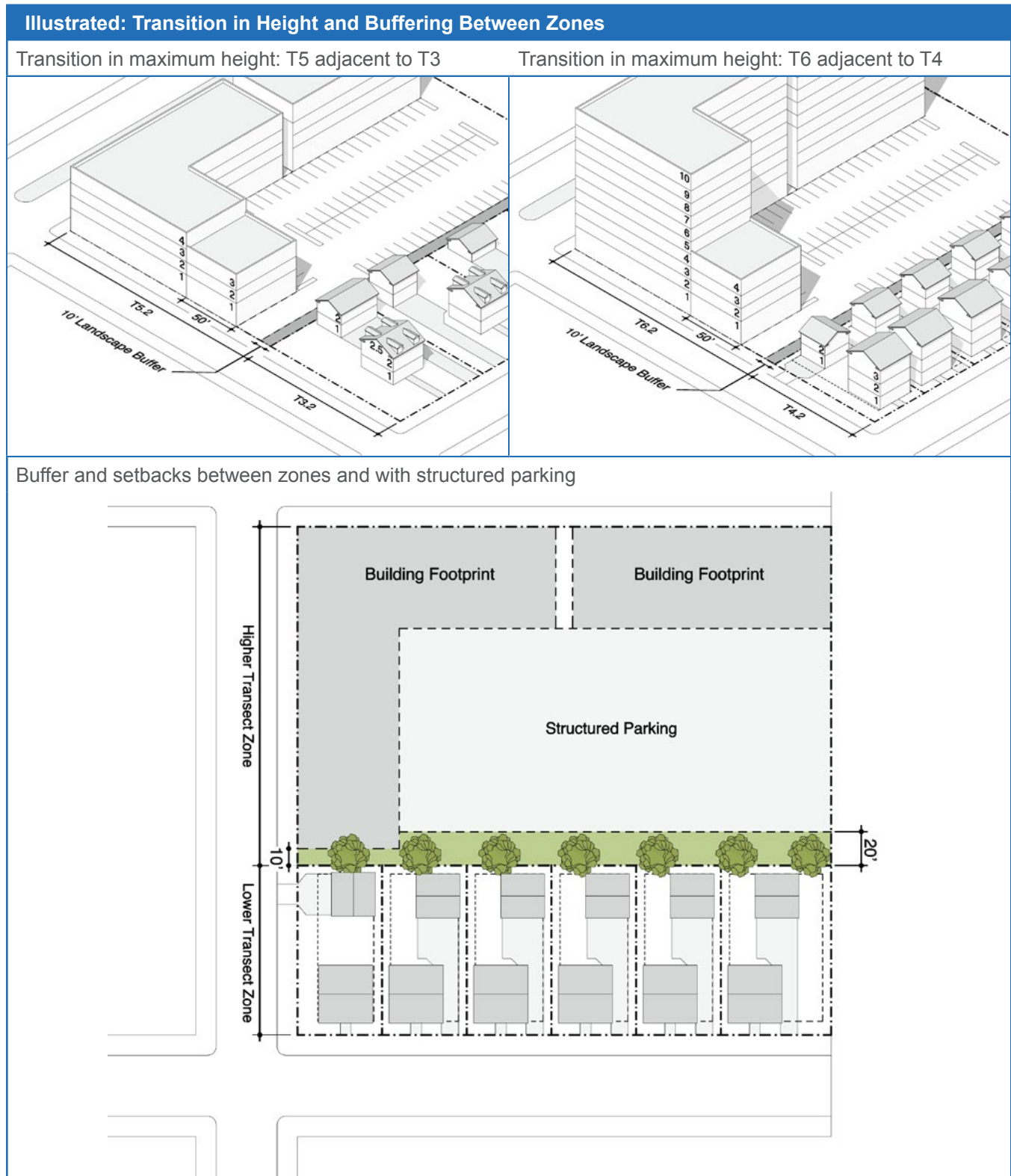
| Requirement                |                                                                                                                                                                                                                                                                                       |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Location</b>            | Along the abutting lot line.                                                                                                                                                                                                                                                          |
| <b>Hedge</b>               | A continuous evergreen shrub row is required.<br>The hedge must be at least 30 inches in height at planting and 6 feet at maturity, and spaced no more than 30 inches on center.                                                                                                      |
| <b>Canopy Trees</b>        | At least 1 canopy tree per every 30 linear feet. Where conditions prohibit the planting of canopy trees, such as utilities or insufficient soil volume, 1 understory tree must be planted per every 20 linear feet of buffer, subject to approval of the County Arborist or designee. |
| <b>Uses and Materials</b>  | Alternative uses and materials other than those indicated must be approved by the Zoning Manager or designee.                                                                                                                                                                         |
| <b>Existing Vegetation</b> | May be credited toward buffer area requirements if trees are determined to be adequately preserved, comply with preservation credit requirements specified in Article VII, Division 2, Section 15-306(a)(4) of the Orange County Code, and are approved by a County Arborist.         |

**(c) Setback Transition.**

- (1) Structures must be set back from abutting property lines the minimum distance specified in [Table 32: Buffer Requirement](#).
- (2) Structured parking must be set back a minimum of 20 feet from abutting property lines or the minimum distance specified in [Table 32: Buffer Requirement](#), whichever is greater.

**(d) Height Transition.**

- (1) Within 50 feet of shared property lines separating zones, height is limited as follows:
  - a. Structures are limited to 1 story in addition to the maximum height of the more restrictive zone, except where the more restrictive zone is limited to a 1/2 story increment, in which instance the less restrictive zone is limited to 1/2 story in addition;
  - b. Parking Structures are limited as specified for structures, where a 1 story increment equals 10 feet in height and a 1/2 story increment equals 5 feet in height; and
  - c. Height transitions do not permit height in addition to the maximum height of the zone.

**Figure 34: Transitions Between Zones**

## SITES AND BUILDINGS

**SEC. 40-72 Building Design Standards.****Purpose:**

- (1) Provide architectural and site design treatments that enhance the visual appearance of development;
- (2) Establish design performance standard to ensure compatibility of buildings adjacent to each other;
- (3) Enhance the attractiveness of the streetscape and character contextual to the surrounding community;
- (4) Reduce the mass and scale of large buildings, while allowing design flexibility;
- (5) Add visual interest, reduce massing, and screen rooftop equipment by requiring minimum roof treatments;
- (6) Provide visual interest and a high-quality tactile experience to façades by requiring a minimum level of detail features;
- (7) Incorporate vertical components to interrupt the pronounced horizontal roofline of big box structures and to reinforce the appearance of smaller, individual storefronts;
- (8) Integrate sustainability into the built environment; and
- (9) Encourage the use of new materials, design trends and technology to meet the needs of the community.

**(a) Applicability.**

- (1) Building entry requirements and transparency requirements in [Sec. 40-72\(f\) Entries.](#) and [Sec. 40-72\(h\) Minimum Transparency.](#) apply to all buildings along frontages.
- (2) All building design requirements apply to new commercial buildings, additions, and redevelopment or renovation of existing non-residential or mixed-use buildings that changes more than 50% of a primary or secondary façade, including primary building and supporting structures, for the following:
  - a. T5 and T6;
  - b. Free standing commercial uses in T3, T4, SZ-LI, SZ-HI, SZ-OS, and SZ-CF;
  - c. Free standing commercial uses in SZ-EN fronting any major or arterial roads;
  - d. Free standing commercial uses in SZ-EN within 50 feet of residential development;
  - e. Industrial buildings and structures in SZ-LI, SZ-HI fronting any major or arterial roads;
  - f. Industrial buildings and structures in SZ-LI, SZ-HI within 75 feet of collector road; and
  - g. Industrial buildings and structures in SZ-LI, SZ-HI within 50 feet of residential development.
- (3) Where religious institutions occupy the majority of the building footprint, the building is exempt from these requirements.
- (4) Big box retail is additional subject to the standards specified in [Sec. 40-127\(e\) Big Box Retail.](#)
- (5) Modular and shipping container buildings are subject to the following:
  - a. Permanently placed modular building include opaque crawlspace screening along frontages;
  - b. Modular and shipping container buildings must comply with frontage requirements, specified [Sec. 40-73 Building Frontages.](#);
  - c. Modular, or shipping container buildings must be contextual to the surroundings neighborhood;
  - d. Shipping containers must meet façade treatment requirements specified in [Sec. 40-72\(i\) Façade Treatments.](#); and
  - e. Modular and shipping container buildings are not subject to the remainder of the building design standards.
- (6) Compliance with this division must be demonstrated by submittal of architectural drawings.
- (7) Any decision by the Planning Manager in regards to this section may be appealed to the DRC.

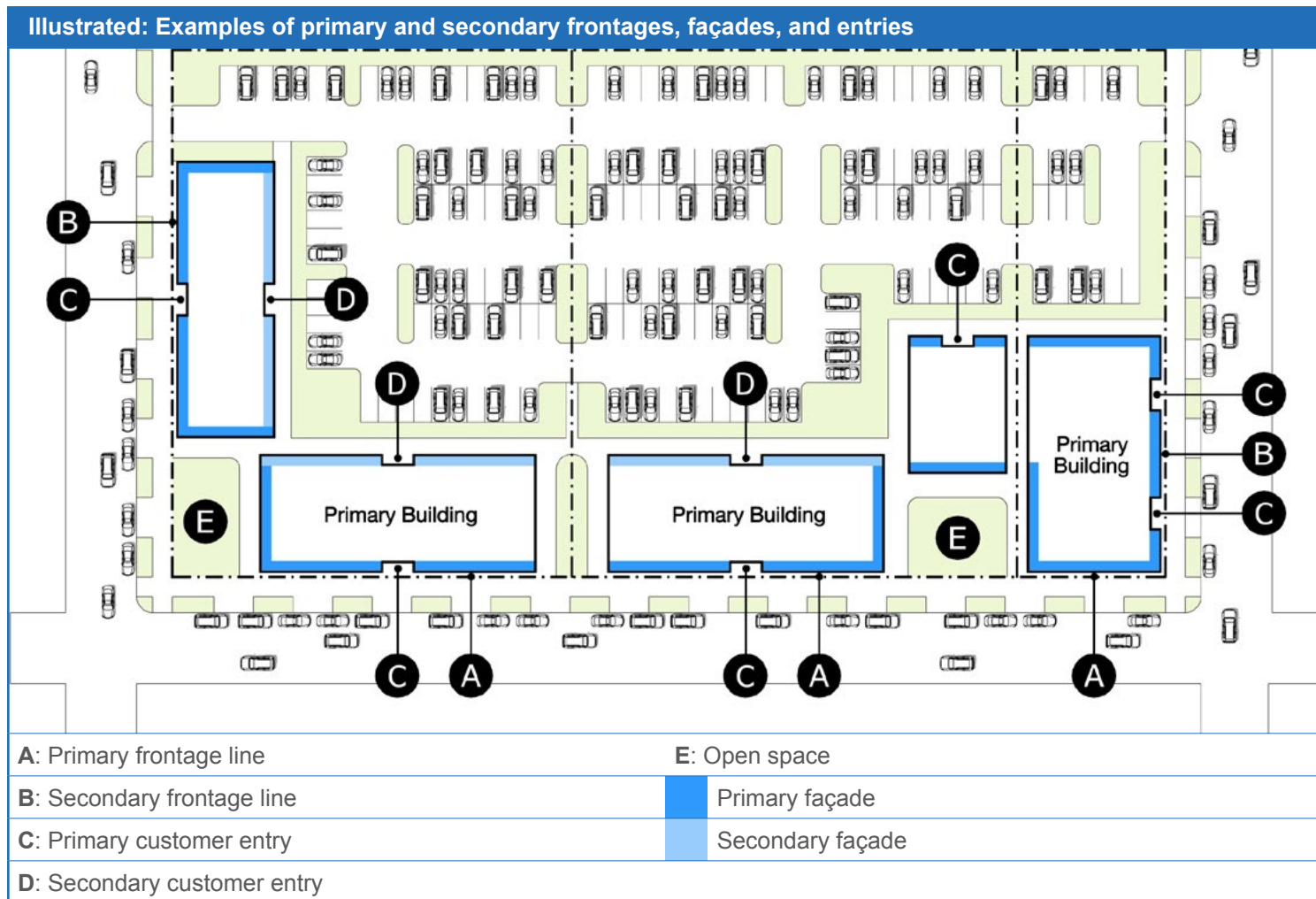
**(b) Primary and Secondary Façades.**

- (1) Building primary façades (there may be more than one) have one or more of the following characteristics:
  - a. It faces a primary or secondary frontage;
  - b. It contains a primary customer entrance, whether along a frontage or not. Multi-tenant building have a primary customer entrance for each tenant space with an entrance along the façade; and
  - c. It faces an open area, including parking lots, and therefore is visible from a frontage.
- (2) Building secondary façades (there may be more than one) have one or more of the following characteristics:
  - a. It faces a formal open area on a different or adjacent parcel, excluding property line setbacks less than 15 feet deep, and is therefore visible from a frontage of another parcel;
  - b. It contains a secondary or tertiary customer entrance;
  - c. It faces a public pedestrian walkway other than a road; and
  - d. It faces an open area, not facing a frontage, that is visible from a residential area within the same site or adjacent residential properties, including required setbacks.
- (3) Mid-block commercial buildings have a single primary façade facing the frontage, except where compelling site conditions demonstrate that it is necessary that the primary customer entry not face the frontage, in which case

the building has a primary façade containing the primary customer entry and another primary façade facing the frontage.

- (4) Commercial buildings on corner lots have either:
  - a. Two primary façades, one facing each road; or
  - b. Subject to demonstrating compelling site conditions that necessitate that the primary customer entry not be located along a frontage, the building is deemed to have 3 primary façades, one containing the primary customer entry and two facing frontages.
- (5) The relationship between primary and secondary façades, primary and secondary frontages, building entries, and open spaces is illustrated through example in [Figure 35: Frontages, Façades, Buildings, and Entries](#).

**Figure 35: Frontages, Façades, Buildings, and Entries**





## SITES AND BUILDINGS

**(c) Accessory Structures.**

- (1) Separate ancillary structures (cashier booths, canopies over gas pumps, etc.) must have:
  - a. Comparable roof pitch or parapets and roof design as the primary structure; and
  - b. The same architectural detail and design elements as the primary structure, including the same cornice treatment, the same materials and colors, etcetera.

**(d) Massing.**

- (1) A single, large, dominant building mass must be avoided. Changes in mass must be provided, related to entrances, the integral structure, and the organization of interior spaces and activities.
- (2) Building massing and transitional massing elements, such as projections and recesses, must meet the following:
  - a. 40,000 square feet or larger: the maximum length, or uninterrupted horizontal plane of any façade, is 150 linear feet. Projections and recesses must have a minimum depth of 10 feet;
  - b. Between 20,000 and 39,999 square feet: the maximum length, or uninterrupted horizontal plane of any façade, is 125 linear feet. Projections and recesses must have a minimum depth of 6 feet;
  - c. Between 10,000 and 19,999 square feet: the maximum length, or uninterrupted horizontal plane of any façade, is 100 linear feet. Projections and recesses must have a minimum depth of 4 feet;
  - d. Between 5,000 and 9,999 square feet: the maximum length, or uninterrupted horizontal plane of any façade, is 75 linear feet. Projections and recesses must have a minimum depth of 2 feet; and
  - e. 5,000 square feet or smaller: the maximum length, or uninterrupted horizontal plane of any façade, is 50 linear feet. Projections and recesses must have a minimum depth of 1.5 feet; or
  - f. Any other treatment that, in the opinion of the Building official, and after consultation, meets the intent of this requirement.

**(e) Materials and Colors.**

- (1) Exterior building materials on primary and secondary façades are restricted as follows:
  - a. Corrugated metal panels are prohibited from use as a finish material on principal buildings;
  - b. Architectural metal panels only permitted subject to consultation and a determination by the Building Official that the treatment meets the intent of this section; and
  - c. Smooth-faced concrete is prohibited except with stucco or other decorative finish.
- (2) Colors are restricted as follows:
  - a. Building color schemes that use colors that are electric, fluorescent, or neon are not permitted; and
  - b. A maximum of 3 colors may be used on the exterior of any building, plus one additional color for trim or cornice work. Where a clear break exists giving the appearance of a separate building, such color scheme may be repeated. These limitations exclude unpainted natural stone or roof material.
- (3) Any other exterior material or color scheme may be permitted where, in the opinion of the building official, and after consultation, it meets the intent of this requirement.

**(f) Entries.**

- (1) The primary building entry of the principal building must be located along the primary frontage, except:
  - a. Corner lot buildings may locate the primary building entry along the secondary frontage if the building width along the primary frontage is less than 75 feet;
  - b. The primary building entry to single dwellings and townhouses may be along the secondary frontage or the side of the building; and
  - c. Non-residential and multi-unit buildings may locate the primary building entry along a parking lot, subject to the following:
    1. Additional, operable entries must be provided along the primary frontage, or secondary frontage as specified above;
    2. The building façades where the primary building entry is located must meet the primary frontage glazing requirements in addition to the building façades along the primary frontage; and
    3. Entries along the primary frontage must lead to habitable space extending at least 20 feet in depth.
- (2) In T5 and T6:
  - a. 1 building entry must be provided for every 80 feet of building length along frontages and cross-block passages, except for entirely office buildings, hospitals, and big box retail;
  - b. Multi-unit buildings with ground floor residential units must provide individual entries to at least 60% of the ground floor units located along primary and secondary frontages; and
  - c. Where the primary building entry is located along the secondary frontage in accordance with (1) above, an entry is not required along the primary frontage.



- (3) Where townhouses occupy a common site, each townhouse adjacent to a frontage must have an entry along that frontage, except:
  - a. Townhouses at the corner of a corner lot may have an entry along either frontage; and
  - b. Townhouses at the end of a row of townhouses may have a side entry provided all other townhouses in the row have an entry from the frontage.
- (4) At forecourts, building entries may be oriented towards the forecourt, provided that the forecourt is directly accessed from a sidewalk.
- (5) Mixed-use buildings must architecturally differentiate residential and non-residential entries.

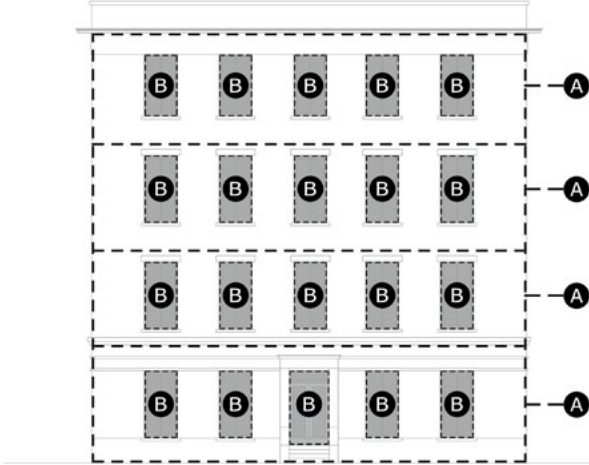
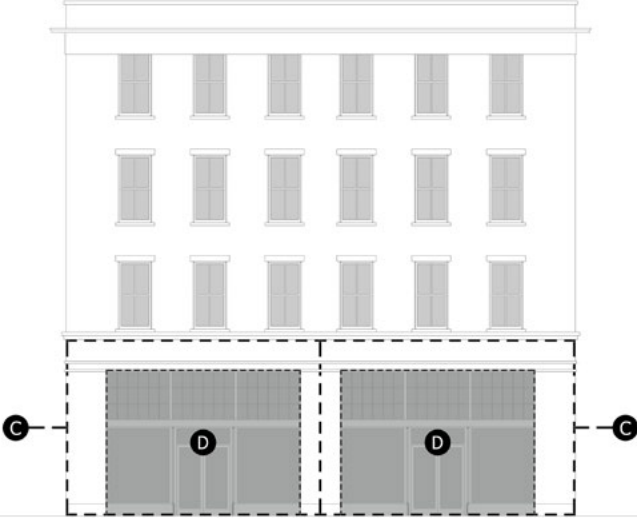
**(g) Commercial Storefronts.**

- (1) Storefronts are required along at least 60% of the primary frontage of all ground floor commercial uses in T5 and T6, except lodging and assembly.
- (2) Where the primary building entry is located along the secondary frontage, storefronts are required along at least 40% of the secondary frontage of all ground floor commercial uses in T5 and T6, except lodging and assembly.
- (3) Commercial uses along frontages and cross-block passages must provide a storefront along the secondary frontage or cross-block passage for a distance no less than 20 feet of building depth, measured from the primary frontage.
- (4) Storefronts must be lined with active interior spaces for a depth of at least 20 feet.

**(h) Minimum Transparency.**

- (1) Buildings, residential and non-residential, along frontages and cross-block passages in all zones must meet the following minimum transparency requirements:
  - a. Ground floors, except storefronts: 20% along frontages and cross-block passages, measured between 2 feet and 12 feet above grade;
  - b. Upper stories: 20% along frontages and cross-block passages, measured for each story above the ground floor; and
  - c. Storefronts:
    1. 60% of the storefront within Centers and Main Street Place Types; and
    2. 40% of the storefront within all other Place Types.
- (2) Transparency is calculated independently for each story and each frontage, determined by dividing the transparent area - including frames and muntins - by the wall area of the building between the finished floor and finished ceiling, as illustrated in [Figure 36: Minimum Transparency](#).
  - a. Ground floor transparency must be located between 2 and 12 feet measured from ground level to meet the 20% requirement.
- (3) Storefront transparency is calculated for only the width of the storefront, the remainder of the façade is subject to the ground floor transparency requirement.
- (4) Required transparency must provide a minimum depth of 10 feet for habitable space along primary frontages.
- (5) Mirrored, spandrel, and reflective glass does not count towards required transparency.
- (6) Blank wall areas on primary or secondary façades are limited to 20 feet in length and the lesser of one story or 15 feet in height without windows or other glazed openings.
- (7) Blank walls must not exceed 30 feet in length; control and expansion joints, relief, and reveal are considered blank wall.

**Figure 36: Minimum Transparency**

| Ground floor and upper story transparency                                                                       | Commercial storefront transparency                                                                       |
|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
|                                |                        |
| <p><b>A:</b> Transparency is calculated separately for each story</p>                                           | <p><b>C:</b> Commercial storefront transparency is calculated separately for each commercial tenant</p>  |
| <p><b>B:</b> Windows, doors, their frames, and other openings to habitable space are considered transparent</p> | <p><b>D:</b> Storefront windows, doors, transom windows, and their frames are considered transparent</p> |

**(i) Façade Treatments.**

- (1) Primary and secondary façades must have architectural style, detail, and trim features that are consistent with each other and similar in level of detail and visual interest.
- (2) Primary and secondary façades along frontages must provide:
  - a. Primary facades: 2 or more architectural treatments; or 1 or more sustainability treatments
  - b. Secondary facades: 1 or more architectural treatments; or 1 or more sustainability treatments.
- (3) Architectural treatments include:
  - a. Awnings located over windows, doors, or other ornamental design features, subject to the following:
    1. Must project a minimum of 3 feet from the façade wall;
    2. Must be installed in increments of 10 feet or less in length;
    3. Must be applied along at least 50% of the façade;
    4. The above standards apply independently for each story and for each façade; and
    5. Awnings must not conflict with trees.
  - b. An activated cross-block passage through or adjacent to the building, subject to the following:
    1. Passages are subject to [Sec. 40-205\(g\) Cross-block Passages.](#); and
    2. The passage must include art work, special paving, landscaping, lighting, seating, and other active design features to create visually inviting places.
  - c. An elevated terrace, accessible by the public, subject to the following:
    1. The minimum width and depth is 16 feet; and
    2. Access to the platform must be publicly accessible during business hours.
  - d. Canopies, arcades, or colonnades, subject to the following:
    1. Must be integrated with the building's massing and style;
    2. Must be separate from building entries;
    3. Must project a minimum of 20 feet from the façade and have a minimum length of 20 feet;
    4. Must not include drive-throughs; and
    5. Must not conflict with trees.

- e. Covered walkway, or arcades (excluding canvas covered), constructed with all of the following minimum requirements:
    - 1. Columns at least 12 inches wide separated from the building;
    - 2. The cover, if not attached, located no more than 12 feet away from the building;
    - 3. A minimum of 6 feet of walking surface between the columns and the building exterior wall; and
    - 4. A minimum width of 10 feet or a minimum horizontal dimension of 40% of the total length of the façade, whichever is greater.
  - f. Arches or arched forms, or columns, pilasters, or piers, proportion to building mass and adjacent architectural treatments and entries, constructed with all of the following minimum requirements:
    - 1. Piers/columns at least 12 inches wide and deep;
    - 2. Arches must be attached to the building;
    - 3. A minimum horizontal dimension of 10 feet or at least 40% of the total length of the façade, whichever is greater;
    - 4. Repetition and rhythm proportionate to the building mass; and
    - 5. The radius of arches must be consistent throughout.
  - g. Exposed structures that are ornamental covering a minimum 40% of the façade;
  - h. A fully enclosed tower element surrounded by walls (e.g. a clock or bell tower) designed as an anchor element to the building constructed with all of the following requirements:
    - 1. The tower element must be contextual to the building massing and style;
    - 2. A minimum of 12 inches projection from the adjacent vertical plane; and
    - 3. A minimum of 8 feet in height difference from adjacent parapet wall or ridge line.
  - i. Recessed balconies or loggia constructed with all of the following requirements:
    - 1. A minimum depth of 6 feet recessed from the adjacent plane of the façade;
    - 2. A minimum horizontal width of 20% of the total length of the façade; and
    - 3. A minimum height of 1 story.
  - j. Curved or convex vertical plane on at least 40% of the façade;
  - k. Significant differentiation of façade materials and texture of at least 40% façade. Transparency as required under [Sec. 40-72\(h\) Minimum Transparency](#). does not contribute to this requirement;
  - l. Projecting balcony for at least 50% of the total windows and doors, subject to:
    - 1. Juliette balconies must have operable doors;
    - 2. Projecting balconies must be at least 6 feet in depth; and
    - 3. Balconies must be vertically aligned on multiple stories rather than a horizontal band.
  - m. Bay windows vertically aligned on multiple stories for at least 50% of the total fenestration quantity;
  - n. Use of the same architectural characteristics from adjacent Historic Buildings listed in the National Register of Historic Places for the majority of the façade, subject to consultation and a determination by the building official that the treatment meets the intent of this section;
  - o. Historically documented architectural styles within the majority of the façades are subject to consultation and a determination by the Building Official that the treatment meets the intent of this section; and
  - p. Any other treatment that, in the opinion of the Building Official, meets the intent of this section.
- (4) Sustainability treatments include:
- a. Exterior shading systems providing at least 1 or a combination of the following to provide shade for an average of 40% for the façade between the hours of 12:00pm and 4:00pm:
    - 1. Brise Soleil: Permanent vertical or horizontal sun-shading structures that reduce solar heat gain;
    - 2. Exterior Shading Systems: Adjustable louvers, screens, and shades that block direct sunlight while allowing daylight to penetrate;
    - 3. Overhangs and Awnings: Fixed or retractable devices that provide shade, especially on sun-facing façades; or
    - 4. Solar Shading Devices: Solar panels that also serve as shading elements, combining energy generation with passive cooling.
  - b. Smart Glass: also known as switchable glass, dynamic glass, and smart-tinting glass, is a type of glass that can change its optical properties, becoming opaque or tinted, in response to electrical or thermal signals. Smart glass must meet with the minimum transparency requirements per [Sec. 40-72\(h\) Minimum Transparency](#);
  - c. Insulated Metal Panels (IMPs): Pre-fabricated panels with high thermal resistance, providing excellent insulation and reducing energy costs. Sustainable material must be a minimum of 40% of the total area of the concerned façade;

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- d. Composite Cladding: Materials like fiber cement, wood composites, or recycled content that offer durability and thermal benefits. Sustainable material must be a minimum of 40% of the total area of the concerned façade;
- e. Any combination of the following, covering 40% or more of the façade:
  - 1. Double-Skin Façades: An outer layer of glass or other material separated by an air gap from the main building structure;
  - 2. Rain Screens: Cladding systems that create a ventilated cavity to prevent moisture buildup and improve thermal performance;
  - 3. Building-Integrated Photovoltaics (BIPV): Solar panels integrated into the building's façade, generating renewable energy; and
  - 4. Dynamic Façade Systems: Façades that adjust their properties (e.g., transparency, shading) in response to environmental conditions, optimizing energy performance and comfort.
- f. Any other treatment that, in the opinion of the building official, meets the intent of this section.

**(j) Roof Treatments.**

- (1) Both single and multi-tenant buildings are required to have variations in the rooflines, and roof features that are consistent with the building's mass and scale.
- (2) Roofs must comply with all the following:
  - a. Exterior rooftop equipment including any HVAC roof refrigeration equipment or other mechanical rooftop equipment, fixtures, or structure (such as hill house, penthouse, or trailer type) must be concealed from eye-level view from any public right-of-way and from any adjacent properties by a roof or parapet wall extension with caps as an extension of the building;
  - b. Parapets must include 1 parapet change of at least 8 feet in height along primary and secondary façades for every 55 feet or 50% of the horizontal length of the façade, whichever is greater; and
  - c. Roofs with a slope of 0.25:12 or similar must use a light-colored or reflective roof surface.
- (3) Sloping roofs are subject to the following:
  - a. The roof height, measured from the top of the supporting wall vertically to the peak of the roof, must not exceed the average height of the supporting walls; and
  - b. The roof height must have a pitch of 4:12 or greater, however, a pitch of 3:12 may be acceptable depending on the mass and scale and elevations and renderings showing the appropriateness and compatibility of the design.
- (4) At least 2 of the following components are required for each primary and secondary façade:
  - a. A three-dimensional cornice treatment, a minimum of 12 inches in height, having a minimum of 3 vertical (not diagonal) changes in plane (no 2 on the same plane), and a variety of thickness in relief ranging from the greatest at the top to the least at the bottom;
  - b. Overhanging eaves that extend at least 3 feet beyond the supporting walls, with a minimum fascia depth of 6 inches, and visually supportive brackets or beams integrated with an overhanging eave;
  - c. Photovoltaics (PV) panels covering at least 40% of the roof total surface area. PV must be oriented and installed at an angle for maximum efficiency based on building's location and orientation. A certification letter from the engineer is required;
  - d. Peaked roof forms. When sloped roofs are used, the massing and height must be in proportion with the height of its supporting walls. Sloped roofs that are higher than its supporting walls must feature elements that create articulation and reduce the massing of the roof, including: clearstory windows, cupolas, dormers, vertical changes, or additional complementary colors to the color of the roof;
  - e. A decorative parapet with a cornice over the primary building entry that is integrated with the building's mass and style;
  - f. An accessible roof deck, or accessible roof terraces at height, occupying at least 30% of the combined roof surfaces that will serve as gathering area used for activities such as pool, bars, or other outdoor activities; and
  - g. Any other treatment that meets the intent of this section as determined by the Building Official.

**SEC. 40-73 BUILDING FRONTAGES.****(a) Frontage Occupation.**

Purpose: To require that buildings are built along the length of sidewalks rather than the depth of properties to support pedestrian safety, comfort, and access to building entries.

- (1) The location of buildings within each lot in T4.3, T5, and T6 must meet minimum primary and secondary frontage occupation percentages specified in [Sec. 40-52 Building Form Standards](#).
- (2) Frontage occupation is measured as follows:
  - a. Frontage occupation is the percentage of the buildable lot width along the primary or secondary frontage where buildings are located between the minimum and maximum setbacks;
  - b. Buildable lot width for frontage occupation calculation excludes:
    1. Primary frontage: required side and secondary frontage setbacks;
    2. Secondary frontage: required front and rear setbacks;
    3. Driveways; and
    4. Wetlands, surface waters, and their associated upland buffers.
  - c. Forecourts count towards frontage occupation, subject to the standards of [Table 40: Forecourts](#); and
  - d. Frontage occupation examples are illustrated in [Figure 37: Frontage Occupation Examples](#).
- (3) The Zoning Manager may approve a Minor Deviation reducing minimum frontage occupation as specified in [Table 5: Minor Deviation Review Criteria](#).
- (4) In T5 and T6, a streetscreen is required:
  - a. For the remainder of the frontage length not occupied by the buildings, other than distances less than 10 feet, as illustrated in letter E on [Figure 37: Frontage Occupation Examples](#); and
  - b. Configured as specified in [Sec. 40-74\(b\) Streetscreens](#).
- (5) Mechanical equipment, EV charging equipment, car wash equipment, storage areas, and similar must be screened as specified in [Sec. 40-74\(c\) Service Area and Open Storage Area Screening](#). or [Sec. 40-74\(d\) Utility Appurtenance Screening](#). as applicable.

**(b) Frontage Setbacks.**

- (1) The treatments specified in [Table 39: Frontage Setbacks](#) must be provided within the frontage setback area at both primary and secondary frontages, as illustrated in [Figure 38: Frontage Setback Area](#). Covered projections such as porches are excluded from the setback area calculation.
- (2) The following are prohibited within frontage setbacks:
  - a. Pools, spas, hot tubs, tennis and other athletic courts, and their related enclosures, pumps, and equipment;
  - b. Mechanical equipment; and
  - c. Building and structured parking exhaust less than 12 feet above the sidewalk.
- (3) Landscaping required in [Sec. 40-74\(b\) Streetscreens](#). contributes to frontage setback landscape requirements.
- (4) Forecourts connected to frontage setback areas must provide the treatments specified in [Table 40: Forecourts](#).



**Figure 37: Frontage Occupation Examples**

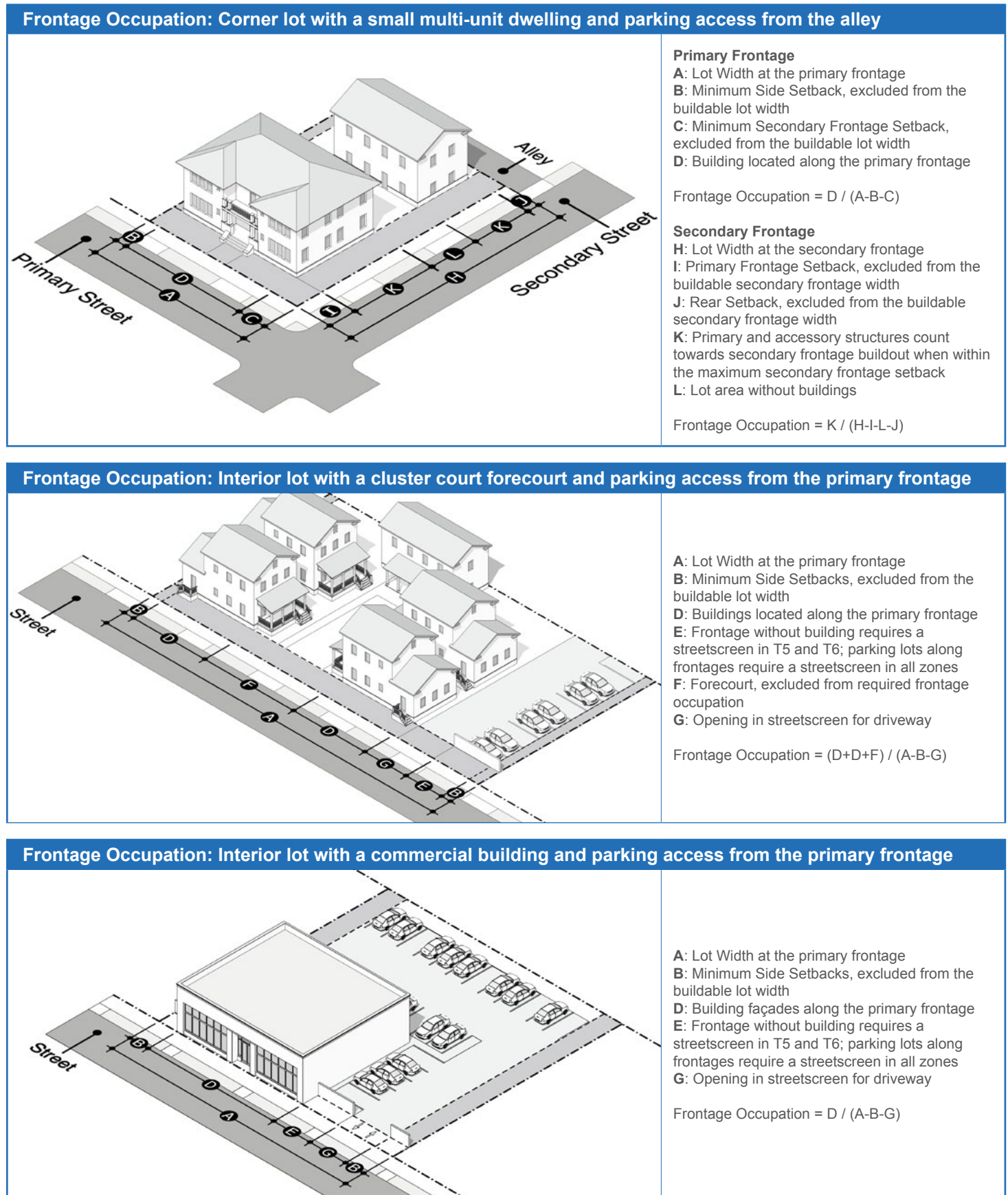




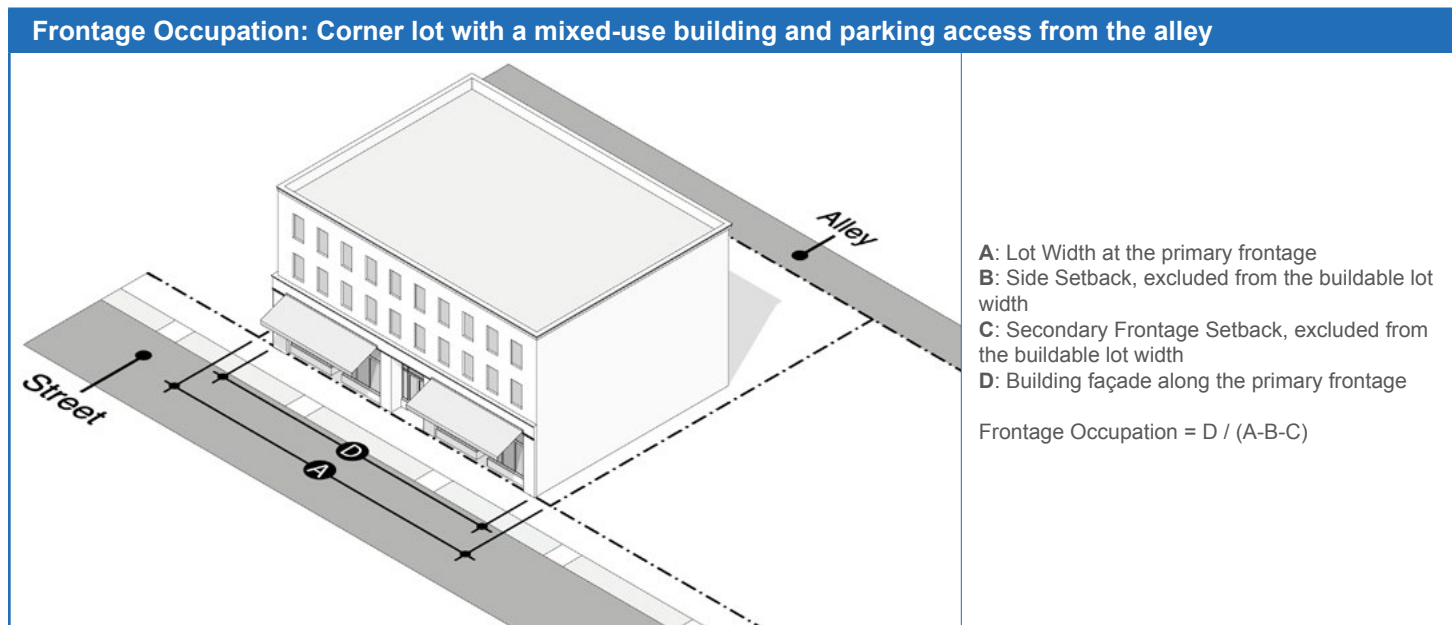
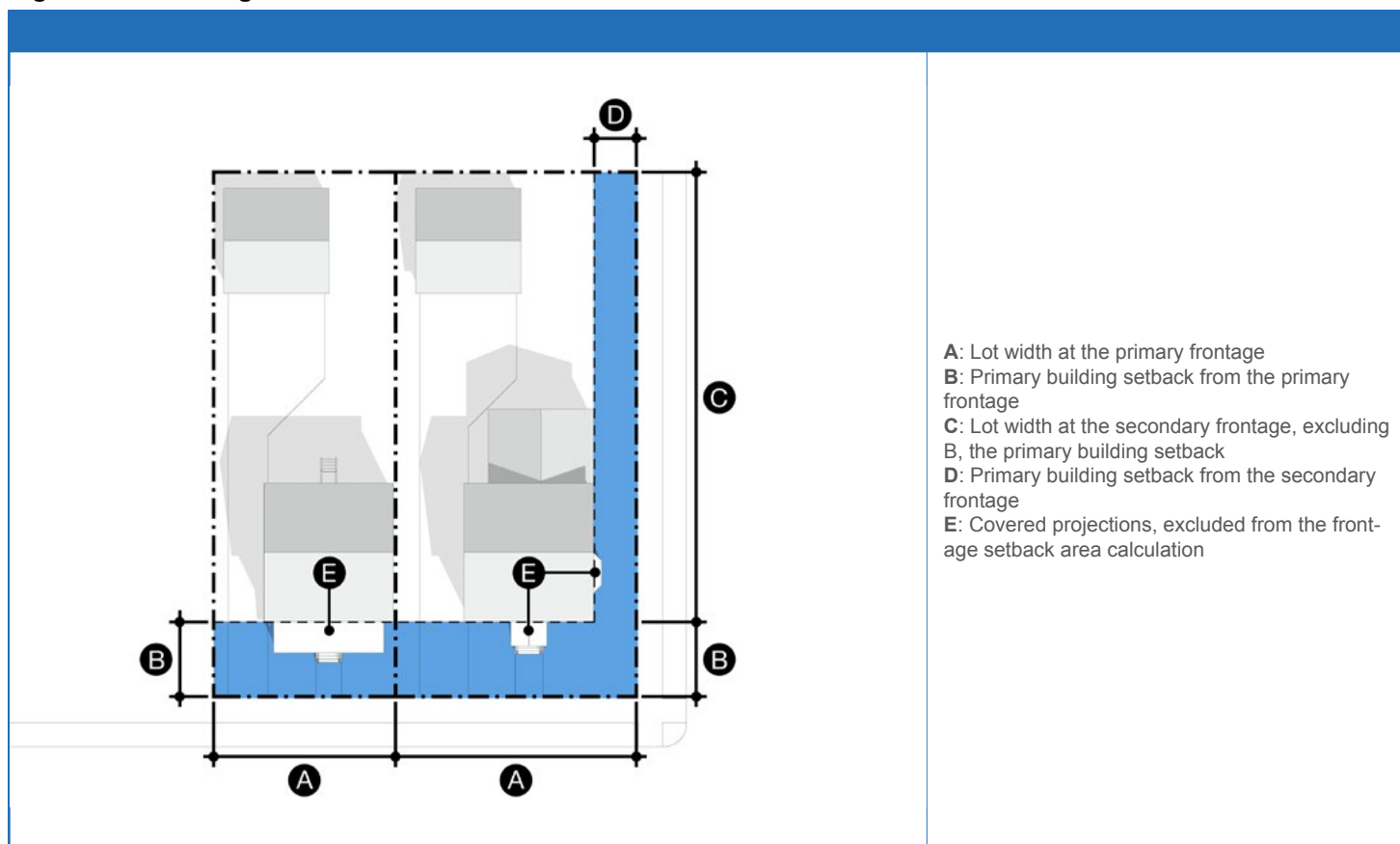
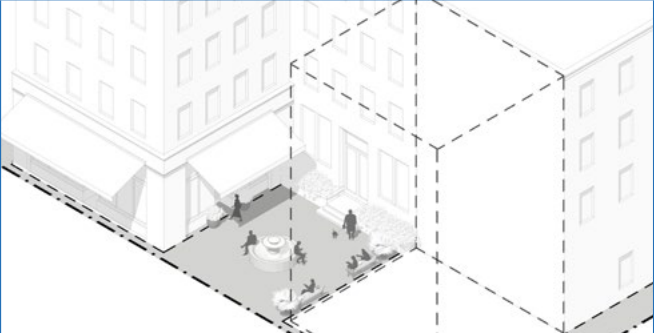
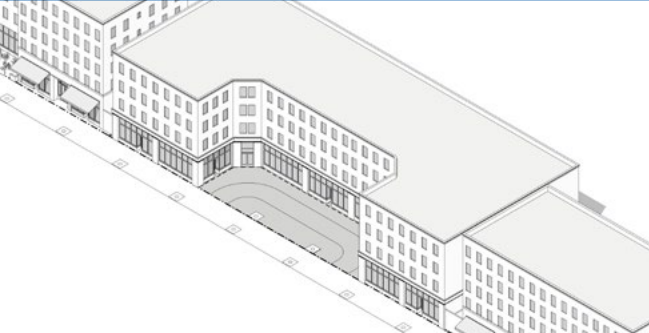
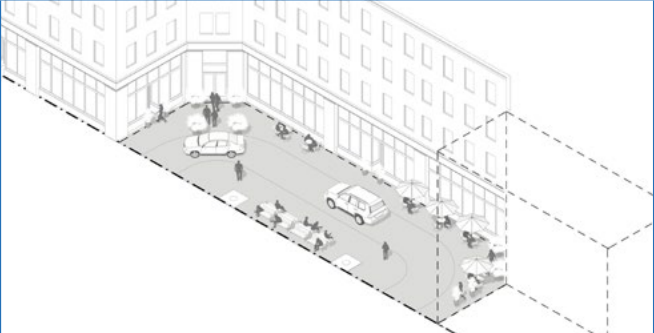
**Figure 37: Frontage Occupation Examples****Figure 38: Frontage Setback Area**

**Table 39: Frontage Setbacks**

| T2 and T3                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Setback Treatment</b>                                                            | <ul style="list-style-type: none"> <li>i. Paving is limited to walkways, driveways, and paving of up to 20% of the setback area.</li> <li>ii. 1 canopy tree is required for every 800 square feet of setback area, or fraction thereof.</li> <li>iii. 1 walkway is permitted per building entry, 6 ft. max.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| T4                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Setback Treatment</b>                                                            | <ul style="list-style-type: none"> <li>i. Paving is limited to walkways and driveways, and paving of up to 30% of the setback area.</li> <li>ii. In T4.3, Retail and Services, General uses may pave the entire setback area, or fraction thereof.</li> <li>iii. Setback areas greater than or equal to 6 feet deep must provide 1 canopy tree for every 300 square feet of setback area, or fraction thereof.</li> <li>iv. Setback areas less than 6 feet deep must provide 1 understory tree for every 150 square feet of setback area, or fraction thereof.</li> <li>v. 1 walkway is permitted per building entry connecting to the sidewalk.</li> </ul>                                                                                                                          |
| T5, and T6                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Setback Treatment</b>                                                            | <ul style="list-style-type: none"> <li>i. Frontages must be paved along storefronts and may be paved along the entire frontage.</li> <li>ii. Vegetation is only permitted in a raised container, a minimum of 18 inches above grade, or a tree well.</li> <li>iii. Setback areas, except where covered by a gallery or awning, must provide the following: <ul style="list-style-type: none"> <li>» 4 feet to 8 feet deep, paved: no trees required;</li> <li>» 4 feet to 8 feet deep, unpaved: 1 understory tree for every 200 square feet, or fraction thereof;</li> <li>» 8 feet deep or greater: 1 canopy tree or 2 understory trees for every 500 square feet, or fraction thereof.</li> </ul> </li> </ul> <p>Where paved, trees may be in tree wells or raised containers.</p> |

**Table 40: Forecourts**

| <b>T4</b>                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Forecourt Treatment</b>                                                          | <ul style="list-style-type: none"> <li>i. Paving is limited to walkways and paving of up to 35% of the forecourt area.</li> <li>ii. 1 canopy tree is required for every 500 square feet of forecourt area, or fraction thereof.</li> <li>iii. A walkway, 6 to 8 feet wide must connect the sidewalk at the primary frontage with building entries.</li> </ul>                                                                                                    |
| <b>Forecourt Size</b>                                                               | The forecourt must be a minimum of 20 feet wide and 1,000 sf in area.                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>T5 and T6</b>                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|   |                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Forecourt Treatment</b>                                                          | <ul style="list-style-type: none"> <li>i. Forecourts must be 50% paved or more.</li> <li>ii. Vegetation is only permitted in a raised container, a minimum of 18 inches above grade.</li> <li>iii. Forecourts over 500 square feet must have at least 1 canopy tree.</li> <li>iv. Forecourts must be lined with habitable spaces on 3 sides, or on 2 sides at corner sites.</li> </ul>                                                                           |
| <b>Forecourt Size</b>                                                               | <ul style="list-style-type: none"> <li>v. Forecourts are limited to 4,000 square feet maximum and a minimum of 12 feet wide. Larger forecourt conditions may be achieved by providing a plaza civic space.</li> <li>vi. The forecourt may be up to 30% of the property width.</li> </ul>                                                                                                                                                                         |
| <b>Vehicular forecourt in T5 and T6</b>                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|  |                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Forecourt Treatment</b>                                                          | <ul style="list-style-type: none"> <li>i. Forecourts must be at least 30% landscaped, the remaining portion paved.</li> <li>ii. 1 canopy tree is required for every 500 square feet of forecourt area, or fraction thereof.</li> <li>iii. Driveways must be at sidewalk grade, and used for drop off and delivery. Driveways may not be used for parking.</li> <li>iv. Must be lined with habitable spaces on 3 sides, or on 2 sides at corner sites.</li> </ul> |
| <b>Forecourt Size</b>                                                               | Forecourts are limited to 5,000 square feet maximum and a minimum of 40 feet wide in each direction.                                                                                                                                                                                                                                                                                                                                                             |

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**(c) Encroachments Into Frontages.**

Purpose: To encourage porches, stoops, balconies, deep overhangs, and other building elements by allowing them to encroach into minimum setbacks from primary and secondary frontages.

- (1) Minor encroachments into minimum frontage setback areas are permitted as follows:
  - a. Roof overhangs, cornices, balconies, bay and bow windows, window and door surrounds, sills, buttresses, chimneys, flues, and other architectural elements may project into the frontage setback up to 3 feet; and
  - b. Balcony encroachments are limited to 40% of façade length, maximum, along frontages.
- (2) Major encroachments into minimum frontage setback areas are encouraged and permitted as follows:
  - a. Major encroachments are limited according to [Table 41: Permitted Major Frontage Encroachments](#);
  - b. Major encroachments are subject to the requirements of [Table 42: Major Frontage Encroachment Requirements](#); and
  - c. Underground parking may encroach into frontage setbacks where the underground structure is not visible from the sidewalk and does not vent within the frontage yard.
- (3) Frontage encroachments must not project into utility easements.
- (4) Frontage encroachments must not extend into rights-of-way.

**Table 41: Permitted Major Frontage Encroachments**

| Encroachment Type     | T2 | T3 | T4.1 | T4.2 | T4.3 | T5.1 | T5.2 | T5.3 | T6 |
|-----------------------|----|----|------|------|------|------|------|------|----|
| <b>Raised Terrace</b> | ■  | ■  | ■    | ■    | ■    | □    | □    | □    | □  |
| <b>Porch</b>          | ■  | ■  | ■    | ■    | ■    | ■    | □    | □    | □  |
| <b>Stoop</b>          | ■  | ■  | ■    | ■    | ■    | ■    | ■    | ■    | ■  |
| <b>Urban Terrace</b>  | □  | □  | □    | □    | ■    | ■    | ■    | ■    | ■  |
| <b>Common Entry</b>   | □  | □  | □    | □    | ■    | ■    | ■    | ■    | ■  |
| <b>Gallery</b>        | □  | □  | □    | □    | ■    | ■    | ■    | ■    | ■  |

■ Permitted    □ Not Permitted

**Table 42: Major Frontage Encroachment Requirements**

| Encroachment Type: Raised Terrace                                                 |                                                                                                                                                                |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                                                                                                                                                                |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>A. Building Setback</b>                                                        |                                                                                                                                                                | <b>Additional Requirements</b> | <ul style="list-style-type: none"> <li>» Terraces must be no less than 12 feet in width;</li> <li>» Terraces and related structures must not project into frontage setbacks more than 15 feet in T3, T41, and T4.2.</li> <li>» Common elements include: an uncovered raised platform, steps, and railings. Raised terrace may also refer to a terraced yard where the yard has multiple levels, including rock or masonry retaining walls.</li> </ul> |
| <b>B. Encroachment</b>                                                            | <ul style="list-style-type: none"> <li>» 8 ft. minimum depth;</li> <li>» Up to 50% of the setback in T3;</li> <li>» Up to 80% of the setback in T4.</li> </ul> |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>C. Entry Grade</b>                                                             | <ul style="list-style-type: none"> <li>» 18 - 36 inches above grade, measured to the finished floor.</li> </ul>                                                |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Encroachment Type: Porch                                                            |                                                                                                                                         |                                |                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                                                                                                                                         |                                |                                                                                                                                                                                                                                                                     |
| <b>A. Building Setback</b>                                                          |                                                                                                                                         | <b>Additional Requirements</b> | <ul style="list-style-type: none"> <li>» Porches must be no less than 12 feet in width.</li> <li>» Common elements include: a raised platform that is covered, steps, and railing.</li> <li>» The porch cover may be an extension of the roof structure.</li> </ul> |
| <b>B. Encroachment</b>                                                              | <ul style="list-style-type: none"> <li>» Up to 50% of the setback in T3;</li> <li>» Up to 80% of the setback in T4 and T5.1.</li> </ul> |                                |                                                                                                                                                                                                                                                                     |
| <b>C. Entry Grade</b>                                                               | <ul style="list-style-type: none"> <li>» 18 - 36 inches above grade, measured to the finished floor.</li> </ul>                         |                                |                                                                                                                                                                                                                                                                     |
| <b>D. Porch Depth</b>                                                               | <ul style="list-style-type: none"> <li>» 8 ft. minimum</li> </ul>                                                                       |                                |                                                                                                                                                                                                                                                                     |



Table 42: Major Frontage Encroachment Requirements

| Encroachment Type: Stoop                                                          |                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                      |
| <b>A. Building Setback</b>                                                        |                                                                                                                                                                | <b>Additional Requirements</b> <ul style="list-style-type: none"><li>» A landing a minimum of 3 ft. in depth must be provided at the door. The landing may be within the building or project forward of the façade;</li><li>» Common elements include: steps, landing, cover over landings, railings, and raised planters.</li></ul> |
| <b>B. Encroachment</b>                                                            | <ul style="list-style-type: none"><li>» No minimum;</li><li>» Up to 50% of the setback in T3;</li><li>» Up to 100% of the setback in T4, T5, and T6.</li></ul> |                                                                                                                                                                                                                                                                                                                                      |
| <b>C. Entry Grade</b>                                                             | <ul style="list-style-type: none"><li>» 18 - 48 inches above grade, measured to the finished floor.</li></ul>                                                  |                                                                                                                                                                                                                                                                                                                                      |

| Encroachment Type: Urban Terrace                                                    |                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                             |
| <b>A. Building Setback</b>                                                          |                                                                                                                                          | <b>Additional Requirements</b> <ul style="list-style-type: none"><li>» Terraces may be combined with shopfronts and common entries.</li><li>» Canopies and awnings are permitted to project into frontage setbacks up to 100% of setback.</li><li>» Common elements include: steps, ramps, low walls, raised planters, seating, fountains, awnings, and canopies.</li></ul> |
| <b>B. Encroachment</b>                                                              | <ul style="list-style-type: none"><li>» Terraces must be 8 ft. deep minimum.</li><li>» All elements up to 100% of the setback.</li></ul> |                                                                                                                                                                                                                                                                                                                                                                             |
| <b>C. Entry Grade</b>                                                               | <ul style="list-style-type: none"><li>» 0 - 36 inches above grade, measured to the finished floor.</li></ul>                             |                                                                                                                                                                                                                                                                                                                                                                             |



**Table 42: Major Frontage Encroachment Requirements**

| Encroachment Type: Common Entry                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                              |                                |                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p>The diagram shows a street view with three buildings. A dashed line labeled 'Property Line' runs along the left side. A building on the left has a common entryway. Labels A, B, C, D, and E are placed around the entryway. A is at the top of the building, B is at the top of the entryway, C is at the bottom of the entryway, D is at the bottom of the building, and E is at the bottom of the entryway. The entryway is a recessed area with a canopy.</p> |                                                              |                                |                                                                                                                                                                                                                                                                    |
| <b>A. Building Setback</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                              | <b>E. Vertical Clearance</b>   | » Canopies and awnings must provide a minimum of 10 ft. of vertical clearance.                                                                                                                                                                                     |
| <b>B. Encroachment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | » All elements up to 100% of the setback.                    |                                |                                                                                                                                                                                                                                                                    |
| <b>C. Entry Grade</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | » 0 - 20 inches above grade, measured to the finished floor. | <b>Additional Requirements</b> | » A single, collective entry to a multi-tenant lobby is required.<br>» Canopies and awnings are permitted to project into frontage setbacks up to 100% of setback.<br>» Common elements include: steps, landing, raised planters, terraces, awnings, and canopies. |

| Encroachment Type: Gallery                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         |                                |                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p>The diagram shows a street view with four buildings. A dashed line labeled 'Property Line' runs along the left side. A building on the left has a gallery. Labels A, B, C, D, and E are placed around the gallery. A is at the top of the building, B is at the top of the gallery, C is at the bottom of the gallery, D is at the bottom of the building, and E is at the bottom of the gallery. The gallery is a recessed area with a canopy.</p> |                                                                                         |                                |                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>A. Building Setback</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                         | <b>E. Vertical Clearance</b>   | » Galleries must provide 14 ft. of vertical clearance, minimum.                                                                                                                                                                                                                                                                                                                                       |
| <b>B. Encroachment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | » The gallery (D) must be 10 ft. deep min.<br>» All elements up to 100% of the setback. |                                |                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>C. Entry Grade</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | » At sidewalk grade                                                                     | <b>Additional Requirements</b> | » Galleries must not have habitable space above.<br>» Gallery must span a minimum of 80% of the façade.<br>» Piers are limited to 8 in. full depth of the frontage setback and into the public right-of-way up to 2 feet of curbs.<br>» A minimum 5 ft. clear pedestrian walkway must be maintained.<br>» Common elements include: piers, lighting, signage, outdoor seating and merchandise display. |

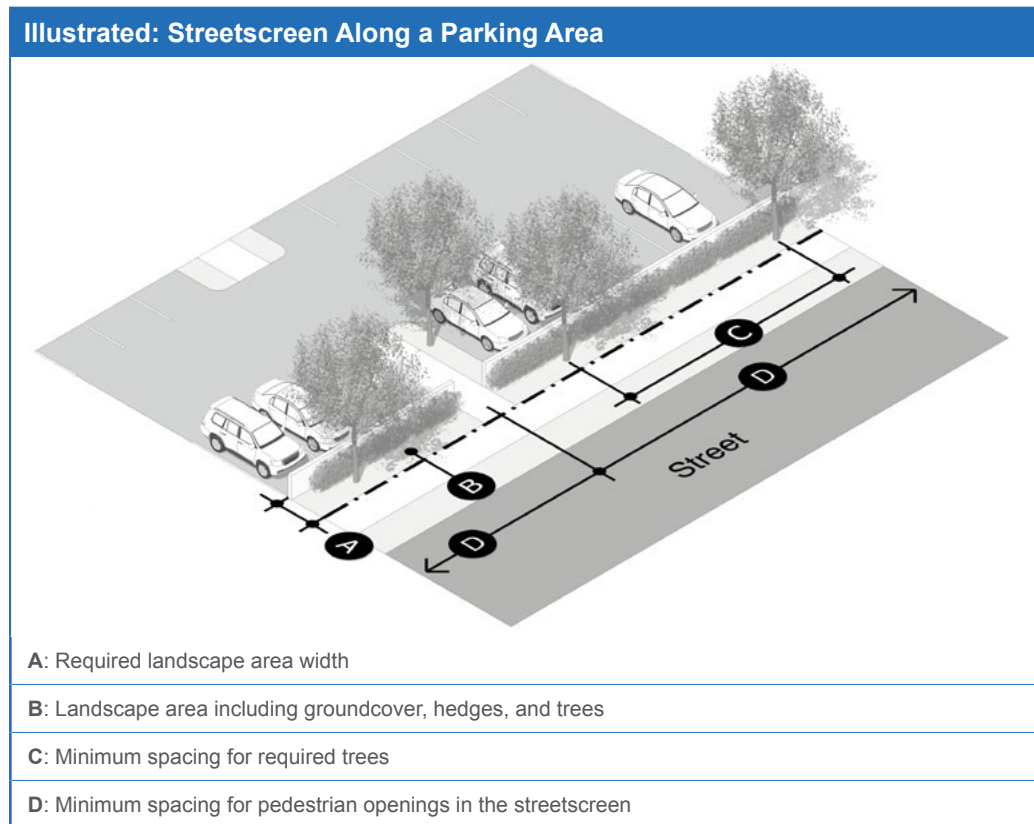
## SITES AND BUILDINGS

**SEC. 40-74 SCREENING AND BUFFERING.****(a) General.**

- (1) All landscaping is subject to [Division 5: Landscape Standards](#).
- (2) Additional landscape screening may be required for specific uses as specified in [Article 4, Division 5: Regulations for Specific Uses](#).

**(b) Streetscreens.**

- (1) Streetscreen Requirements
  - a. Streetscreens are required as specified in [Sec. 40-73\(a\) Frontage Occupation](#). and [Sec. 40-83\(j\) Parking Lot Landscaping](#).
  - b. Streetscreens consist of walls and landscaping as follows:
    1. Walls are required for all streetscreens, subject to [Sec. 40-74\(2\) Streetscreen Walls](#);
    2. Landscaping is required along streetscreens as specified in [Sec. 40-74\(b\)\(3\) Streetscreen Landscaping](#); and
    3. Openings in streetscreens are limited as specified below in [Sec. 40-74\(b\)\(4\) Streetscreen Openings](#).
  - c. Streetscreen walls and landscaping must comply with [Sec. 40-212\(f\) Sight Distance](#). and must not be in conflict with any drainage or easements. Streetscreens may be located beyond the maximum setback to accommodate this requirement.
- (2) Streetscreen Walls
  - a. Streetscreen walls are subject to [Sec. 40-75 Fencing and Walls](#). with the following modifications:
    1. Walls must be masonry, with a maximum of 20% transparency below 6 feet;
    2. Walls must be located between the maximum primary or secondary frontage setback and the lot line, or in-line with the façade of the primary building if located beyond the maximum setback;
    3. Walls are subject to height standards for privacy fencing, except walls screening parking lots along arterial and collector roads must be between 3 and 4 feet in height.
- (3) Streetscreen Landscaping
  - a. Streetscreen landscaping is subject to [Division 5: Landscape Standards](#).
  - b. Streetscreen must include a landscape buffer between the wall and the property line, a minimum of 8 feet wide, as illustrated in [Figure 43: Streetscreen Landscaping](#).
  - c. The landscape buffer must be composed of groundcover where trees, hedges, and shrubs are not provided.
  - d. Trees, hedges, and shrubs must comply with [Table 59: Plant Size Requirement](#) at the time of planting.
  - e. Trees are required as follows:
    1. Canopy trees are required at least 30 linear feet on-center; and
    2. Where conditions prohibit canopy trees, such as utilities or insufficient soil volume, understory trees are required every 20 linear feet on center.
  - f. Hedges or shrubs are required as follows:
    1. Must be located between streetscreen fencing and trees, or in line with trees;
    2. Must be located along the entire length of the streetscreen;
    3. Must be maintained between 30 and 42 inches tall, with a maximum of 36 inches tall on corners where required to maintain sight distance; and
    4. Must be a minimum of 7 gallon pots, not less than 30 inches in height at the time of planting, and spaced no more than 30 inches on-center.
- (4) Streetscreen Openings
  - a. Pedestrian access is required through streetscreens as follows:
    1. Streetscreens over 40 feet long require 1 pedestrian access point, and 1 additional pedestrian access point for every additional 40 feet of streetscreen length or fraction thereof; and
    2. Openings in the streetscreen for pedestrian access are limited to a maximum of 8 feet in width.
  - b. Streetscreens may include openings for vehicular access. Vehicular access to off-street parking areas are limited as specified in [Sec. 40-83\(c\) Driveway Restrictions](#).
  - c. Streetscreens may include openings for access to utilities, subject to the following:
    1. Such openings should be combined with openings for pedestrian access to the greatest extent possible; and
    2. Such openings should be limited in width to the greatest extent possible.

**Figure 43: Streetscreen Landscaping****(c) Service Area and Open Storage Area Screening.**

- (1) Service and open storage areas must be directed away from any residential side of the development.
- (2) Service and open storage areas are not permitted within frontage yards.
- (3) Service areas must be screened on 3 sides by screening walls and landscape buffers.
- (4) Open storage areas must be screened on all sides by screening walls and landscape buffers when visible from public rights-of-way and any zone other than SZ-HI.
- (5) Screening walls are subject to [Sec. 40-75 Fencing and Walls](#), with the following modifications:
  - a. Walls must be between 6 and 8 feet in height;
  - b. Walls must be masonry; and
  - c. Walls adjacent to roads must appear as an extension of or a building façade similar to the principal building, including design, detail, and material finish.
- (6) Opening in screening walls are subject to the following:
  - a. Pedestrian access openings are permitted, up to 6 feet in width each, and must include an opaque gate;
  - b. One vehicular access opening is permitted, up to 30 feet in width; and
  - c. Vehicular access openings to recycling and solid waste refuse (dumpster) enclosures must include a decorative opaque gate equal in height to the wall with a maximum of 6 inches clearance between grade and the bottom of the gate.
- (7) Service and open storage areas must include a landscape buffer as follows:
  - a. Must be located outside of the screening wall;
  - b. Must be a minimum of 5 feet in width for service areas and 10 feet in width for open storage areas;
  - c. Landscape buffers must consist of hedges, groundcover, and trees; turf, turf grass, and sod are prohibited;
  - d. Must include a hedge, a minimum of 3 feet in height, 50% opaque at planting and capable of attaining a height of 5 feet and 75% opaqueness within 18 months;
  - e. Open storage area buffers must include trees as follows:
    1. Canopy trees are required at least 30 linear feet on-center; and
    2. Where conditions prohibit canopy trees, such as utilities or insufficient soil volume, understory trees are required every 20 linear feet on center.
  - f. The landscape buffer must match building base landscaping where the screening wall is attached to the

## SITES AND BUILDINGS

- primary building; and
- g. The landscape buffer must be composed of groundcover where trees, hedges, and shrubs are not provided.

**(d) Utility Appurtenance Screening.**

- (1) Private mechanical equipment is not permitted within frontage yards.
- (2) All utility appurtenances visible from the right of way, except those in SZ-HI, must be screened on all sides facing sidewalks by landscape buffers and fencing.
- (3) For mechanical equipment less than 4 feet in height:
  - a. The landscape buffer must be a minimum of 3 feet in depth;
  - b. The landscape buffer must include continuous shrubs or a hedge, a minimum of 3 feet in height, 50% opaque at time of planting, and capable of attaining a height of 5 feet and 75% opaqueness within 18 months; and
  - c. Fencing is optional, limited to a maximum height of 4 feet and subject to [Sec. 40-75 Fencing and Walls](#).
- (4) For mechanical equipment greater than 4 feet in height:
  - a. The landscape buffer must be a minimum of 6 feet in depth;
  - b. The landscape buffer must include a hedge, a minimum of 3 feet in height, 50% opaque at time of planting, and capable of attaining a height of 6 feet and 75% opaqueness within 3 years; and
  - c. Fencing is optional, limited to a maximum height of 4 feet and subject to [Sec. 40-75 Fencing and Walls](#), except where mechanical equipment is greater than 6 feet in height, a 6 foot fence is required.
- (5) Openings in the landscape buffer and fencing are permitted for utility access and maintenance and should be limited in width to the greatest extent possible.
- (6) The landscape buffer must be composed of groundcover where trees, hedges, and shrubs are not provided.

**(e) Perimeter Trees.**

- (1) In T4.3, T5, and T6, trees are required along side and rear lot lines based upon the distance between the lot line and the nearest structure, as follows:
  - a. 8 feet or greater: 1 canopy must be provided ever 50 linear feet or fraction thereof; and
  - b. 5 feet to 8 feet: 1 understory tree must be provided every 25 linear feet or fraction thereof.
- (2) Trees provided to fulfill other buffering and parking lot landscape requirements count towards this requirement.

**SEC. 40-75 FENCING AND WALLS.**

Purpose: To ensure that fences and walls along streets and rights-of-way do not block visibility of sites and buildings in support of public safety while allowing for adequate privacy and security fencing.

**(a) General.**

- (1) Additional fence restrictions and standards may be required as specified by the Environmental Protection Division, subject to permitting requirements of Chapter 15, Article X of County Code.
- (2) Fencing and walls must comply with [Sec. 40-212\(f\) Sight Distance](#), and must not be in conflict with any drainage or easements.
- (3) Fencing and walls, including footers, proposed within the critical root zone (CRZ) of a regulated, specimen or heritage tree shall bridge over the tree's CRZ to the best extent practicable. Land clearing and tree removal must comply with Article VIII, Division 2, Section 15-303 of County Code.
- (4) Fencing is permitted on vacant property, provided it is less than 50% opaque.
- (5) Walls are subject to the standards for fencing, and additionally to [Sec. 40-75\(f\) Masonry Walls Design Standards](#).

**(b) Fence and Wall Location and Terminology.**

- (1) Fencing and walls are limited by location on the property, frontage fencing and privacy fencing, as illustrated in [Figure 44: Fence and Wall Locations](#). Fence refers to both fencing and walls.
- (2) Privacy fencing along side and rear property lines and interior to the site is permitted for all properties.
- (3) Fences must not be located within easements, except as otherwise approved by an easement acknowledgment form or written approval from the easement holder.

**(c) Applicant Responsibility.**

- (1) In all zones, the applicant is responsible for ensuring that no fence or wall is constructed such that it adversely affects the property rights of others, including the right of ingress and egress to their property. No fence or wall may erected inside an ingress/egress easement unless authorized by all parties to the subject easement. In the event an easement is discovered on the property that is the subject of the application, the applicant must

execute the County's standard Easement Acknowledgment Form prior to issuance of any fence or wall permit. Failure to comply with this subsection constitutes a material breach of the fence or wall permit and is grounds for its immediate revocation.

- (2) Issuance of a fence or wall permit does not convey to the applicant or create in the applicant any property right, or any interest in real property, authorize any entrance upon or activities upon property which is not owned or controlled by the applicant or convey any rights or privileges other than those specified in the permit, nor does a fence or wall permit warrant in any way that the applicant has property rights to construct any fence or wall and any such construction is done at the sole risk of the applicant. If any part of the fence or wall permitted hereunder is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with an adjacent property owner's property right, the applicant agrees to either obtain written consent from such adjacent property owner or to remove the offending fence or wall encroachment within 60 days from the date of the adjudication. Failure to comply constitutes a material breach of the fence or wall permit and shall be grounds for its immediate revocation.
- (3) In all zones, the applicant is responsible for ensuring that no fence or wall is constructed such that it causes the removal of or damages regulated, specimen, or heritage trees. Issuance of a fence or wall permit does not permit the removal or damage of such trees.

**(d) Fence and Wall Height.**

- (1) Fence and wall height is limited according to [Table 45: Fencing and Wall Height](#).
- (2) Fence and wall height is measured from the finished grade adjacent to the fence or wall, adjusted along its length. The grade upon which the fence or wall is located must allow for adequate visual screening of the service area, parking lot, or other condition that requires screening.
- (3) Pillars, columns, and posts may extend up to 2 feet above height limitations provided such pillars, columns, and posts are no less than 10 feet apart.
- (4) Side and rear fencing and walls in T3, T4, T5, and T6 may be increased in height to 8 feet where immediately abutting SZ-LI or SZ-HI.
- (5) Fencing enclosing a basketball court, pickleball court, tennis court, or other similar sports court is limited to 10 feet in height above finished grade level, unless the court maintains a minimum 10 foot setback from side lot lines and the minimum primary frontage, secondary frontage, and rear yard setbacks for the principal structure, in which case fencing may be up to 20 feet in height.

**(e) Fence and Wall Materials.**

- (1) Fencing and walls must be uniform in construction, design, material, color, and pattern.
- (2) Fencing must be of a standard material conventionally used by the fencing industry.
- (3) Frontage fencing material is limited as follows:
  - a. T5 and T6: Fencing and walls must be aluminum picket, wrought iron, or masonry.
  - b. T2, T3, and T4:
    1. Fencing must be wood, vinyl, metal, pre-cast, aluminum picket, or wrought iron;
    2. Masonry landscape walls are permitted, provided they do not extend more than 2 feet above grade; and
    3. Chain link is only permitted in T2 and T3.
- (4) Fences and walls containing broken glass, spikes, nails, barbs or similar material designed to inflict pain or injury are prohibited except where specified.
- (5) Barbed wire, razor wire, and electrified fences, are limited as follows:
  - a. Prohibited from encroaching over any sidewalk, street, right-of-way or other property;
  - b. Barbed wire is permitted in SZ-LI, SZ-HI, T2.1, and T2.2 provided it is limited to 3 strands and 18 inches, a minimum of 6 feet above the ground;
    1. The maximum height of fencing with the barbed wire or razor wire is 10 feet.
  - c. Barbed wire is permitted by special exception in other zones if documented by substantial competent evidence that such an additional security measure is warranted; and
  - d. Barbed wire is permitted in all zones in conjunction with a public utility or a communication tower as required by [Sec. 40-178\(i\) Fencing](#).

**(f) Masonry Walls Design Standards.**

- (1) Masonry walls exceeding 50 feet in length are subject to the following design standards, as illustrated in [Figure 46: Masonry Wall Design Standards](#):
  - a. Walls must include columns which project a minimum of 6 inches from the face of the adjacent wall segments, spaced no more than 50 feet on-center;

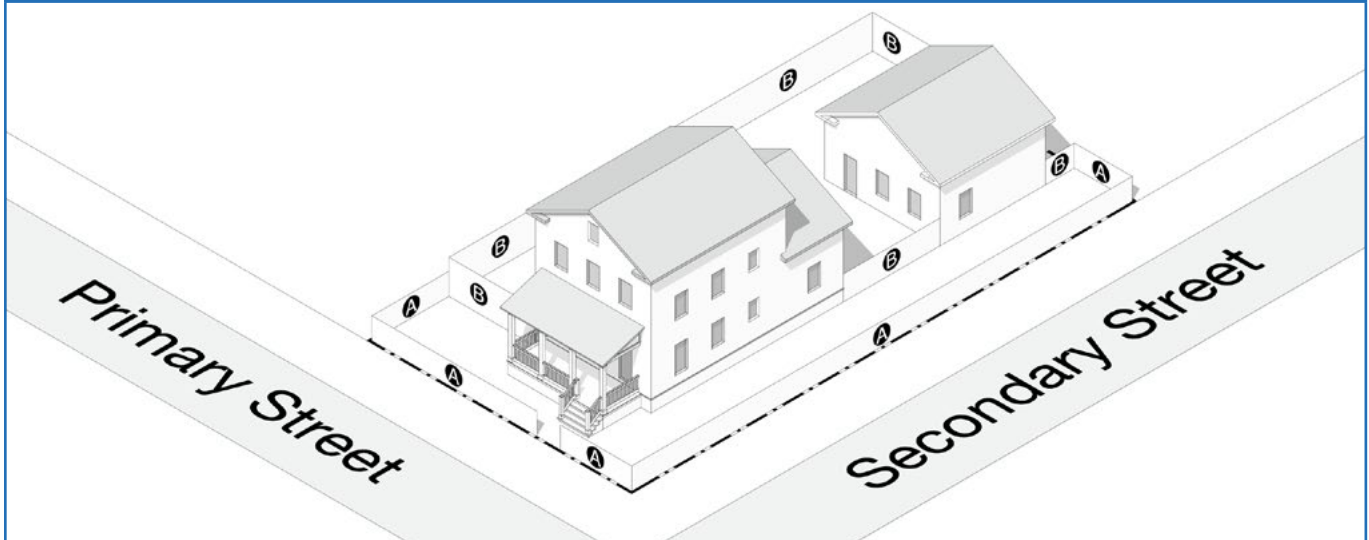


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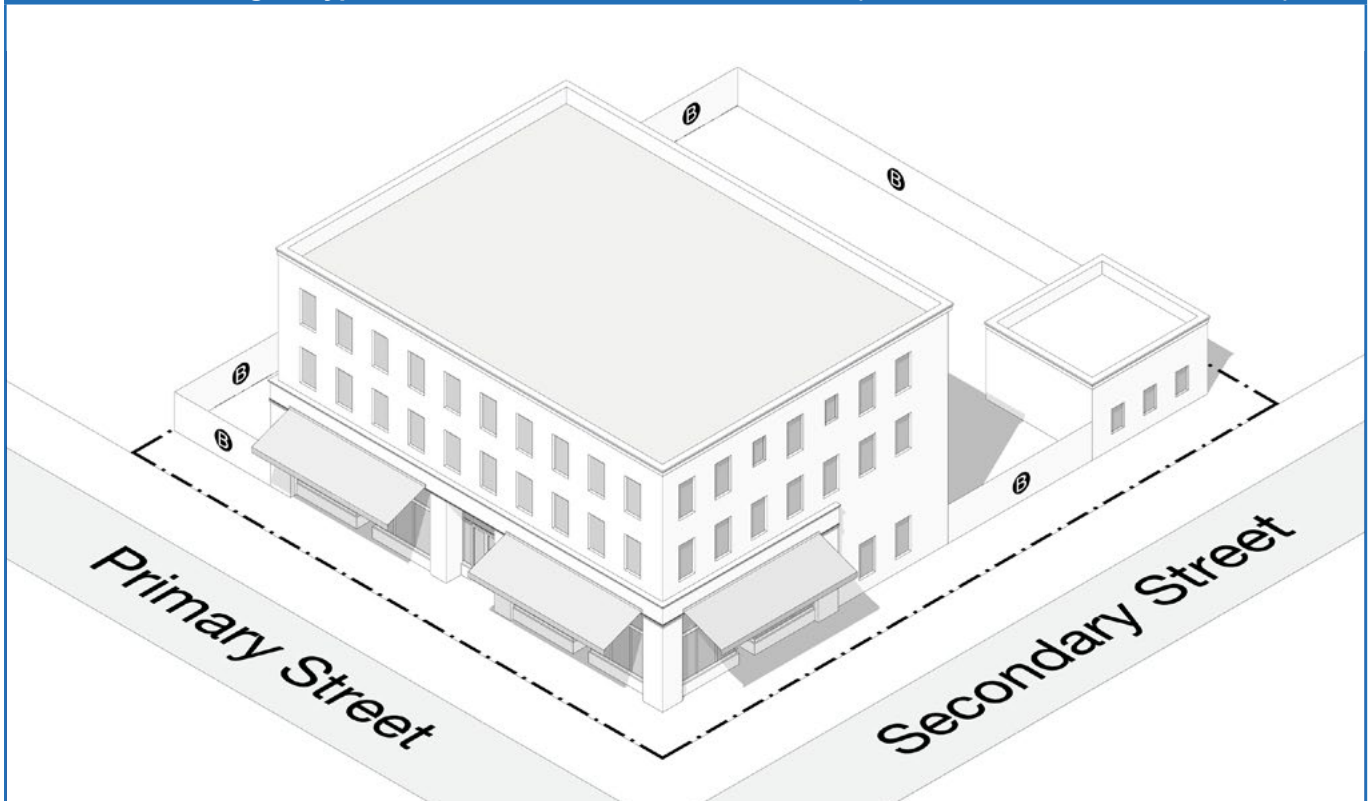
- b. Walls must include a cap or have a rounded top profile; and
- c. Walls including a cap are subject to the following:
  1. Columns must extend a minimum of 8 inches above the height of the wall and incorporate a flared finial or cap component;
  2. Walls must incorporate a continuous, flared cap block (or widened top edge for precast) feature along the entire wall, which projects from the wall face a minimum of 1 inch.

**Figure 44: Fence and Wall Locations**

**Illustrated: Fencing for typical residential lots (See Table 45 for letter references)**



**Illustrated: Fencing for typical mixed-use and non-residential lots (See Table 45 for letter references)**



**A:** Frontage fencing, inside the primary and secondary frontage setbacks. This term also applies to walls.

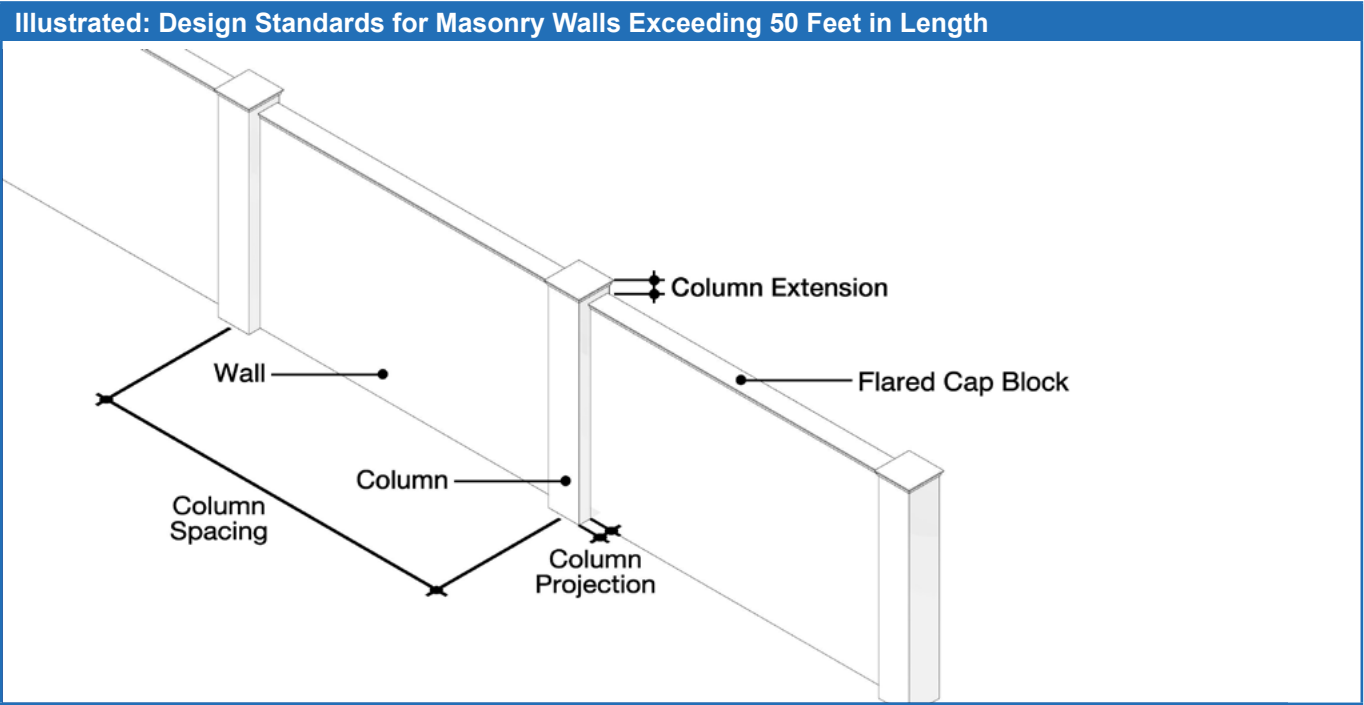
**B:** Privacy fencing, located along side and rear property lines and otherwise interior to the site. This term also applies to walls.



Table 45: Fencing and Wall Height

| Fence and Wall Location | T2.1       | T2.2 | T2.3 | T3.1 | T3.2       | T3.3 | T4 | T5         | T6 | SZ LI      | SZ HI | SZ EN      | SZ MH | SZ ED |
|-------------------------|------------|------|------|------|------------|------|----|------------|----|------------|-------|------------|-------|-------|
| A. Frontage Fencing     | 6 ft. max. |      |      |      | 4 ft. max. |      |    | 6 ft. max. |    |            |       |            |       |       |
| B. Privacy Fencing      | 8 ft. max. |      |      |      | 6 ft. max. |      |    |            |    | 8 ft. max. |       | 6 ft. max. |       |       |
| Within NHWE Setback     | 4 ft. max. |      |      |      |            |      |    |            |    |            |       |            |       |       |

Figure 46: Masonry Wall Design Standards



SEC. 40-76    RESERVED.

SEC. 40-77    RESERVED.

SEC. 40-78    RESERVED.

SEC. 40-79    RESERVED.

SEC. 40-80    RESERVED.

## PARKING AND LOADING

***DIVISION 4: PARKING AND LOADING******SEC. 40-81 REQUIRED PARKING SPACES.***

- (a) Parking spaces must be provided as follows:
  - (1) Parking must be provided for each use at or above the minimum required parking specified in (c), except:
    - a. Parking requirements for Special Zones are as follows:
      - 1. SZ-ED and SZ-EN require a parking study, pursuant to (3) below.
      - 2. SZ-LI and SZ-HI are subject to the parking requirements specified in this Division.
      - 3. SZ-MH is subject to parking requirements specified in [Division 2: Special Zones](#); and
      - 4. Additional parking and circulation requirements may apply, as specified in [Division 2: Special Zones](#).
    - b. T1 is exempt from minimum required parking.
  - (2) Reductions may be applied to the minimum required parking specified in this section, in accordance with [Sec. 40-82 Site Specific Adjustments](#)., except for single dwellings and townhouses.
  - (3) A parking study may be used to establish the applicable minimum required parking spaces for uses not specified in this Division or in lieu of the requirements of this Division as follows:
    - a. Applicants may choose to submit a parking study to Transportation Planning, at their own cost, demonstrating a lower demand for parking than required by the standards of this section; and
    - b. Parking studies must be based on methodology acceptable to the Transportation Planning Division and the current editions of professionally-accepted data sources.
  - (4) Access to parking spaces provided for Student Housing visitors and employees must not be restricted by a gate, unless such a condition is approved by the Zoning Manager; and
  - (5) For dwellings on properties less than 40 feet wide and townhouses, visitor parking is required as follows:
    - a. Visitor parking is required as specified in [Table 48: Minimum Parking Requirements](#);
    - b. Visitor parking must be provided on-street, except where available on-street parking spaces are allocated towards other uses;
    - c. Where visitor parking is not provided on-street, visitor parking lots must not exceed 20 parking spaces per lot;
    - d. Visitor parking must be located within 500 feet of the units they serve, measured along an accessible pedestrian route; and
    - e. Excess on-street parking may count toward the fulfillment of the visitor parking space requirements
- (b) Minimum required parking must be provided as follows:
  - (1) Parking spaces may only be counted once;
  - (2) Parking may be located on the same lot as the associated use;
  - (3) Parking may be provided on-street along lot boundaries, as follows:
    - a. Where on-street parking is striped, spaces may be counted where the entirety of a striped space is located along lot boundaries; and
    - b. Where on-street parking is not striped, 1 space may be counted for every 22 feet of available parking along lot boundaries.
  - (4) Parking may be provided off-site within a shared parking facility, subject to (e) [Shared Parking](#).;
  - (5) Parking spaces dedicated for ADA access, electric vehicle charging, and dedicated commercial car sharing and transportation network company / ride-share dedicated spaces count towards the fulfillment of minimum required parking;
  - (6) Provided off-street parking must comply with [Sec. 40-83 Off-street Parking Design Standards](#).; and
  - (7) Provided parking spaces, including tandem spaces, must comply with [Sec. 40-83\(h\) Parking Space Standards](#).

- (c) Minimum required parking is calculated as specified in [Table 48: Minimum Parking Requirements](#), and as follows:
- (1) All uses within the site are added to determine the minimum required parking;
  - (2) For uses not listed in [Table 48: Minimum Parking Requirements](#):
    - a. The Zoning Manager will determine the appropriate category applicable; and
    - b. If a parking ratio is not provided, the parking ratio for that land use in the next applicable Transect Zone applies, or as otherwise determined by the Zoning Manager.
  - (3) All area-based parking calculations in [Table 48: Minimum Parking Requirements](#) are based upon the gross floor area of the building being served by parking;
  - (4) When requirements results in a fractional number, fractions greater than or equal to 0.5 are rounded up and fractions less than 0.5 are rounded down;
  - (5) Where required parking specifies staff counts, the calculation utilizes the maximum staff count during the busiest shift; and
  - (6) Where required parking specifies seats for assembly, bench seats are counted as one seat for every 3 feet.
- (d) The maximum number of parking spaces provided (maximum parking restrictions) are limited as follows:
- (1) Parking is limited to the maximum amounts specified in [Table 47: Maximum Parking Restrictions](#);
  - (2) Where multiple conditions are met, the most restrictive standard applies; and
  - (3) Parking spaces dedicated for ADA access, electric vehicle charging, and dedicated commercial car sharing and transportation network company / ride-share spaces may be provided above maximum parking restrictions.

**Table 47: Maximum Parking Restrictions**

| Condition                                        | Residential & Office                      | All Other Uses                            |
|--------------------------------------------------|-------------------------------------------|-------------------------------------------|
| <b>Within Urban Core Place Type Designations</b> | Maximum: 200% of minimum required parking | Maximum: 150% of minimum required parking |
| <b>Within 1/4 mile of premium transit stops</b>  | Maximum: 150% of minimum required parking | Maximum: 100% of minimum required parking |
| <b>Within 1/2 mile of premium transit stops</b>  | Maximum: 200% of minimum required parking | Maximum: 200% of minimum required parking |
| <b>All Other Conditions</b>                      | No maximum                                | No maximum                                |

## PARKING AND LOADING

**Table 48: Minimum Parking Requirements**

| Uses                                     | T3                                                                                                                            | T4                                                                                                                                                                                    | T5                                                                                                                                                                   | T6                                                           | SZ-LI & SZ-HI                                                 |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------|
| Residential:                             |                                                                                                                               |                                                                                                                                                                                       |                                                                                                                                                                      |                                                              |                                                               |
| 1-Dwelling per Lot & Townhouses          | 2 spaces / dwelling<br>1 space / adu<br>For lots less than 40 ft. wide, visitor parking is required at 1 space / 10 dwellings |                                                                                                                                                                                       | 2 spaces / dwelling<br>1 spaces / adu                                                                                                                                | 1 space / townhouse dwelling<br>0 spaces / adu               | n/a                                                           |
| 3 & More Dwellings per Lot               | n/a                                                                                                                           | 1.5 spaces / studio - 1 bedroom unit<br>2 spaces / 2+ bedroom unit                                                                                                                    | 1 spaces / studio - 1 bedroom unit<br>1.5 spaces / 2+ bedroom unit                                                                                                   | 0.75 spaces / studio<br>1 space / 1+ bedroom unit            |                                                               |
| Independent and Assisted Living          | n/a                                                                                                                           | 0.75 spaces / bedroom + 10% for employees                                                                                                                                             | 0.5 spaces / bedroom + 10% for employees                                                                                                                             | 0.25 spaces / bedroom                                        | 0.75 spaces / bedroom + 10% for employees                     |
| Student Housing                          | n/a                                                                                                                           | 0.9 spaces / bedroom or .75 spaces / bedroom where student housing is served by fixed route publicly operated shuttle services to associated campuses. + 10% for employees & visitors |                                                                                                                                                                      | 0.5 spaces / bedroom + 10% for employees & visitors          | n/a                                                           |
| Lodging:                                 |                                                                                                                               |                                                                                                                                                                                       |                                                                                                                                                                      |                                                              |                                                               |
| Hotels, Timeshares, Other Lodging        | 1 space / key<br>+ 2 spaces / 1,000 sf assembly                                                                               |                                                                                                                                                                                       | 0.75 spaces / key<br>+ 2 spaces / 1,000 sf assembly                                                                                                                  | 0.5 spaces / key<br>+ 1 space / 1,000 sf assembly            | 1 spaces / key<br>+ 2 space / 1,000 sf assembly               |
| Commercial:                              |                                                                                                                               |                                                                                                                                                                                       |                                                                                                                                                                      |                                                              |                                                               |
| Retail / General Commercial              | n/a                                                                                                                           | 3 spaces / 1,000 sf                                                                                                                                                                   | 4 spaces / 1,000 sf                                                                                                                                                  | 2 spaces / 1,000 sf                                          | 4 spaces / 1,000 sf                                           |
| Food & Beverage                          | n/a                                                                                                                           |                                                                                                                                                                                       | 10 spaces / 1,000 sf<br>+ 5 spaces / 1,000 sf outdoor seating                                                                                                        | 5 spaces / 1,000 sf<br>+ 3 spaces / 1,000 sf outdoor seating | 10 spaces / 1,000 sf<br>+ 5 spaces / 1,000 sf outdoor seating |
| Office                                   | n/a                                                                                                                           |                                                                                                                                                                                       | 4 spaces / 1,000 sf                                                                                                                                                  | 3 spaces / 1,000 sf                                          | 4 spaces / 1,000 sf                                           |
| Health & Medical Office / Clinic         | n/a                                                                                                                           |                                                                                                                                                                                       | 5 spaces / 1,000 sf                                                                                                                                                  | 3.5 spaces / 1,000 sf                                        | 5 spaces / 1,000 sf                                           |
| Industrial:                              |                                                                                                                               |                                                                                                                                                                                       |                                                                                                                                                                      |                                                              |                                                               |
| Self Storage Warehouse                   | n/a                                                                                                                           |                                                                                                                                                                                       | 2 spaces + 1 space / 100 storage units                                                                                                                               |                                                              |                                                               |
| All Other Industrial                     |                                                                                                                               |                                                                                                                                                                                       | 1 space / 1,000 sf + 1 truck space / truck bay                                                                                                                       |                                                              |                                                               |
| Institutional and Other:                 |                                                                                                                               |                                                                                                                                                                                       |                                                                                                                                                                      |                                                              |                                                               |
| Place Of Assembly, Religious Institution | 1.25 spaces / 3 seats (or patron capacity)                                                                                    |                                                                                                                                                                                       |                                                                                                                                                                      | 1 space / 9 seats (or patron capacity)                       | 1.25 spaces / 3 seats (or patron capacity)                    |
| College / University, Vocational         | n/a                                                                                                                           |                                                                                                                                                                                       | 1 space / 500 sf of classroom and office area; assembly uses per Place of Assembly requirements; 80% sharing of assembly spaces with educational spaces is permitted |                                                              |                                                               |
| Other Schools                            | 1 space / staff at all school levels + 1 space for every 4 high school students                                               |                                                                                                                                                                                       |                                                                                                                                                                      |                                                              |                                                               |
| Day Care                                 | 4 spaces / 1,000 sf                                                                                                           |                                                                                                                                                                                       |                                                                                                                                                                      | 1 space / 1,000 sf                                           | n/a                                                           |

Maximum parking requirements may also apply, see [Table 47: Maximum Parking Restrictions](#).

**SEC. 40-82 SITE SPECIFIC ADJUSTMENTS.****(a) Cumulative Adjustments.**

Minimum required parking may be reduced in a cumulative manner, calculated in the following order:

- (1) Determine the baseline minimum required parking per [Sec. 40-81 Required Parking Spaces.](#);
- (2) Apply Zoning Incentive Areas reductions;
- (3) Apply Premium Transit Adjacent Areas reductions;
- (4) Apply Parking Reductions for Tree Preservation; and
- (5) Apply Shared Parking reductions.

**(b) Zoning Incentive Areas.**

- (1) As a prerequisite to qualify as a Zoning Incentive Area eligible for any of the special benefits, the applicant must submit the following to the Planning Division:
  - a. Certification by the Orange County Housing and Community Development Division that the proposed mixed income development will meet one of the options specified in [Table 49: Zoning Incentive Areas](#);
  - b. Site plan note confirming the development is not age restricted; and
  - c. A covenant recorded with the land and found acceptable to Orange County that confirms the property will meet the certification for a period of no less than 30 years from the date of the issuance of a final Certificate of Occupancy.
- (2) If housing meets the thresholds specified in [Table 49: Zoning Incentive Areas](#), minimum required parking may be reduced as follows:
  - a. 50% in T6; and
  - b. 30% in T4 and T5.

**Table 49: Zoning Incentive Areas**

| Ownership Type | Minimum Percentage of Total Housing Units | Maximum Percentage of Area Median Income |
|----------------|-------------------------------------------|------------------------------------------|
| For Sale       | 10%                                       | 80%                                      |
|                | 20%                                       | 120%                                     |
| Rental         | 40%                                       | 80%                                      |
|                | 20%                                       | 50%                                      |

**(c) Established Premium Transit Adjacent Areas.**

- (1) The minimum required parking for uses proximate to premium transit is reduced as specified in [Table 50: Premium Transit Adjacent Areas](#).
- (2) The distance to premium transit is measured property line to property line, provided the use is connected to the premium transit stop by sidewalks, pedestrian walkways, shared use paths, or other means of pedestrian access.

**Table 50: Premium Transit Adjacent Areas**

| Condition                                | Residential & Office                      | All Other Uses                                                                                                                                             |
|------------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Within 1/4 mile of premium transit stops | 50% reduction of minimum required parking | Minimum required parking is waived                                                                                                                         |
| Within 1/2 mile of premium transit stops | 25% reduction of minimum required parking | 50% reduction of minimum required parking and<br>Minimum required parking may be waived for vertically-integrated mixed-use buildings that include housing |

**(d) Parking Reductions for Tree Preservation.**

- (1) The preservation of specimen trees and heritage trees as per Chapter 15, Section 15-283 of County Code may be considered as the basis for granting a waiver by the Zoning Manager for a reduction from the number of required off-street parking spaces set forth in [Table 48: Minimum Parking Requirements](#). Evidence shall be provided that a waiver granted will allow for the preservation of healthy specimen and/or heritage trees through the reduction of the number of spaces, and the modified spacing and configuration of landscape islands or landscape wells. The maximum parking spaces to be granted a reduction as a basis of this waiver shall not exceed the following:

## PARKING AND LOADING

- a. Parcels smaller than 10,000 square feet – 10% of the number of parking spaces required or 3 spaces, whichever is less.
- b. Parcels between 10,000 square feet and 20,000 square feet in size: commercial uses including restaurants – 10% of the number of parking spaces required, or 10 parking spaces, whichever is less. Industrial and professional office uses, including medical offices – up to 20 parking spaces.
- c. Parcels between 20,000 square feet and 50,000 square feet in size: commercial uses including restaurants – 10% of the number of parking spaces required, or 20 parking spaces, whichever is less. Industrial and professional office uses, including medical offices – up to 40 parking spaces.
- d. Parcels greater than 50,000 square feet in size: commercial uses, including restaurants and big box development – 10% of the number of parking spaces required, or 40 parking spaces, whichever is less. Industrial and professional office uses – up to 60 parking spaces.

**(e) Shared Parking.**

- (1) Shared parking consists of 2 or more unrelated uses in the same structure, on the same site, or on multiple sites, with complementary peak hours of parking usage. For purposes of this Code, complementary peak hours shall mean distinct and separate time periods with no overlap or potential overlap in peak parking demand. Any site owner utilizing shared parking shall enter into a Shared Use Parking Agreement that meets the requirements of paragraph b. below.
- (2) Shared Use Parking Agreements are subject to the following:
  - a. A Shared Use Parking Agreement may be executed to allow shared parking on or off-site and may be used to reduce the total parking spaces required for all associated uses subject to the Agreement. Shared parking spaces shall be provided for each use in accordance with the calculated spaces per use using the current version of the ULI Shared Parking Calculator and associated methodology, subject to approval by Transportation Planning and the Zoning Division. If a Shared Use Parking Agreement will provide parking for any number of uses not listed in the ULI Shared Parking Calculator, the number of required shared parking spaces within the facility shall be based upon a shared parking feasibility study using methods acceptable to the Transportation Planning Division.
  - b. A Shared Use Parking Agreement must guarantee availability of the required spaces for all associated uses. Shared parking spaces may not be reserved for a particular use or otherwise restricted except as provided by state or local law.
  - c. On-street parking spaces may not be used towards calculation of the provided number of shared parking spaces within an Agreement.
  - d. A Shared Use Parking Agreement must be in a written form provided by and acceptable to the County and shall specify the terms and conditions agreed upon between the owner(s) of the site(s) utilizing shared parking and the County.
  - e. All Shared Use Parking Agreements must be submitted to the Zoning Manager, or authorized designee, for approval. Once approved, the Shared Use Parking Agreement shall be recorded in the Public Records of Orange County, Florida by the site owner(s) within 15 days following approval. The Shared Use Parking Agreement shall remain in place and recorded unless released by the County; such release shall be in writing and recorded in the County Public Records.
  - f. Any site owner(s) utilizing shared parking must modify a Shared Use Parking Agreement to address (i) any change in the uses identified in the Shared Use Parking agreement that are anticipated to cause an increase in peak parking demand or (ii) a finding by the Zoning Manager, or authorized designee, that the site's parking demand exceeds what is provided in the Agreement or there is any change in site conditions. Any such modification shall be approved by the Zoning Manager, or authorized designee, and shall be recorded in the Public Records of the County within 15 days following approval.
  - g. Failure to comply with any of the above requirements constitutes a violation of this section that is enforceable by Orange County by means of code enforcement proceedings under [Chapter 11 of the Orange County Code](#), through judicial proceedings that seek declaratory or injunctive relief or monetary damages, or by any other means available through law or equity.
- (3) Shared parking provided by an off-site parking facility shall be located no further from any associated use in applicable zones as follows, with the maximum distance measured in a direct "as the crow flies" route from the property line of the parking facility to the property line of the associated use:
  - a. 800 feet in T6;
  - b. 600 feet in T5;
  - c. 400 feet in T4; and
  - d. 300 feet in T3 and T2.



**SEC. 40-83 OFF-STREET PARKING DESIGN STANDARDS.****(a) Parking Location.**

- (1) Parking must not be located between building façades and frontage property lines, except:
  - a. Underground parking not visible from frontages;
  - b. Vehicles parked within driveways for single and duplex dwellings; and
  - c. Parking provided within permitted frontage parking lanes, as specified in [Sec. 40-205\(7\) Frontage Parking Lanes](#).
- (2) For single and duplex dwelling sites:
  - a. All parking spaces and driveways must be on an impervious surface such as asphalt, concrete, brick, or engineered turf pavers;
  - b. Parking may be outdoors, under cover, or within an enclosed garage;
  - c. Gravel, stone, or mulch may not be used for any part of a driveway or parking space, including as filler between the ribbons of a driveway, except:
    1. Subject to engineering permit review, stone on existing stone driveways may be replenished as long as the existing driveway dimensions are maintained; and
    2. Existing non-conforming stone vehicular use areas must be maintained per County engineering standards.
  - d. All parking spaces must be accessible from an entry to the dwelling they serve with a paved surface; and
  - e. Parking or storage of vehicles is prohibited on any portion of the building site except on those areas which have been specifically permitted and constructed as parking spaces or vehicular use areas.
- (3) Structured parking is subject to the following:
  - a. Structured parking is limited to T4.2, T4.3, T5, T6, and as approved as part of the Concept Plan for a Special Zone;
  - b. Structured parking must be set back from lot lines as follows:
    1. 30 feet from the ground floor building façade along primary frontages, or 50 feet in T4;
    2. 15 feet from the ground floor building façade along secondary frontages, or 35 feet in T4; and
    3. Additional setbacks are required where sites abut a different Transect Zone, as specified in [Sec. 40-71 Transitions Between Zones](#).
  - c. Structured parking must be lined by habitable interior spaces at ground floors and second floors when located along primary frontages, for at least 70% of the frontage;
  - d. Structured parking located along secondary frontages that is not masked by habitable interior space must be screened by opaque façade elements providing openings for no more than 50% of the façade area of each floor;
  - e. See [Sec. 40-69\(b\) Parking Structures](#) for additional parking liner standards.
  - f. Structured parking is subject to the standards of [Sec. 40-73\(b\) Frontage Setbacks](#).

**(b) Vertical Clearance.**

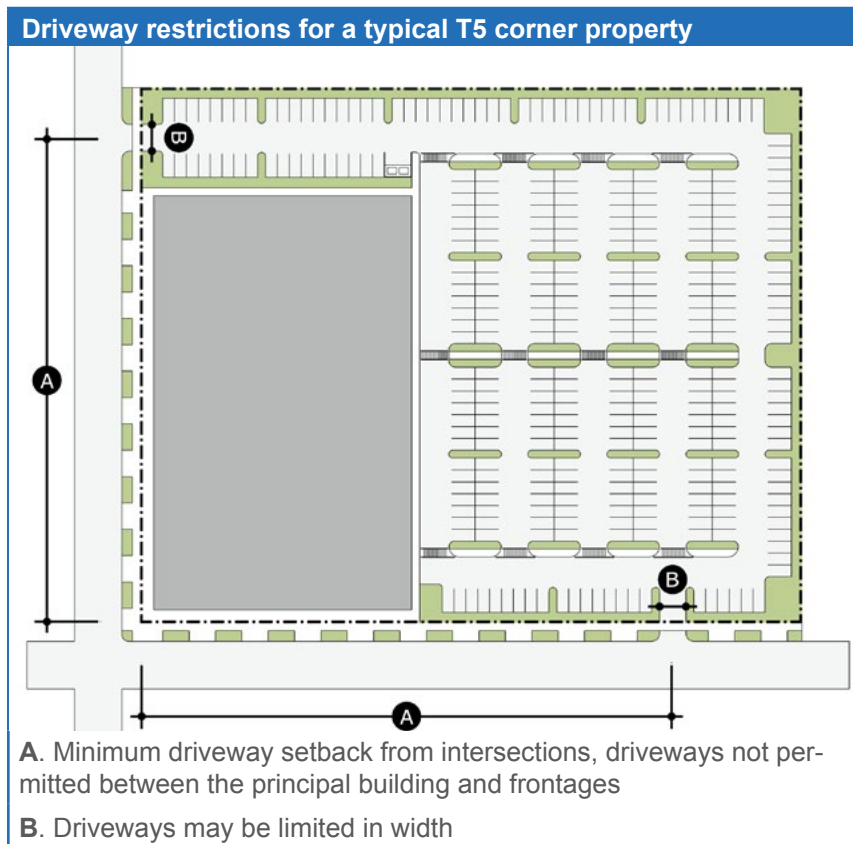
- (1) A minimum vertical clearance of 8 feet must be provided for all off-street parking areas.
- (2) Where portions of the off-street parking area are to be used by delivery trucks or for loading, the minimum vertical clearance is 15 feet.
- (3) Where portions of the off-street parking area have an exfiltration trench, the minimum vertical clearance is 16 feet, including all means of accessing and servicing the trench.
- (4) Where portions of the off-street parking area must provide fire access, the minimum vertical clearance is as specified by the Fire Rescue Department; and
- (5) Floor to ceiling height for parking structures may have additional constraints in [Sec. 40-69 Height Restrictions](#).

**(c) Driveway Restrictions.**

- (1) Driveways are subject to the following, as illustrated in [Figure 51: Driveway Restrictions](#):
  - a. Driveways must be located away from intersections, as specified by FDOT access management standards;
  - b. Driveways that run parallel to, or in a similar orientation to the secondary frontage line are prohibited between the principal building and the secondary frontage line; and
  - c. Vehicles must be able to maneuver on site to prevent backing movements onto roadways, except driveways serving a single unit.
- (2) Driveways accessing fewer than 6 residential dwellings are subject to the following:
  - a. Driveways are limited to 12 feet in width within 10 feet of primary and secondary frontages;
  - b. Where an alley is directly accessible from the property, vehicular access must be provided from the alley; and

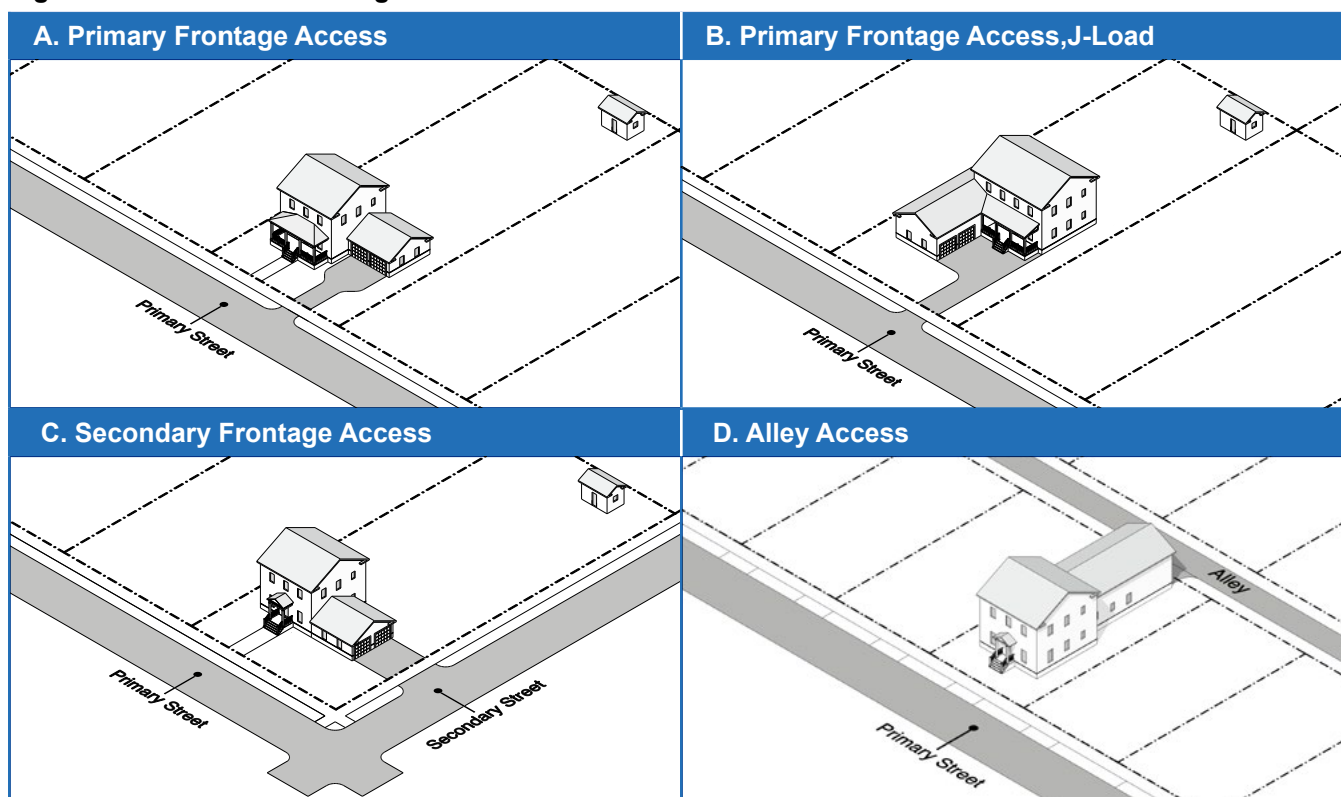
## PARKING AND LOADING

- c. Where corner properties do not have access to an alley, vehicular access must be provided from the secondary frontage.
- (3) All other driveways are subject to the following:
  - a. Sites with alley access must provide ingress and egress to off-street parking from the alley;
  - b. Vehicular access is limited to a maximum of 22 feet in width for combined ingress and egress and 12 feet in width independent ingress and egress, except as otherwise required for maneuvering;
  - c. Where turn lanes are required, driveways may be up to 33 feet in width;
  - d. Deviations from the above standards may be granted by the County Engineer where necessary for service access and traffic operations; and
  - e. Deviations from the above standards may be granted by the Fire Marshal where necessary for fire access.
- (4) Where driveways cross sidewalks:
  - a. The driveway must slope up to meet the grade of the sidewalk, except:
    - 1. For uses including big box retail, hospitals, rural retail, industrial, and shopping centers containing more than 60,000 square feet of gross leasable area;
    - 2. Where the driveway is a framework street;
    - 3. For T2, SD-HI, SD-LI, SD-EN, and SD-ED;
    - 4. Where driveways exceed 22 feet in width; or
    - 5. For other uses as determined by Public Works.
  - b. The sidewalk must be visually identifiable across the driveway as follows:
    - 1. Driveways along functionally classified roadways require crosswalks, in compliance with [Article 5, Division 2: Roads](#); Maintenance of the crosswalk is the responsibility of the property owner; and
    - 2. Driveways along local roadways should continue the color, material, and scoring pattern of the sidewalk across the driveway.

**Figure 51: Driveway Restrictions**

**(d) Residential Garages Up To 3 Dwellings.**

- (1) Residential garages for uses up to 3 dwellings per lot are subject to the requirements of this section.
- (2) The standards of this subsection are generally illustrated in [Figure 52: Residential Garage Location](#) and may modify the standards specified in [Sec. 40-52 Building Form Standards](#).
- (3) Garages are not required. If proposed, garages may be within the principal building or within an accessory structure physically separated from the principal building.
- (4) When an alley abuts the property:
  - a. Residential garages must be accessed from the alley (D);
  - b. Residential garages must be no more than 5 feet from the rear alley lot line or a minimum of 20 feet from the rear alley lot line; and
  - c. Residential garages must be at least 20 feet from the front lot line.
- (5) Where driveways are permitted along secondary frontages (C), the garage is subject to the following:
  - a. In T2, T3.1, and T3.2:
    1. Residential garages may align with the primary frontage setback of the principal building;
    2. Residential garages may meet principal building secondary frontage setbacks; and
    3. Residential garage elevations facing the primary frontage must provide 1 window for every 12 feet of garage width along that frontage.
- (6) Where driveways are permitted along primary frontages (A, B), the garage may be located according to one of the following conditions:
  - a. All zones: the garage may be located in an accessory structure behind the principal building relative to the primary frontage;
  - b. In T2, T3, and T4.1, the garage may be within the principal building (A) if the following conditions are met:
    1. The garage must be located at least 10 feet behind the front façade of the principal building; and
    2. The width of the garage is limited to the lesser of 24 feet or 35% of the width of the principal building façade excluding the garage.
  - c. In T2, T3.1, and T3.2, the garage may be within the principal building (B) between the primary or secondary frontage line and the front façade if the following conditions are met:
    1. Garage doors are oriented perpendicular to the front façade and vehicles must turn to access the garage (J-load); and
    2. At least 1 window faces towards the primary frontage for every 12 feet of garage width along that frontage.

**Figure 52: Residential Garage Location**

## PARKING AND LOADING

**(e) General Parking Lot Requirements.**

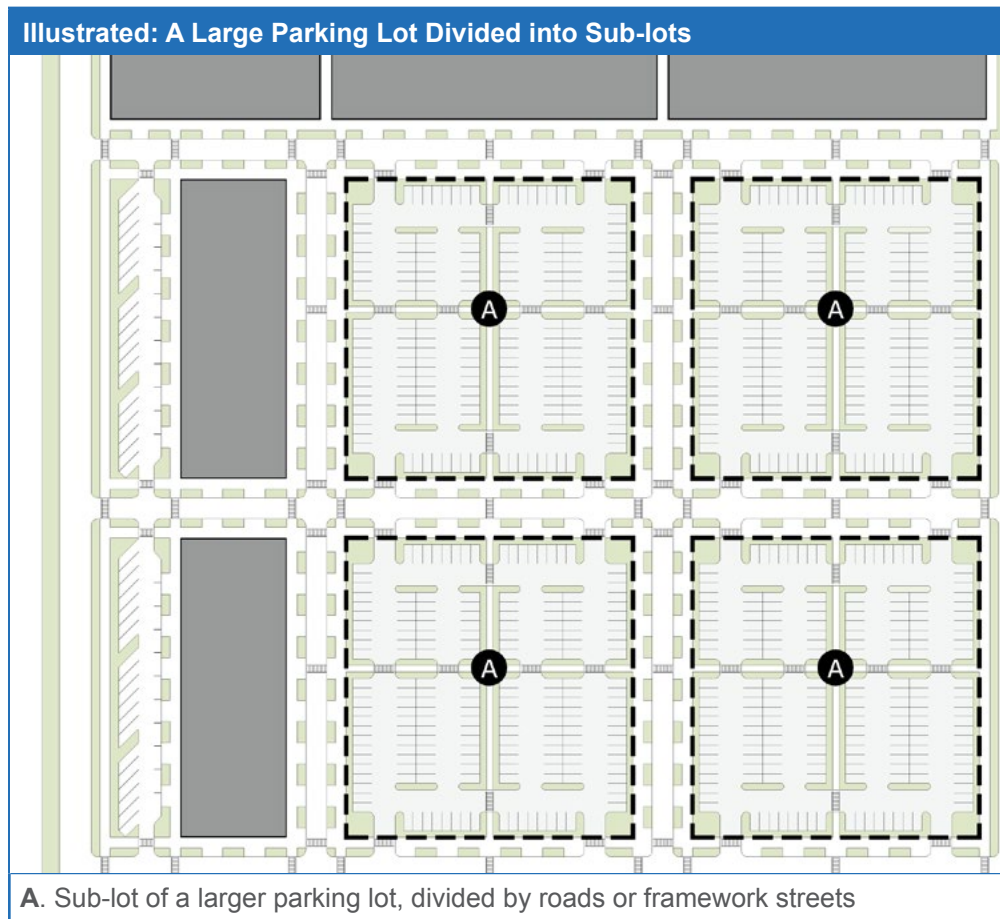
- (1) Parking lots must have an improved surface, including concrete, asphalt, stone, and other permanent surfaces, but not including gravel, wood chips, mulch or other materials subject to decay, for all vehicle use areas.
- (2) Parking lots must be properly drained.
- (3) Parking lots must be designed to separate pedestrian and vehicle circulation for safety, as specified in (i) [Pedestrian Walkways and Facilities](#).
- (4) Parking lots must meet all accessibility requirements of applicable federal and state standards.
- (5) If located within a proposed parking lot, specimen and heritage trees must be incorporated into the overall design with landscape islands or buffers encompassing the entire critical root zone, per Article VIII, Division 2, Sections 15-302 and 303.

**(f) Cross-Access Easements.**

In T5, T6, SZ-LI, and SZ-EN a cross-access easement must be provided wherever feasible between off-street parking areas on abutting sites.

**(g) Sub-lots Required for Large Parking Lots.**

- (1) Parking lots that exceed maximum block perimeter, as specified in [Article 5, Division 1: Site Development](#), must be divided into parking sub-lots, as illustrated in [Figure 53: Parking Lot Sub-lots](#).
- (2) Sub-lots must be divided by roads or framework streets, designed as specified in [Article 5, Division 2: Roads](#).
- (3) Each resulting sub-lot must not exceed the maximum block perimeter.

**Figure 53: Parking Lot Sub-lots**

**(h) Parking Space Standards.**

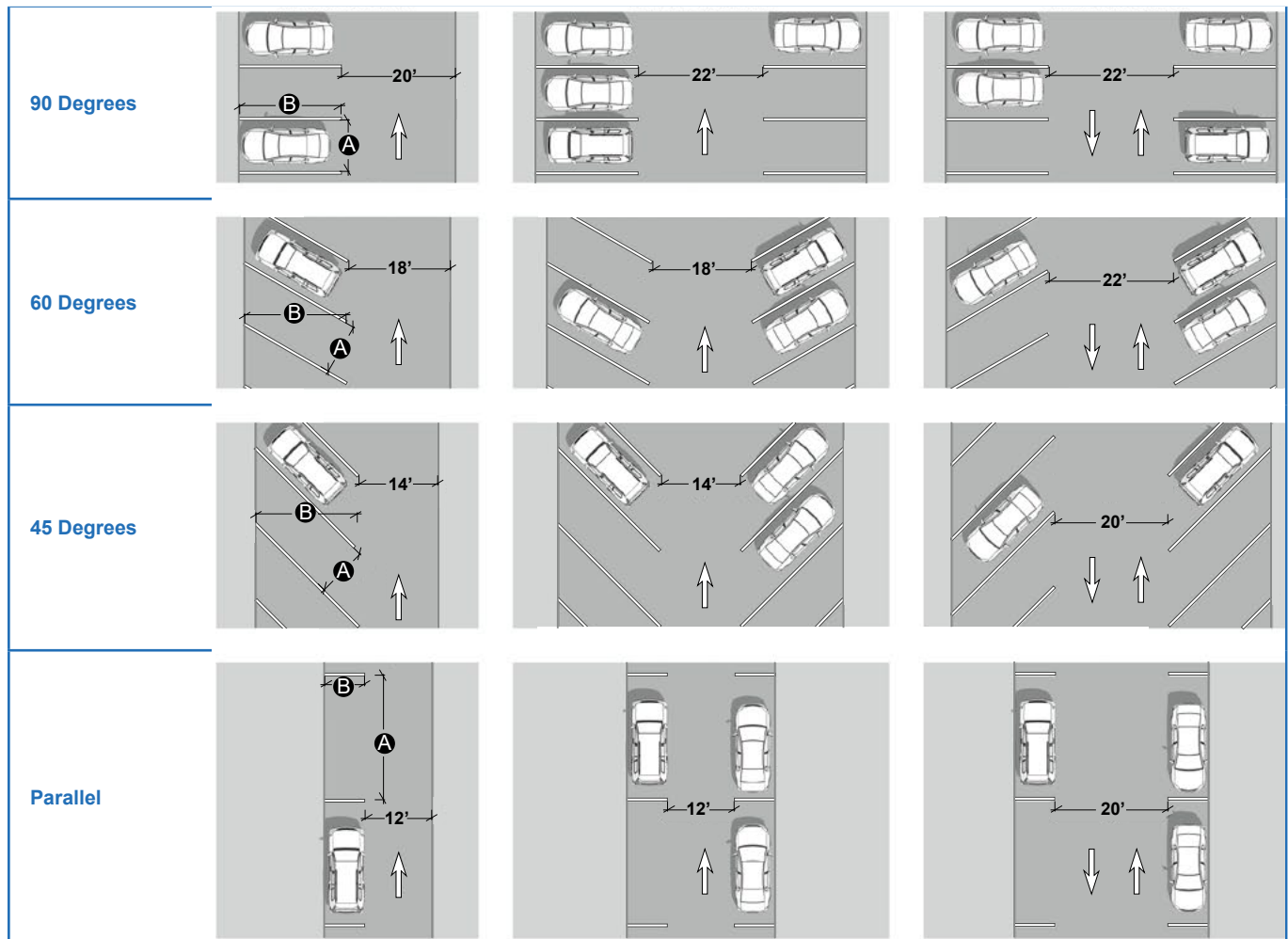
- (1) Parking must be restricted to designated parking spaces only, except in areas designated for valet parking use.
- (2) Parking must not encroach into drive aisles or fire lanes.
- (3) Off-street parking stalls and aisles must be dimensioned according to [Table 54: Off-Street Parking Minimum Dimensions](#), and as follows:
  - a. Parking space width is measured from the centerline of stripes;
  - b. Fire lanes may be required by the Fire Rescue Department where necessary for fire access;
  - c. Accessible parking spaces must be provided in accordance with ADA requirements;
  - d. Tandem parking may be provided for:
    1. Single and townhouse dwellings;
    2. Duplexes, triplex, and multi-dwellings provided tandem spaces are limited to use by the same dwelling;
    3. Live-Work for the residential use only; and
    4. Single dwelling transient rental, timeshares, short-term rentals, and vacation rentals provided tandem spaces are limited to use by the same rental unit.
  - e. Compact car parking may be provided for up to 25% of required parking spaces and must be clearly marked or posted for "Compact Cars Only"; and
  - f. Subcompact car parking may be provided for up to 25% of compact car parking spaces and must be clearly marked or posted for "Subcompact Cars Only."
  - g. Charging equipment must be located outside the minimum parking stall dimensions and any required vehicular or pedestrian circulation.
- (4) Whenever parking facilities directly abut pedestrian walkways, the pedestrian walkways must be a minimum of 7 feet wide and wheel stops are required;
- (5) All parking spaces must have direct and unobstructed access from a drive aisle. Aisles and driveways must not be used for the parking or loading of vehicles, except dedicated parallel parking spaces along driveways.
- (6) Parking or storage of vehicles is prohibited on any portion of a building site except on those areas which have been specifically permitted and constructed as parking spaces or vehicular use areas.

## PARKING AND LOADING

**Table 54: Off-Street Parking Minimum Dimensions**

| Parking Lot Minimum Aisle Dimensions                                                   |                                            |                                                                                                                                                                         |                              |
|----------------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| Angle of Parking                                                                       | One-Way, Single Loaded Aisle               | One-Way, Double Loaded Aisle                                                                                                                                            | Two-Way, Double Loaded Aisle |
| 90 Degrees*                                                                            | 20 ft. min.                                | 22 ft. min.                                                                                                                                                             | 22 ft. min.                  |
| 60 Degrees*                                                                            | 18 ft. min.                                | 18 ft. min.                                                                                                                                                             | 22 ft. min.                  |
| 45 Degrees*                                                                            | 14 ft. min.                                | 14 ft. min.                                                                                                                                                             | 20 ft. min.                  |
| Parallel*                                                                              | 12 ft. min.                                | 12 ft. min.                                                                                                                                                             | 20 ft. min.                  |
| * Parking configurations require adequate circulation or a designated turnaround area. |                                            |                                                                                                                                                                         |                              |
| Parking Stall Minimum Dimensions                                                       |                                            |                                                                                                                                                                         |                              |
| Parking Stall Type                                                                     | A<br>Stall Width                           | B<br>Stall Depth                                                                                                                                                        |                              |
| Standard Stall                                                                         | 9 ft. wide min.                            | 18 ft. long min.<br>where stalls abut landscaped areas, stall depth may be reduced to 16ft. provided any wheel stops allow for a 2ft. overhang into the landscaped area |                              |
| Compact Stall                                                                          | 8 ft. wide min.                            | 16 ft. long min.                                                                                                                                                        |                              |
| Subcompact Stall                                                                       | 8 ft. wide min.                            | 14 ft. long min.                                                                                                                                                        |                              |
| Parallel Stall                                                                         | 7 ft. wide min.                            | 22 ft. long min.                                                                                                                                                        |                              |
| ADA Stall                                                                              | 12 ft. wide min. plus a 5 ft. access aisle | 18 ft. long min.                                                                                                                                                        |                              |
| Parallel ADA Stall                                                                     | 13 ft. wide min.                           | 24 ft. long min.                                                                                                                                                        |                              |
| Illustrated: Parking Stall and Aisle Measurements                                      |                                            |                                                                                                                                                                         |                              |
| Single-loaded Aisle                                                                    |                                            | Double-loaded Aisle                                                                                                                                                     | Double-loaded Aisle, Two-way |





**(i) Pedestrian Walkways and Facilities.**

- (1) Pedestrian walkways must connect to pedestrian building entrances, on-site facilities, adjacent cross-block passages, adjacent public sidewalks, bicycle parking areas, transit stops, and adjacent walkways on abutting parcels.
- (2) Pedestrian walkways must connect building entries facing towards frontages directly with sidewalks.
- (3) Pedestrian access points must be located at the earliest point of off-site pedestrian walkway contact.
- (4) Pedestrian walkways must be provided in accordance with ADA requirements.
- (5) Pedestrian walkways must meet the following minimum widths:
  - a. In T2, T3, T4, CZ, SZ-ED, SZ-MH, SZ-LI, and SZ-HI:
    1. 5 feet in width; and
    2. 7 feet in width when abutting parking spaces.
  - b. In T5, T6, and SZ-EN: 8 feet in width.
- (6) Parking lots must provide pedestrian walkways as illustrated in [Figure 56: Parking Lot Design Requirements](#), and as follows:
  - a. Walkways must include clearly delineated pavement markings, materials or treatments, and crosswalks;
  - b. Separate paths must be provided for pedestrian and vehicular access and movement;
  - c. Pedestrian walkways must be provided along landscape strips separating parking sub-lots;
  - d. One dedicated pedestrian walkway must be provided along the length of parking aisles for every third double loaded aisles;
  - e. One dedicated pedestrian walkway must be provided perpendicular to parking aisles for every 20 parking spaces;
  - f. Drive aisle crosswalks must be provided where pedestrian walkways cross drive aisles, and must include special-emphasis thermoplastic crosswalk markings, or be constructed with a visibly distinct alternative paving material other than asphalt subject to the approval of the County Engineer;
- (7) One pedestrian access point must be provided for each vehicular access point, connecting to adjacent sidewalks, subject to the following:
  - a. Vehicular access points intended primarily for service, delivery, or employee vehicles are exempt; and
  - b. Where vehicular access points separate ingress and egress, one pedestrian access point is required for each set of one ingress and one egress lane (e.g. separated ingress and egress requires 2 pedestrian

## PARKING AND LOADING

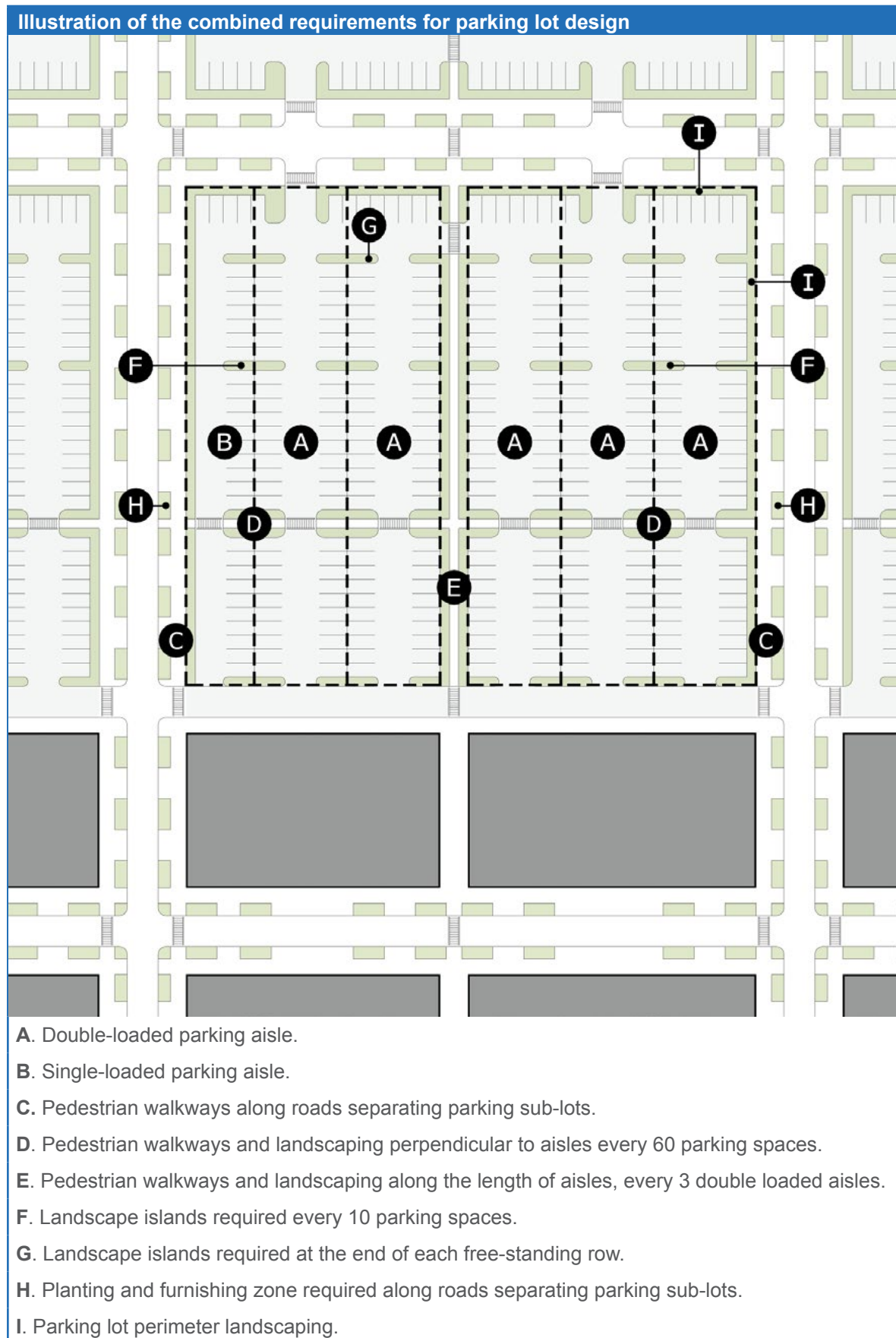
- (8) Pedestrian walkways must be constructed of concrete, stamped or textured concrete, asphalt, or other material as may be approved by the County Engineer.
- (9) An accessible route must be provided between all accessible building entrances, adjacent sidewalks, accessible parking spaces, passenger loading zones, and transit stops.
- (10) Approximately one year after issuance of a Certificate of Occupancy, the engineer of record must certify in writing to the Development Engineering Division that pedestrian accommodations function as designed and have been maintained properly. If a site's pedestrian accommodations are not compliant with this section, the County may issue notice to the property owner, and the property owner is responsible for restoring pedestrian accommodations, including crosswalk markings, within a time period acceptable to the County.

**(j) Parking Lot Landscaping.**

- (1) Paved, open-air parking lots must be landscaped as specified in [Table 55: Parking Lot Landscape Requirements](#) and generally illustrated in [Figure 56: Parking Lot Design Requirements](#).
- (2) Landscaping must not interfere with utilities or sight distances necessary for safe operation of vehicles.
- (3) Landscape screening in the form of streetscreens, subject to [Sec. 40-74\(b\) Streetscreens.](#), are required as follows:
  - a. Where the parking lot is not located behind buildings relative to primary or secondary frontages, a streetscreen is required along the frontage;
  - b. Where the parking lot is located along alleys and T3, T4.1, or T4.2 is located across the alley, a streetscreen is required along the alley except where both uses are non-residential; and
  - c. Where the parking lot abuts a cross-block pedestrian walkway, as referenced in, [Sec. 40-205\(f\) Blocks.](#) or a bicycle or shared use path, a streetscreen is required along the walkway or path.

**Table 55: Parking Lot Landscape Requirements**

| Landscape Requirements              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Minimum Tree Requirement            | v. One canopy tree must be planted for every 10 parking spaces, minimum, excluding parking lot perimeter landscaping. This requirement is cumulative, including all trees provided within the parking lot.                                                                                                                                                                                                                                                                                                                                                                                           |
| Required Landscape Islands          | vi. Landscape islands are required at the ends of free-standing parking rows;<br>vii. Continuous rows of parking spaces require landscape islands at least one island for every 10 spaces;<br>viii. The landscape island planting area must be a minimum of 8 feet wide. The length of the planting area shall be a minimum of 8 feet long or the length of the abutting parking space(s) whichever is greater; and<br>ix. Turf, turfgrass, sod, artificial turf, and other inorganic materials such as rocks or gravel are not permitted.                                                           |
| Trees Required in Landscape Islands | x. One canopy tree is required per single-loaded island; and<br>xi. 2 canopy trees are required per double-loaded island.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Perimeter Landscaping               | xii. The parking lot must include an 8 foot minimum landscape area along the entire perimeter;<br>xiii. Canopy trees are required at a maximum spacing of 40 feet on-center;<br>xiv. Understory trees, spaced at a maximum of 20 feet on-center, may be provided in lieu of canopy trees where restricted by utilities or building adjacency;<br>xv. Must include a hedge, a minimum of 3 feet in height, 50% opaque at planting and capable of attaining a height of 5 feet and 75% opaqueness within 18 months; and<br>xvi. Streetscreen landscaping may fulfill perimeter landscape requirements. |
| Pedestrian Path Landscape           | xvii. Landscaping is required in a 8 foot wide minimum planting strip along at least one side of each pedestrian path, planted with a combination of trees, shrubs, and groundcover;<br>xviii. Canopy trees are required at a maximum spacing of 40 feet on-center;<br>xix. Understory trees, spaced at a maximum of 20 feet on-center, may be provided in lieu of canopy trees where restricted by utilities or building adjacency;<br>xx. Turf, turfgrass, sod, artificial turf, and other inorganic materials such as rocks or gravel are not permitted.                                          |

**Figure 56: Parking Lot Design Requirements**

## PARKING AND LOADING

**SEC. 40-84 BICYCLE PARKING REQUIREMENTS.**

Minimum required bicycle parking is specified in [Table 57: Required Bicycle Parking](#) and must meet the following requirements:

- (1) Qualifying bicycle spaces must meet the requirements of [Sec. 40-85 Bicycle Parking Design Standards.](#);
- (2) Applicants for businesses whose customers are unlikely to visit by bicycle may request a reduction to short-term bicycle parking requirements by Minor Deviation from the Zoning Manager, to no fewer than 6 spaces as specified in [Table 5: Minor Deviation Review Criteria](#); and
- (3) When requirements results in a fractional number, fractions greater than or equal to 0.5 are rounded up and fractions less than 0.5 are rounded down.

**Table 57: Required Bicycle Parking**

| Residential                       | Short Term                                                                                                                | Long Term                                                                                                                                        |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Multi-unit < 6 Units              | n/a                                                                                                                       | n/a                                                                                                                                              |
| Multi-unit > 6 Units              | 0.25 spaces per unit up to 30 spaces                                                                                      | 0.25 spaces per unit up to 50 spaces                                                                                                             |
| Lodging                           | Short Term                                                                                                                | Long Term                                                                                                                                        |
| Student & Boardinghouses          | 0.25 spaces per bedroom up to 30 spaces                                                                                   | 0.25 spaces per bedroom                                                                                                                          |
| Hotels, Timeshares, Other Lodging | 1 space / 80 keys + requirements for commercial uses as applicable                                                        | 0.25 spaces / key up to 20 spaces                                                                                                                |
| Commercial / Institutional        | Short Term                                                                                                                | Long Term                                                                                                                                        |
| Food & Beverage                   | 0.5 spaces / 1,000 sq.ft.                                                                                                 | 1 space / 25,000 sq.ft.                                                                                                                          |
| Office / Medical                  | 0.3 spaces / 1,000 sq.ft.                                                                                                 | 0.2 spaces / 1,000 sq.ft.                                                                                                                        |
| Place Of Assembly                 | 0.25 spaces / 1,000 sq.ft.                                                                                                | 1 space / 25,000 sq.ft.                                                                                                                          |
| Retail / General Commercial       | 0.5 spaces / 1,000 sq.ft.                                                                                                 |                                                                                                                                                  |
| Classroom: College / Adult        | 0.5 spaces / 1,000 sq.ft.                                                                                                 | 1 space / 5 classrooms                                                                                                                           |
| Classroom: K-12                   | 8 spaces + requirements for Places of Assembly as applicable                                                              | Elementary : 8 spaces + 0.25 spaces / 1000 sq. ft.<br>Middle: 12 spaces + 0.25 spaces/1000 sq. ft.<br>High: 12 spaces + 0.35 spaces/1000 sq. ft. |
| Classroom: Daycare                | 1 space / 1,000 sq.ft.                                                                                                    | n/a                                                                                                                                              |
| Industrial                        | Short Term                                                                                                                | Long Term                                                                                                                                        |
| Self-Storage Warehouse            | 4 spaces                                                                                                                  | 1 space                                                                                                                                          |
| All Other Industrial              | 1 space / 50,000 sq.ft.                                                                                                   | 1 space / 30,000 sq.ft.                                                                                                                          |
| All Other                         | For any use not listed, the Zoning Manager may make a determination of similarity to a listed use or combination of uses. |                                                                                                                                                  |

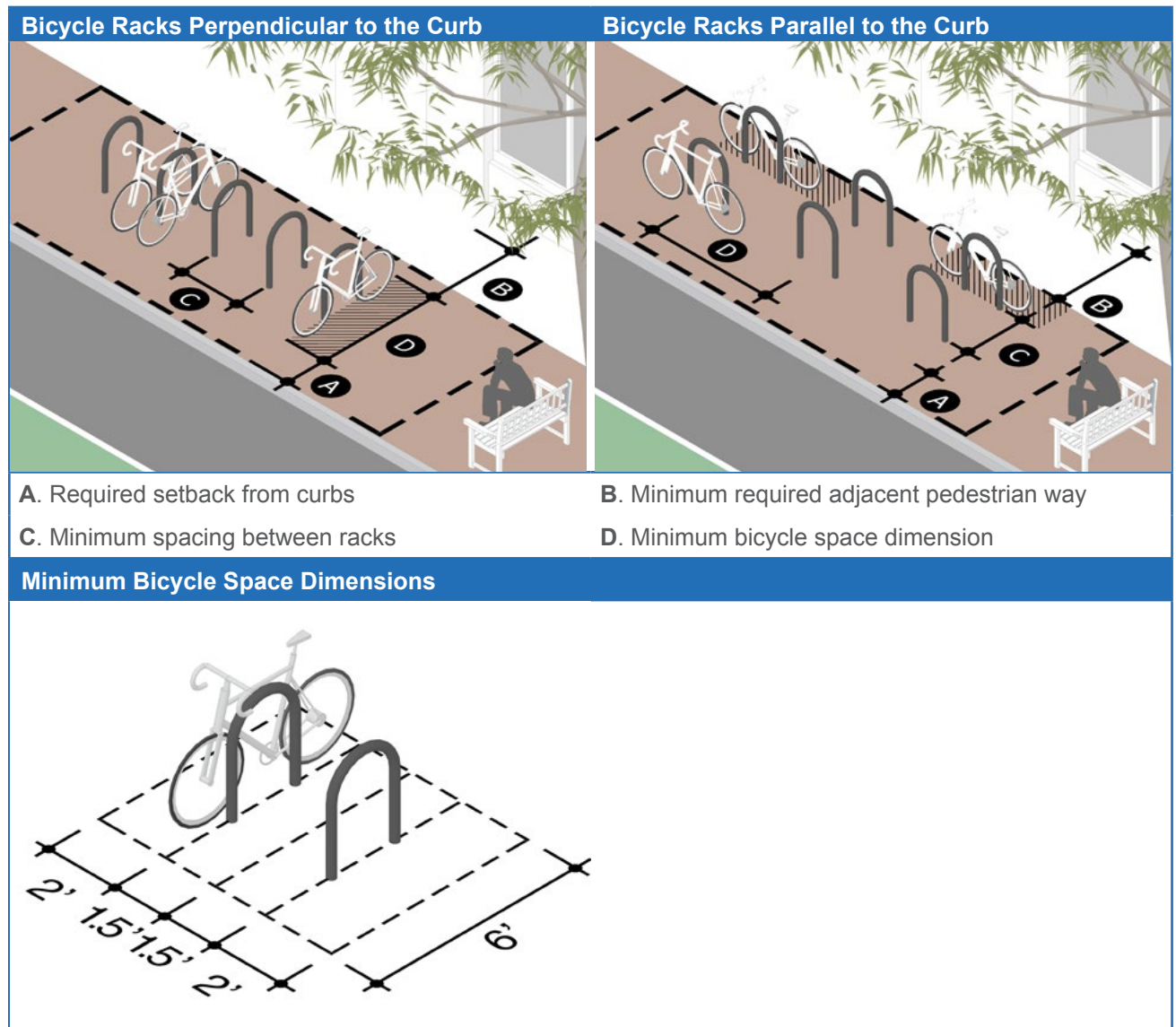
**SEC. 40-85 BICYCLE PARKING DESIGN STANDARDS.**

- (a) Bicycle parking location is limited as follows:
  - (1) Bicycle spaces located within individual dwellings may not be counted toward required bicycle parking;
  - (2) Bicycle spaces located within a parking structure must be:
    - a. On the ground floor; and
    - b. Located within 50 feet of a pedestrian entrance to the parking structure.
  - (3) Bicycle parking must be located on the same building site as the use being served.
  - (4) Short-term bicycle parking spaces must be provided as follows:
    - a. A minimum of 50% of required spaces must be located within 50 feet of a sidewalk adjacent entrance or the principal entrance of the associated use. All other parking must be within 200 feet of the principal entrance and accessible to the intended users through a pedestrian path;
    - b. For buildings with more than 1 main entrance, bicycle spaces must be distributed along all façades with operational entrances for the intended users, and be located within 50 feet of each entrance;
    - c. If any required short-term bicycle parking is not visible from sidewalks, shared use paths, or the principal entrance, signs must be posted indicating the parking location; and
    - d. Bicycle parking located within planting and furnishing zones, streets, or rights-of-way adjacent to lot boundaries count toward minimum required short-term spaces.
  - (5) Long-term bicycle parking spaces must be provided indoors or otherwise protected from the weather and theft as follows:
    - a. Required spaces may be provided as bicycle racks in fenced areas with restricted access installed under roof, under stairwells, or in structured parking facilities;
    - b. Required spaces may be provided inside of a lobby, clubhouse, or common area; in a storage room with restricted access; in bicycle lockers; and in garages assigned to individual units;
    - c. Where long-term bicycle parking is not within a building or locker, weather protection must be provided that is:
      - 1. Permanent;
      - 2. Impervious;
      - 3. Not more than 8 feet above the ground level; and
      - 4. That projects out a minimum of 2 feet beyond the bicycle parking spaces on the portion of the structure that is not enclosed by a wall.
    - d. Bicycle spaces must be within 200 feet of an operational entrance to the building accessible to the intended users.
  - (6) Bicycle racks must not be located within:
    - a. 5 feet of fire hydrants;
    - b. 4 feet of loading zones, bus stop signs or shelters;
    - c. 3 feet of driveways, manholes, benches, trash receptacles, and buildings;
    - d. 2 feet of utility meters;
    - e. Any landscaped areas, including landscape islands and buffers; and
    - f. Pedestrian walkways and sidewalks.
  - (7) The location criteria for visitors spaces for assembly and entertainment uses that typically host visitors for between 2 and 4 hours may be adjusted by Minor Deviation from the Zoning Manager in order to provide an alternative location that increases security or improves weather protection, as specified in [Table 5: Minor Deviation Review Criteria](#).
- (b) Bicycle parking located within the furnishing zone is subject to the following, as illustrated in [Figure 58: Bicycle Parking Dimensions](#):
  - (1) Bicycle racks must be outside of clear zones and the associated bicycle parking space must be set back a minimum of 2 feet from the curb;
  - (2) Bicycle racks must allow for a 5 foot minimum pedestrian way along sidewalks, measured from the edge of the associated bicycle parking space;
  - (3) Bicycle racks must be spaced to provide the minimum bicycle space;
  - (4) Minimum bicycle rack spaces are 6 feet long by 2 feet wide at the end of rows and 1.5 feet wide between racks; and
  - (5) Bicycle racks located in a right-of-way must be approved by County Engineer and subject to a right-of-way use agreement

## PARKING AND LOADING

- (c) All standard bicycle spaces must comply with the following performance standards:
  - (1) The parking surface must be paved and accessible to a sidewalk, trail or vehicular circulation area via a level-surface or compliant accessible ramp;
  - (2) Bicycle spaces must provide vertical clearance of at least 6 feet;
  - (3) Bicycle racks must be an inverted "U"/hoop rack securely anchored to a paved surface with tamper-resistant hardware;
  - (4) Bicycle racks must have a minimum tube diameter of 1.9 inches and be galvanized, powder coated, or coated with another weather-proof surface as may be approved by the Zoning Manager;
  - (5) Bicycle racks must be a maximum height of 36 inches, a minimum of 30 inches on center between horizontal rows, and a minimum of 24 inches from any wall, curb, landscaping, or other obstruction;
  - (6) At least 5 feet must be provided behind all bicycle spaces to allow room for bicycle maneuvering. Where short-term bicycle parking is adjacent to a sidewalk or other unobstructed paved area not specified for vehicular travel, the maneuvering area may extend into the walkway; and
  - (7) If a building has an arcade, colonnade, or other fixed shade structure, bicycle racks should be installed under this feature to provide shaded parking.
- (d) Alternative bicycle rack designs may be approved, provided they comply with the following standards:
  - (1) Alternative designs must accept multiple bicycle frame sizes and styles and accommodate the use of cable and U-type locks;
  - (2) Alternative designs must support a bicycle frame at 2 points above the wheel hubs to allow the frame and at least 1 wheel of the bicycle to be locked to the rack without lifting the bicycle onto the device;
  - (3) Alternative designs must be easy to understand and operate, with no moving parts;
  - (4) Alternative designs must be galvanized, powder coated, or coated with another weather-proof surface as may be approved by the Zoning Manager.



**Figure 58: Bicycle Parking Dimensions**

SEC. 40-86    *RESERVED.*

SEC. 40-87    *RESERVED.*

SEC. 40-88    *RESERVED.*

SEC. 40-89    *RESERVED.*

SEC. 40-90    *RESERVED.*

PARKING AND LOADING

***DIVISION 5: LANDSCAPE STANDARDS******SEC. 40-91 GENERAL REQUIREMENTS.******(a) Intent.***

- (1) To provide for healthy, long-lived landscapes to improve the appearance of the County;
- (2) To increase the compatibility of adjacent uses;
- (3) To reduce the visibility of service areas, open storage, and refuse areas;
- (4) To conserve water and energy resources and decrease the need for applying fertilizer and pesticides by achieving and maintaining sustainable, functional landscapes;
- (5) To strengthen the health and diversity of the urban forest with a focus on expanding tree canopy coverage, removing invasive species, and increasing the prevalence of landscapes containing native and Florida Friendly species;
- (6) To minimize stormwater run-off and erosion, and encourage stormwater infiltration and aquifer recharge, where appropriate conditions allow;
- (7) To ensure all new residential properties are planted with native and/or Florida Friendly landscaping, including canopy trees that provide shade, clean air, mitigate stormwater, and provide a sense of place for the neighborhood;
- (8) To encourage incorporating organic compost soil amendments in new developments to conserve water and decrease the need for irrigation; and
- (9) To further policies within Vision 2050 Objective LMN 8.2 Natural Resource Protection.

***(b) Applicability.***

- (1) The landscape requirements herein apply to all new development.
- (2) Non-conforming buildings, structures or the associated vehicular use areas built or permitted prior to the adoption of this Code, may undergo site improvements and building additions in accordance with [Sec. 40-43 Alterations, Maintenance, and Expansions](#).
- (3) The provisions of this Code do not apply to any property, structure, or building for which a building permit has been issued by the County Building Official, a complete application for a building permit has been submitted to the County Building Division, a complete application for a development plan or preliminary Subdivision Plan has been submitted to the County, prior to **(date of Code adoption)**.
- (4) Prior to issuance of the certificate of occupancy, all newly developed properties and any new improvements to properties must be in compliance with this Division.
- (5) Minimum landscape requirements are located elsewhere as follows:
  - a. [Division 2: Special Zones](#), specifying requirements for each Special Zone;
  - b. [Sec. 40-70 Perimeter Trees](#)
  - c. [Sec. 40-71 Transitions Between Zones.](#);
  - d. [Sec. 40-73\(b\) Frontage Setbacks.](#);
  - e. [Sec. 40-74 Screening and Buffering.](#);
  - f. [Sec. 40-83 Off-street Parking Design Standards.](#);
  - g. [Article 4, Division 5: Regulations for Specific Uses](#);
  - h. [Sec. 40-178\(j\) Landscaping.](#)
  - i. [Sec. 40-205\(g\) Cross-block Passages.](#);
  - j. [Sec. 40-205\(6\) Non-vehicular Ways](#);
  - k. [Sec. 40-205\(7\) Frontage Parking Lanes](#)
  - l. [Sec. 40-215\(c\) Planting and Furnishing Zone.](#);
  - m. [Sec. 40-215\(d\) Trees and Planters.](#); and
  - n. [Article 5, Division 4: Civic and Open Space.](#)

***(c) Exemptions.***

- (1) Single and duplex dwelling developments are exempted from this Division, except [\(f\) Residential Lot Landscape](#).
- (2) Landscape buffers are exempt in the following conditions:
  - a. Shared Driveways
    1. Buffers are not required along that portion of the property line where a driveway is shared between 2 adjoining properties.
  - b. Points of Access
    1. Landscaping is not required at separated bike lanes, sidewalks, driveways, shared use paths, or other

## LANDSCAPE STANDARDS

points of access to a property.

- (3) Temporary Uses
  - a. These provisions do not apply to temporary uses.

**(d) Plans Required.**

- (1) All plans are subject to the requirements of [Sec. 40-33 Landscape Plan](#).
- (2) Invasive species must be removed from the property, and the landscape plan may not incorporate prohibited invasive exotic plant species as specified in [Table 61: Restricted Stock List](#), the Florida Noxious Weed List, Florida Invasive Species Council List of Invasive Plant Species Category 1 and 2 and the Florida Prohibited Aquatic Plants List, as published by the University of Florida Center for Aquatic and Invasive Plants.
  - a. Removal of invasive species within a wetland requires permitting through EPD.
- (3) Any landscape and irrigation installed in County right-of-way must meet FDOT criteria and have a Landscaping and Maintenance Use Agreement from Public Works and Drainage in place prior to approval.

**(e) Existing Landscape.**

- (1) Existing vegetation within the proposed limit of work, within the property, may only count towards these requirements of any section of this Division if they are determined to be adequately preserved, and are determined to comply with this Division requirements by a County Arborist.
- (2) Existing vegetation located outside the proposed limit of work, within the property, may only count towards these requirements of any section of this Division if they are determined to be adequately preserved, and if an easement protecting the vegetation from future impacts is recorded and are determined to comply with Division requirements by a County Arborist.
  - a. The preservation of trees must comply with Sec.15-306(a)(4).

**(f) Residential Lot Landscape.**

- (1) Landscaping is subject to the following general requirements:
  - a. All areas must be maintained free of weeds, debris, and litter;
  - b. All plant materials must be kept in a healthy and thriving condition;
  - c. Overgrown, diseased, or dead vegetation must be promptly removed and replaced;
  - d. Landscaping must not obstruct or impede sidewalks, driveways, pathways, address signs, or required sightlines for driveways, as determined by the County Engineer; and
  - e. Failure to maintain single and duplex dwelling landscaping may result in Code Enforcement action.
- (2) The following number of trees must be provided within each residential lot, except in T5 and T6, according to lot area:
  - a. Less than 5,000 square feet: 1 tree, minimum;
  - b. 5,000 to 7,999 square feet: 2 trees, minimum;
  - c. 8,000 to 11,999 square feet: 4 trees, minimum;
  - d. 12,000 to 19,999 square feet: 5 trees, minimum; and
  - e. 20,000 square feet or greater: 6 trees, minimum.
- (3) Additional tree and landscape requirements are found in:
  - a. [Sec. 40-71\(b\) Side and Rear Buffers.](#);
  - b. [Sec. 40-74 Screening and Buffering.](#);
  - c. [Sec. 40-73\(b\) Frontage Setbacks.](#); and
  - d. [Sec. 40-83\(j\) Parking Lot Landscaping.](#)
- (4) Required trees must comply with the following:
  - a. Understory trees may make up to 25 percent of the required number of trees;
  - b. Required trees must be selected from the recommended stock list in [Table 60: Recommended Stock, Non-comprehensive List](#) and exclude prohibited specified in [Table 61: Restricted Stock List](#);
  - c. Replacement trees used on lots and preserved trees can count toward this requirement;
  - d. Must be a minimum of 8 feet in height and at least 2 inches in caliper; and
  - e. Required trees may count toward replacement requirements if they are at least 10 feet in height and are at least 3 inches in caliper.

**SEC. 40-92 INSTALLATION OF LANDSCAPE.****(a) General.**

- (1) Florida Standards
  - a. Best management practices and procedures are required according to the most recent edition of Florida Grades and Standards for Nursery Plants and Florida Friendly Landscaping Principles;
- (2) National Standards
  - a. For best management practices and procedures not addressed by Florida Grades and Standards for Nursery Plants, the most recent edition of the American Standard for Nursery Stock (ANSI A300) as published by the Tree Care Industry Association is required;
- (3) Landscaping must be fully installed per the required best management practices prior to the issuance of the initial Certificate of Occupancy or Completion, whichever applies, and proven compliant in one of the following ways:
  - a. A landscape inspection conducted by the Zoning Division; or
  - b. An as-built certification from a landscape architect or other qualified professional, whichever is appropriate, that the landscaping is installed and functioning as intended; and
  - c. A temporary certificate of occupancy or completion may be issued in those instances where:
    1. All site improvements except landscaping have been completed;
    2. Where electrical power is required to operate irrigation;
    3. Where lighting is needed to conduct preliminary business within the permitted structures; or
    4. Where weather conditions are not conducive to planting; and
    5. Such temporary issuance is subject to the developer of the project certifying in writing that the required landscaping, as depicted on the approved plan, will be installed within a time period acceptable to the Zoning Manager.
    6. The applicant may be required to post as surety a letter of credit or cash escrow with the Board of County Commissioners in a form acceptable to the County. Such surety, if posted, must be in an amount no less than 125 percent of the estimated cost of completing the approved landscape plan including, but not limited to, plant material, irrigation and labor.
    7. Failure to satisfactorily complete the required landscaping within the specified time period results in the immediate and summary revocation of the temporary certificate of occupancy or completion by the County and the forfeiture of the bond fund.
- (4) All landscape installations must be consistent with the FDOT Greenbook and the Florida Design Manual (FDM), including sight distance triangle requirements; and
- (5) All street tree installations in the right of way must be approved by the County Engineer or their designee.

**(b) Vehicle Protection.**

- (1) All landscaped areas (preserved or installed) must be protected from vehicle encroachment by wheel stops or curbing.

**(c) Stormwater Maintenance.**

- (1) Landscaping adjacent to stormwater ponds and swales must provide a minimum 15 foot clear access for maintenance, subject to approval by the Stormwater Management Division.

**(d) Plant Size Requirements.**

- (1) Plant material must be sized at the time of installation in accordance with [Table 59: Plant Size Requirement](#) and Section 15-306 of County Code, except where another section of this Code requires a higher minimum size planting, in which case the higher minimum is required.

**Table 59: Plant Size Requirement**

| Plant Material Type | Minimum Size                    |
|---------------------|---------------------------------|
| Canopy Tree         | 3-inch caliper x 12-feet height |
| Understory Tree     | 2-inch caliper x 7-feet height  |
| Hedge-Type Shrub    | 30-inch height                  |

## LANDSCAPE STANDARDS

**(e) Condition of Landscape Materials.**

Landscaping materials must meet the following criteria:

- a. Healthy, free of disease, and resistant to disease;
- b. Free of girdling and non-biodegradable materials used for transport;
- c. Protected from damage by grates, pavers, or other measures;
- d. Plant species approved in the Landscaping Plan; and
- e. Plant materials meeting or exceeding "Florida No. 1" as established by the most recent publication of Florida Grades and Standards for Nursery Plants.

**(f) Soil Conditions, Compost, Mulch, and Organic Matter.**

- (1) All construction debris, limerock, and other refuse must be removed to the depth of the root balls.
- (2) Adherence to the latest edition of Best Management Practices for ANSI A300's Soil Management for Urban Trees and other industry standards is required for backfill material used within landscape areas, including but not limited to, buffers, planters, islands, beds, sidewalk cutouts, tree wells and planting strips;
- (3) Backfill materials must have soil amendments and improvements applied to ensure the soil's compaction, organic matter, texture, drainage, biology and chemistry are within appropriate conditions to ensure the long-term success of planted and preserved trees.
- (4) Organic soil amendments comprised of compost or other organic material must be utilized within soil mixtures and comply with the requirements of the US Composting Council Seal of Testing Assurance (STA) and their Landscape Architecture/Design Specification for Compost Use: Section Compost as a Back Fill Mix Component.
  - a. If native soils were retained on site without site preparation that involved grading and filling, organic compost soil amendment is not necessary.
- (5) A layer of organic mulch, installed to a minimum depth of 2 inches, must be specified on the landscape plans in plant beds and around individual trees in turf grass areas.
- (6) Mulch shall not contain foreign matter, such as glass, plastic, or metal shards.
- (7) Rocks and shell do not fulfill the mulch requirement.
- (8) Mulch is not required in annual beds.
- (9) Soil conservation of areas designed to be landscaped that do not require site work must be preserved to promote the retention of native topsoils to ensure the healthy growth of trees, shrubs and groundcover.
- (10) Where native soils must be removed, native soils must be reused to the greatest extent practicable.
- (11) Native topsoils must be protected from degradation, damage or destruction by:
  - a. Protecting soils from contaminants, such as fuel spills, construction debris or improper disposal of waste;
  - b. Maintaining existing noninvasive plants as a cover to control erosion, retain soil water, and promote infiltration until planting approved landscape material is necessary;
  - c. Applying nutrients appropriately (e.g., type, amount, timing) and only when identified to be deficient and necessary to meet the plant health objectives. Apply slow-release nutrients in a way to avoid runoff;
  - d. Matching tree species with the existing soil conditions; and
  - e. Maintaining moisture in the soil to promote plant health and microbial growth. Avoid too much and too little water.

**(g) Econlockhatchee River.**

Where landscaping is required in the Econlockhatchee River Protection Area, the design must use only native plant species and minimize the removal of native understory vegetation to the greatest extent practical per Section 15-442(b) of County Code.

**(h) Wekiva River.**

Where landscaping is required in the Wekiva River Protection Area, the design must use only native plant species and must minimize the removal of native understory vegetation to the greatest extent practical, in order that wildlife habitat will be preserved and maintained and the landscaped areas will blend into nearby natural areas per [Chapter 15, Article XIII, Sec 15-496\(b\)\(10\) of the Orange County Code](#).

**(i) Shingle Creek Basin.**

Where landscaping is required in the Shingle Creek Basin, the design must use a minimum of 50% native or Florida-friendly plant species and minimize the removal of native understory vegetation to the greatest extent practical.



**(j) St. Johns River Basin.**

Where landscaping is required in the St. Johns River Basin, the design must use a minimum of 50% or greater native or Florida-friendly plant species and minimize the removal of native understory vegetation to the greatest extent practical.

**SEC. 40-93 GROUND PLANE VEGETATION.**

All unpaved areas, not otherwise required to be landscaped, must be covered by one of the following:

- (1) Planting Areas
  - a. Planting beds may include native shrubs, ornamental grasses, groundcover, vines, annuals, or perennials.
    1. Annual beds must be maintained, replanting as necessary.
- (2) Turf Grass
  - a. Turf grass areas must be consolidated and limited to the following:
    1. Areas on the site that provide for recreational uses;
    2. Areas that provide soil erosion control such as on slopes or in swales, or other similar practical use; and
    3. Where turf grass is used as a design unifier.
  - b. Grass must be established within 90 days of planting or the area must be reseeded, replugged, or re-sodded.
  - c. Turf grass is prohibited within parking islands.
  - d. Turf grass may not exceed 60% of the total square footage of required landscape areas, not including qualified retention ponds or areas where non-irrigated turf is used for erosion control.
  - e. In lieu of turf grass, native groundcover plants are allowed to exceed more than 60% of the total area of required landscape.

**SEC. 40-94 TREE INSTALLATIONS.****(a) Tree Installation.**

- (1) Tree installation is subject to the standards of [Table 62: Installation of Trees](#).
- (2) New trees must meet the minimum size in caliper inches and overall tree height at the time of planting, according to [Table 59: Plant Size Requirement](#).

**(b) Tree Maintenance.**

- (1) Tree trimming, fertilization, and other maintenance work must follow industry best management practices, including compliance with the Orange County Fertilization Ordinance.

**(c) Tree Species.**

- (1) Trees species must meet the following:
  - a. Native or naturalized to Central Florida, Zone 9B, as per Florida Friendly Landscaping Principles;
  - b. Wind load tolerance appropriate for planting location;
  - c. Drought-tolerant; and
  - d. Resistant to diseases.
- (2) A non-comprehensive list of permitted trees for use in the landscape is provided for convenience in [Table 60: Recommended Stock, Non-comprehensive List](#).
- (3) A non-comprehensive list of prohibited trees for use in the landscape is provided for convenience in [Table 61: Restricted Stock List](#).
- (4) Landscape plans and installations must incorporate the following minimum diversity standards which may be met through multiple phases:
  - a. 2 genera for up to 9 (inclusive) required trees;
  - b. 3 genera for between 10 and 20 (inclusive) required trees;
  - c. 5 genera for between 21 and 50 (inclusive) required trees; and
  - d. 7 genera for greater than 50 required trees.

## LANDSCAPE STANDARDS

- (5) No more than 50% of the required trees may be of any 1 genus.
- (6) No more than 10% of any number of planted trees may be palms.
- (7) Where conditions prohibit canopy trees, such as utilities or insufficient soil volumes, one canopy tree may be replaced with 2 understory trees or 6 palms. The County Arborist or designee must approve all replacements.
- (8) Depending on the proposed location and growing conditions, other tree species not listed in the Florida Friendly Plant List may be considered by the Zoning Manager or designee.

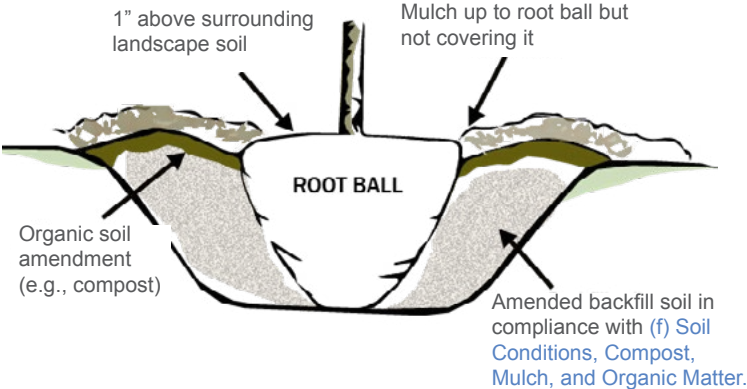
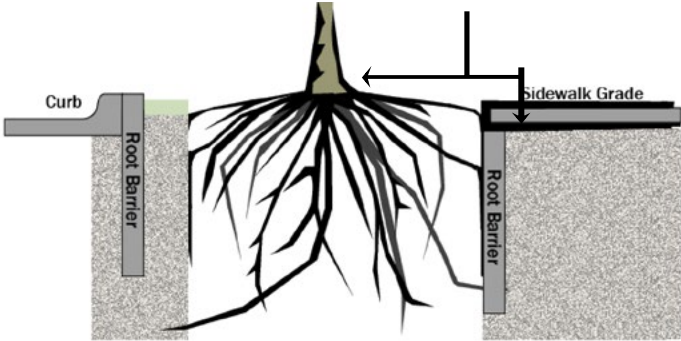
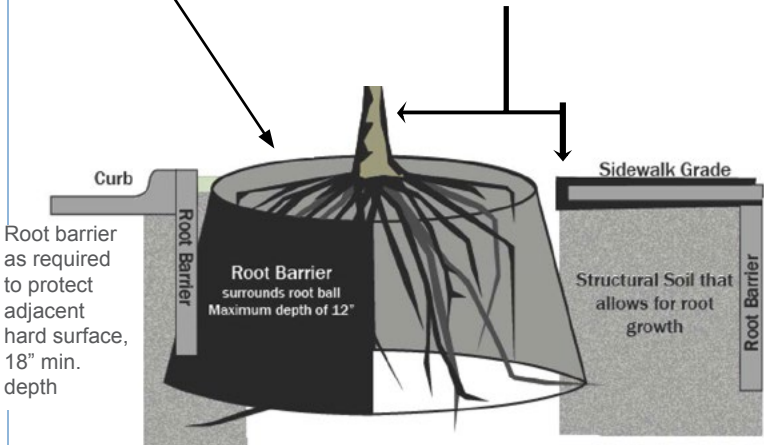
**Table 60: Recommended Stock, Non-comprehensive List**

| Canopy Trees                   |                      | Understory Trees              |                       |
|--------------------------------|----------------------|-------------------------------|-----------------------|
| Scientific Name                | Common Name          | Scientific Name               | Common Name           |
| <i>Acer rubrum</i>             | Red Maple            | <i>Aesculus pavia</i>         | Red Buckeye           |
| <i>Carya floridana</i>         | Scrub Hickory        | <i>Betula Nigra</i>           | River Birch           |
| <i>Carya glabra</i>            | Pignut Hickory       | <i>Cercis canadensis</i>      | Red Bud               |
| <i>Carya illinoensis</i>       | Pecan                | <i>Celtis laevigata</i>       | Sugarberry            |
| <i>Celtis laevigata</i>        | Sugarberry           | <i>Chionanthus virginicus</i> | Fringe Tree           |
| <i>Fraxinus pennsylvanica</i>  | Green Ash            | <i>Cornus florida</i>         | Flowering Dogwood     |
| <i>Juniperus virginiana</i>    | Eastern Red Cedar    | <i>Cornus foemina</i>         | Swamp Dogwood         |
| <i>Liquidambar styraciflua</i> | Sweetgum             | <i>Elaeocarpus decipiens</i>  | Japanese blueberry    |
| <i>Liriodendron tulipifera</i> | Tulip Tree           | <i>Gordonia lasianthus</i>    | Loblolly Bay          |
| <i>Magnolia grandiflora</i>    | Southern Magnolia    | <i>Ilex cassine</i>           | Dahoon Holly          |
| <i>Nyssa sylvatica</i>         | Black Tupelo         | <i>Ilex opaca</i>             | American Holly        |
| <i>Pinus clausa</i>            | Sand Pine            | <i>Lagerstroemia indica</i>   | Crepe Myrtle          |
| <i>Pinus elliotti</i>          | Slash Pine           | <i>Ligustrum japonicum</i>    | Ligustrum             |
| <i>Pinus palustris</i>         | Long Leaf Pine       | <i>Magnolia virginiana</i>    | Sweet Bay             |
| <i>Pinus serotina</i>          | Pond Pine            | <i>Osmanthus americanus</i>   | Wild Olive-Devilwood  |
| <i>Pinus taeda</i>             | Loblolly Pine        | <i>Persea borbonia</i>        | Red Bay               |
| <i>Platanus occidentalis</i>   | Sycamore             | <i>Prunus angustifolia</i>    | Chickasaw Plum        |
| <i>Quercus falcata</i>         | Southern Red Oak     | <i>Prunus serotina</i>        | Black Cherry          |
| <i>Quercus geminata</i>        | Sand Live Oak        | <i>Quercus incana</i>         | Bluejack Oak          |
| <i>Quercus laevis</i>          | Turkey Oak           | <i>Quercus inopina</i>        | Scrub Oak             |
| <i>Quercus laurifolia</i>      | Laurel Oak           | <i>Quercus myrtifolia</i>     | Myrtle Oak            |
| <i>Quercus michauxii</i>       | Swamp Chestnut Oak   | <i>Sabal Palmetto</i>         | Sabal or Cabbage Palm |
| <i>Quercus nigra</i>           | Water Oak            |                               |                       |
| <i>Quercus shumardii</i>       | Shumard Oak          |                               |                       |
| <i>Quercus virginiana</i>      | Live Oak             |                               |                       |
| <i>Taxodium ascendens</i>      | Pond Cypress         |                               |                       |
| <i>Taxodium distichum</i>      | Bald Cypress         |                               |                       |
| <i>Ulmus alata</i>             | Winged Elm; Cork Elm |                               |                       |
| <i>Ulmus parvifolia</i>        | Chinese Elm          |                               |                       |
|                                |                      |                               |                       |

Table 61: Restricted Stock List

| Canopy Trees                |                                   |
|-----------------------------|-----------------------------------|
| Scientific Name             | Common Name                       |
| Albizzia julibrissin        | Mimosa                            |
| Broussonetia papyrifera     | Paper Mulberry                    |
| Casuarina equisetifolia     | Australian Pine                   |
| Cinnamomum camphora         | Camphora                          |
| Enterlobium contortisliquum | Ear Tree                          |
| Eucalyptus camuldulensis    | Eucalyptus                        |
| Grevillea robusta           | Silk Oak                          |
| Jacaranda acutifolia        | Jacaranda                         |
| Leucaena species            | Lead Tree                         |
| Melaleuca species           | Cajeput or Punk Tree              |
| Melia azedarch              | Chinaberry                        |
| Sapium sebiferum            | Chinese Tallow Tree               |
| Schinus terebinthifolius    | Florida Holly or Brazilian Pepper |
| Terminalia catappa          | Tropical Almond                   |

Table 62: Installation of Trees

| Applicable Transect Zones |                                                                                                                                                                                                                                                                                                                                        | Structural Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           |                                                                                                                                                                                                                                                                                                                                        | Note: typical details per transect zone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| T1<br>T2<br>T3            | <p><b>Open Planting Area:</b> trees are planted in natural and open spaces with mulch and compost amendment mixed into back-fill soil to promote moisture retention and conserve water use.</p>                                                      | <p><b>Root Barrier</b></p> <p>N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| T3<br>T4                  | <p><b>Continuous Tree Planting Strip</b></p> <p>Minimum Spacing from Trunk to Edge of Pervious Surface:<br/>See <a href="#">Table 114: Border Types</a> for dimensions</p>                                                                           | <p><b>Root Barrier</b></p> <p>Root Barrier must be a minimum of 18" deep and contain vertical rib, or similar product, that guides root growth downward. Root Barrier must be continuous along the sides of available soil volume. Root barrier not required if the planting space between the trunk and the pavement edge is greater than 10 ft.</p> <p>Root barriers should be placed directly adjacent to the paving with a slight angle to guide roots downward and must always be installed with the top edge of the barrier above the soil and mulch line.</p>                                                                                                                        |
| T4<br>T5<br>T6            | <p><b>Tree Wells and Long Tree Wells</b></p> <p>Barrier can be rectangular or circular, depending on the design</p> <p>Minimum Spacing from Trunk to Edge of Pervious Surface:<br/>See <a href="#">Table 114: Border Types</a> for dimensions</p>  | <p><b>Root Barrier</b></p> <p>Root Barrier must be a minimum of 18" deep and contain vertical rib, or similar product, that guides root growth downward. Root Barrier must be continuous along the perimeter of the available soil volume as outlined in <a href="#">Table 63: Required Tree Planting Dimensions</a></p> <p><b>Soil Volume Calculations</b></p> <p>Refer to <a href="#">Table 63: Required Tree Planting Dimensions</a></p> <p>Soil Volume calculation includes all area that has available soil for the tree, whether the soil extends below adjacent paving or not.</p> <p>Total Soil Volume = Total Area of Available Soil * Depth of Available Soil (8' max. depth)</p> |

**(d) Pervious Surface.**

- (1) For each tree planted, a minimum amount of pervious surface area is required, as specified in [Table 63: Required Tree Planting Dimensions](#).
- (2) Pervious materials such as permeable pavers, tree grates, or other materials in the planting and furniture zone requires approval by the Zoning Manager or designee. If located in the right-of-way, materials require County Engineer approval.
- (3) Pervious areas are subject to the following:
  - a. The pervious area for one tree cannot count toward that of another tree;
  - b. Pervious materials within streets, such as permeable pavers, must be maintained to provide a walkable surface. If a walkable surface is not provided around the tree, groundcover or alternative plantings must be provided, as defined in [Sec. 40-214\(c\) Planting and Furnishing Zone](#). and
  - c. For preserved trees see [Chapter 15, Article VIII \(Tree Protection and Removal\) of the Orange County Code](#).

**(e) Soil volume.**

- (1) For each tree planted adjacent to pavement, a minimum amount of soil volume must be provided as specified in [Table 63: Required Tree Planting Dimensions](#) and as follows:
  - a. Soil volume is calculated as the length, width, and depth of all accessible soil allowing for root growth;
  - b. Minimum soil depth is 4 feet below grade; and
  - c. Available soil may extend under the pavement, subject to approval by the Zoning Manager or designee.
- (2) Where tree wells are used, a soil profile that encourages root growth below hardscape must be provided to meet the soil volume requirements of [Table 63: Required Tree Planting Dimensions](#) subject to the following:
  - a. The use of structural soil, structural cells, additional engineered solutions or similar weight bearing material is required;
  - b. Material must allow for root penetration and meet applicable structural standards for surface load requirements of pavement; and
  - c. Structural soils and related pavement must be maintained by the property owner, POA, HOA, or similar privately administered entity by Use Agreement.

**Table 63: Required Tree Planting Dimensions**

| Tree Type          | Soil Volume Available | Minimum Pervious Surface Area |
|--------------------|-----------------------|-------------------------------|
| <b>Understory</b>  | 800 cubic ft. min.    | 24 sq.ft. (min. width 6 ft.)  |
| <b>Canopy Tree</b> | 1,600 cubic ft. min.  | 60 sq.ft. (min. width 10 ft.) |

**SEC. 40-95 IRRIGATION SYSTEMS.**

- (a) Irrigation systems for new developments and new irrigation installations at existing developments must meet Florida Water Star certification standards.
- (b) A permanent underground irrigation system is required, or temporary irrigation system as appropriate, providing uniform coverage of all landscape areas and must be designed and installed as set forth in [Chapter 37 of the Orange County Code](#) and as follows:
  - (1) All irrigation must use reclaimed water where available or temporary water source if reclaimed is not available as set forth by the provisions in Chapter 37 of County Code;
  - (2) All mechanical systems, including controllers and back-flow prevention devices, must be fully screened from public view, as specified in [Sec. 40-74\(d\) Utility Appurtenance Screening](#). Maintenance openings must be limited to the greatest extent possible.
- (c) The requirement for irrigation providing uniform coverage may be waived by the Zoning Manager or their designee under one of the following circumstances:
  - (1) When site dimensions and landscape requirements could be serviced by micro-irrigation at the base of the planter, within the drip line of the tree, or by handheld hose or watering can;
  - (2) Where native plant habitat is retained; and
  - (3) Where water-efficient landscaping is proposed as defined in [Sec. 40-96 Water-Efficient Design](#).

## LANDSCAPE STANDARDS

- (d) The irrigation plan must indicate whether irrigation is permanent or temporary for the purpose of establishing plant material.
- (e) Nothing in this ordinance may prohibit a property owner from implementing county-approved low impact development techniques for storm water management and capture or Florida Friendly Landscaping on their land.

**SEC. 40-96 WATER-EFFICIENT DESIGN.****(a) Water Use Zone Mix (40/40/20 plan).**

- (1) Water use zones specified in this section are based upon drought tolerance and soil moisture categories listed in the Florida Friendly Plant List and the following:
  - a. Higher water use zone: A zone containing plants which are generally associated with low to no drought tolerance and wet soils;
  - b. Moderate water use zone: A zone containing plants which are generally associated with medium drought tolerance and medium drained soils; and
  - c. Low water use zone: A zone containing plants which are generally associated with high drought tolerance and well drained soil.
- (2) All landscape plans and schedules must demonstrate the following ratio of plants according to their water use zone:
  - a. High water use zone plants are limited to 20% of plant material;
  - b. Low water use zone plants must comprise at least 40% of the plant material;
  - c. The remaining plant material may be in a moderate or low water use zone;
  - d. Ratios are based upon the total square footage of the area to be landscaped; and
  - e. Tree and plant material must be grouped into zones designated by the water requirements of the plants so that plants are grouped together by irrigation demand, and zones delineated on the landscape plan.
- (3) Portions of the landscape plan dedicated to golf course greens, tees, fairways, primary roughs, or vegetation associated with intensive recreational areas such as playgrounds and football, baseball, and soccer fields are exempt from this requirement.
- (4) Florida Friendly landscaping principles, as described in [F.S. § 373.185\(1\)\(b\)](#), may be utilized for the entire landscape plans. "Florida Friendly Landscaping" means:
  - a. Quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant;
  - b. Planting the right plant in the right place, efficient watering, appropriate fertilization, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste, reduction of storm water runoff, and waterfront protection; and
  - c. Practices such as landscape planning and design, soil analysis, the appropriate use of solid waste compost, minimizing the use of irrigation, and proper maintenance.
- (5) Turf grass must not exceed 60% area to be landscaped whether utilizing the 40/40/20 plan or Florida Friendly Landscaping, not including qualified retention ponds.

**(b) Plant Selection.**

- (1) Plant material must be selected that is best suited to withstand the growing and soil conditions which are found in the micro-climate of each particular location on a site.
- (2) Plant species that are freeze and drought tolerant are expected.
- (3) Native or Florida Friendly species are expected.

**(c) Turf Grass.**

- (1) Turf grass areas must be consolidated and limited to those areas on the site that receive pedestrian traffic, provide for recreational uses, provide soil erosion control such as on slopes or in swales, where turf grass is used as a design unifier, or other similar practical use.
- (2) Turf grass is not permitted in landscape islands or small planting areas 6 feet wide or less on non-residential private properties. Where turf grass is proposed in lieu of groundcover, the landscape plan must indicate the intended use of turf grass areas. Native groundcovers are permitted in landscape islands or small planting areas.



**(d) Mulch.**

- (1) A layer of organic mulch, installed to a minimum depth of 2 inches, must be specified on the landscape plans in plant beds and around individual trees in turf grass areas.
- (2) Mulch shall not contain foreign matter, such as glass, plastic, or metal shards.
- (3) Non-biodegradable materials such as rocks, shells, or other inorganic mulches do not fulfill the mulch requirement.
- (4) Mulch is not required in annual beds.
- (5) Cypress mulch is not permitted.

**(e) Irrigation.**

The irrigation system must be designed to correlate to the organization of plants into water use zones.

**SEC. 40-97 MAINTENANCE OF LANDSCAPE.**

- (a) All landscaping and materials must be maintained in good condition at all times to ensure a healthy and orderly appearance.
- (b) All requisite landscaping, whether preserved or newly planted, must demonstrate health and viability after issuance of the certificate of occupancy/completion. The county may perform a courtesy inspection of the landscaping within 90 days after issuance of the certificate of occupancy/completion. If the landscaping appears to be under stress, staff shall notify the property owner.
- (c) A compliance inspection will be performed approximately 1 year after issuance of a certificate of occupancy/completion, or after actual landscape installation, whichever occurred last.
- (d) Alternatively, a landscape architect or other qualified professional, whichever is appropriate, may certify in writing to the zoning division that the landscape functions as designed and has been maintained properly. If the landscaping is not viable, notice shall be given to the property owner, and the property owner shall be responsible for restoring the landscaping within a time period acceptable to the Zoning Manager.
- (e) The application of fertilizer is subject to the requirements of [Chapter 15, Article XVII \(Fertilizer Management Ordinance\) of the Orange County Code](#).
- (f) Penalties
  - (1) Failure to have or maintain landscaping consistent with the approved landscape plan will constitute a violation subject to penalties per [Section 1-9 of the Orange County Code](#).
  - (2) The Board of County Commissioners may bring suit in the circuit court to restrain, enjoin, or otherwise prevent violation of or enforce compliance with this chapter.

**SEC. 40-98 RESERVED.****SEC. 40-99 RESERVED.****SEC. 40-100 RESERVED.**

## SIGNS

***DIVISION 6: SIGNS******SEC. 40-101 INTENT.***

To regulate the number, location, size, type, and use of signs within the County in order to promote the public health, safety, and welfare, to maintain, enhance, and improve the beauty of the County, and to improve traffic safety, while recognizing the right of the business community both to reasonably identify uses, activities and functions, and advertise its existence.

***SEC. 40-102 SCOPE.***

- (a) This Division includes provisions to:
  - (1) Regulate on-site signs which are erected on a parcel of land or on a building to identify or advertise the land use, establishment, or building at the subject parcel, and such signs are deemed to be accessory and incidental to the subject parcel or building;
  - (2) Regulate billboards erected on a parcel which identify or advertise the land use, establishment or building at a parcel other than the parcel upon which the billboard is erected; and
  - (3) Regulate noncommercial signs.
- (b) This chapter does not regulate any display not defined as a sign; building design; the copy and message of signs; or signs which cannot be viewed from a right-of-way, except as specified herein and by the building code.
- (c) The County specifically finds that these sign regulations are narrowly tailored to achieve the compelling and substantial governmental interests of traffic safety, aesthetics, and compliance with state and local law, and that there is no other way for the County to further these interests.

***SEC. 40-103 SUBSTITUTION CLAUSE.***

Substitution of noncommercial speech for commercial speech. Notwithstanding anything contained in this Division or Code to the contrary, any sign erected pursuant to the provisions of this Division may contain, in lieu of any other message or speech, any lawful noncommercial message, so long as such sign complies with all other requirements of this Division.

***SEC. 40-104 PERMITTED SIGNS.******(a) General.***

- (1) Signs must conform with [Table 64: Sign Standards](#), [Table 65: Temporary Sign Standards](#), and the following:
  - a. Signs are limited by zone, height, sign area, copy height, and the number of each sign type permitted;
  - b. Except where otherwise specified in this Division, signs must be fully contained within private property and comply with the setback requirements of their Transect Zone;
  - c. Exterior signs must be made of a durable, weather resistant materials;
  - d. Properties within an overlay district may be subject to additional signage standards, as specified in [Division 7: Overlay Districts](#); and
  - e. A permit is required for all permitted signs, except for exempted signs, pursuant to [Sec. 40-106 Exempted Signs](#).
- (2) Signs must provide the following clearances:
  - a. A minimum of 9 feet over pedestrian ways;
  - b. A minimum of 17 feet over travel lanes within roads;
  - c. A minimum of 13.5 feet over private vehicular travel ways and parking aisles; and
  - d. Vertical clearance as established in [Sec. 40-83\(b\) Vertical Clearance](#).
- (3) Signs must meet the requirements of [Article 5, Division 2: Roads](#) for roadside safety and sight distance.
- (4) Signs must not obstruct or be the reason for the removal of landscaping and trees.

**Table 64: Sign Standards**

| Sign Type                     | T2 | T3 | T4 | T5 | T6 | SZ LI | SZ HI | SZ EN | SZ MH | SZ ED | Number (max)                                                        | Height (max)         | Sign Area (max.)                                                    | Setbacks                                             | Copy Height (max.) |
|-------------------------------|----|----|----|----|----|-------|-------|-------|-------|-------|---------------------------------------------------------------------|----------------------|---------------------------------------------------------------------|------------------------------------------------------|--------------------|
| <b>Permanent Signs</b>        |    |    |    |    |    |       |       |       |       |       |                                                                     |                      |                                                                     |                                                      |                    |
| <b>Awning</b>                 | □  | □  | ■  | ■  | ■  | ■     | ■     | ■     | □     | ■     | 1 per entry to each ground floor tenant                             | n/a                  | 75% of valence or sloping plane (combined)                          | 0 ft. min.                                           | 18 in.             |
| <b>Canopy</b>                 | □  | □  | □  | ■  | ■  | ■     | ■     | ■     | □     | ■     | 1 per entry                                                         | n/a                  | 2 sq.ft. per linear ft. of canopy width                             | 0 ft. min.                                           | 24 in.             |
| <b>Free Standing Canopy</b>   | □  | □  | □  | ■  | ■  | ■     | ■     | □     | □     | □     | Limited by sign area                                                | n/a                  | 25 sq.ft.                                                           | The lesser of 10 ft. or the minimum building setback | n/a                |
| <b>Directional (On-site)</b>  | □  | □  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | 1 per curb cut in each direction of travel                          | 8 ft.                | 6 sq.ft.                                                            |                                                      | 8 in.              |
| <b>Ground</b>                 | ■  | ■  | ■  | ■  | □  | ■     | ■     | ■     | ■     | ■     | 1 per ROW frontage                                                  | 12 ft.               | .5 sq.ft. per 1 linear foot of ROW frontage to a max. of 120 sq.ft. |                                                      | n/a                |
| <b>Hanging</b>                | ■  | ■  | ■  | ■  | ■  | ■     | ■     | ■     | □     | ■     | 1 per entry to each ground floor tenant; requires arcade or gallery | n/a                  | max of 2 sq.ft.                                                     | 0 ft. min.                                           | n/a                |
| <b>Marquee</b>                | □  | □  | □  | ■  | ■  | ■     | ■     | ■     | □     | ■     | 1 per building                                                      | 24 in. above marquee | 120% of face of canopy                                              | 0 ft. min.                                           | n/a                |
| <b>Pole</b>                   | □  | □  | □  | □  | □  | ■     | ■     | □     | □     | □     | 1 per ROW frontage                                                  | 30 ft.               | .5 sq.ft. per 1 linear foot of ROW frontage to a max. of 300 sq.ft. | 10 ft. min.                                          | n/a                |
| <b>Projecting</b>             | ■  | ■  | ■  | ■  | ■  | ■     | ■     | ■     | □     | ■     | 1 per ground floor tenant                                           | n/a                  | .5 sq.ft. per 1 linear foot of building frontage facing a ROW       | 0 ft. min.                                           | n/a                |
| <b>Roof</b>                   | □  | □  | □  | □  | ■  | ■     | ■     | ■     | □     | ■     | 1 per parcel                                                        | 15 ft.               | 200 sq.ft.                                                          | The minimum building setback                         | n/a                |
| <b>Wall</b>                   | ■  | ■  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | Limited by sign area                                                | n/a                  | 1 sq.ft. per 1 linear foot of building frontage facing a ROW        |                                                      | n/a                |
| <b>Window</b>                 | □  | □  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | Limited by sign area for ground tenants only                        | n/a                  | 25% of glazing                                                      | n/a                                                  | n/a                |
| <b>Off-Site Signs</b>         |    |    |    |    |    |       |       |       |       |       |                                                                     |                      |                                                                     |                                                      |                    |
| <b>Billboards</b>             | □  | □  | □  | □  | □  | ■     | ■     | □     | □     | □     | 1 per parcel                                                        | 40 ft.               | See (3) Billboards                                                  | Frontage: 15 ft.<br>Side: 5 ft.<br>Rear: 15 ft.      | 48 in.             |
| <b>Directional (Off-site)</b> | □  | □  | ■  | ■  | ■  | ■     | ■     | ■     | □     | ■     | 1 per parcel                                                        | 8 ft.                | 16 sq.ft.                                                           | 5 ft.                                                | n/a                |

■ Permitted □ Not Permitted

\* Signs in T4, other than real estate signs and exempted signs, are limited to properties with an active non-residential use in T4.3

## SIGNS

**Table 65: Temporary Sign Standards**

| Sign Type                                           | T2 | T3 | T4 | T5 | T6 | SZ LI | SZ HI | SZ EN | SZ MH | SZ ED | Number (max)                         | Height (max)                       | Sign Area (max.)                              | Set-backs                                            | Frequency                                                                                                   | Duration              |
|-----------------------------------------------------|----|----|----|----|----|-------|-------|-------|-------|-------|--------------------------------------|------------------------------------|-----------------------------------------------|------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-----------------------|
| <b>Temporary Signs</b>                              |    |    |    |    |    |       |       |       |       |       |                                      |                                    |                                               |                                                      |                                                                                                             |                       |
| <b>A-Frame</b>                                      | □  | □  | ■  | ■  | ■  | □     | □     | ■     | □     | ■     | 1 per ground floor tenant            | 42 in.                             | 6 sq.ft.                                      | 0 ft. min.                                           | During Business Hours                                                                                       | During Business Hours |
| <b>Associated with a Building Permit</b>            | ■  | ■  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | 1 per parcel                         | 15 ft.                             | 120 sq.ft.                                    | 0 ft. min.                                           | Shall be removed no later than 10 days after the expiration or completion of the associated building permit |                       |
| <b>Banner</b>                                       | □  | □  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | 1 per parcel                         | 20 ft.                             | 40 sq.ft.                                     | 0 ft. min.                                           | 1 every 6 months, per tenant                                                                                | 30 Days               |
| <b>Associated with a Property for Sale or Lease</b> | ■  | ■  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | 1 per ROW frontage                   | See (b) Restrictions by Sign Type. |                                               | The lesser of 10 ft. or the minimum building setback | Sign must be removed no later than 7 days following the associated sale, lease, or rental of the property.  |                       |
| <b>All Other</b>                                    | ■  | ■  | ■  | ■  | ■  | ■     | ■     | ■     | ■     | ■     | Limited to total max. square footage | 8 ft.                              | T2, T3, T4: 16 sq.ft.<br>T5,T6, SZ: 32 sq.ft. | 5 ft. min.                                           | Limited to 90 days per calendar year                                                                        |                       |

■ Permitted □ Not Permitted

**(b) Restrictions by Sign Type.****(1) A-Frame Signs**

- A-Frame signs are only permitted to be displayed when the associated business is open.
- A-Frame signs should be removed from outdoor spaces during high winds or other weather conditions that might pose a hazard to public safety.
- A-Frame signs are limited to ground floor businesses only.
- A-frame sign must be located on the business' property and no further than 5 feet from the building in which the business is located, which does not interfere with sidewalk access or violate building code accessibility requirements.

**(2) Banner Signs**

- Banner signs must only be erected on the façade of a building and not a fence or wall independent of a building.
- Streamers, pennants, flags, ribbons, spinners, or other prohibited devices must not be included with, erected with, or incorporated into the display of a banner sign.

**(3) Billboards**

- Billboards may be permitted only in the SZ-HI, SZ-LI, and SZ-EN transect zones, and in the PD when expressly permitted by the Board of County Commissioners.
- Billboards must not be erected on a roof, a building face, railroad right-of-way, or property that is not zoned.
- The sign structure must not extend beyond the sign face.
- Billboards are limited to 2 faces visible from any one direction.
- Each sign face must be fully covered, screened, or skirted to achieve conformity.
- The maximum height of any billboard is 40 feet, measured from the finished grade level to the top of the (highest) sign face.
- The minimum clearance of the bottom of the sign face of any pole sign is 9 feet from the approved finished grade level, except that if the sign face extends over a vehicular area, clearance is as specified in (a)(2).
- Sign area per sign face is limited as follows:
  - Billboards adjacent to a limited access highway are limited to 672 square feet excluding embellishments,

- and 806 square feet including embellishments; and
- 2. Billboards not adjacent to a limited access highway are limited to 400 square feet excluding embellishments, and 480 square feet including embellishments.
- i. Embellishments must not extend more than 5 feet over the top of the sign face, and not more than 2 feet from any side of a sign face.
- j. Billboards must be spaced as follows:
  1. Along a limited access highway, a billboard must not be erected within 2,640 feet of any other billboard situated on the same side of the highway;
  2. Along a non-limited-access highway, a billboard must not be erected within 1,000 feet of any other billboard situated on the same side of the highway; and
  3. The distance between a proposed billboard and an existing billboard is measured along the edge of the pavement between the apexes of the proposed and existing billboards.
- k. Setbacks for billboards are as follows:
  1. Typical conditions:
    - i. The minimum setback from frontage lines is 15 feet;
    - ii. The minimum setback from side property lines is 5 feet; and
    - iii. The minimum setback from rear property lines is 15 feet.
  2. Billboards must be setback 200 feet from the following:
    - i. Any property zoned T1, T2, T3, T4, SZ-MH, SZ-ED, CZ-OS, or CZ -CF;
    - ii. Any property zoned T5, T6, or PD that is developed with residential uses; and
    - iii. Any park.
  3. Billboards must be setback a minimum of 50 feet of the nearest edge of the right-of-way of a limited access highway.
  4. Billboards must be setback a minimum of 600 feet from any toll plaza or associated structure or facility of a limited access highway.
  5. Billboards must be setback from the ramps of limited access highways as shown in [Figure 67: Billboard Placement](#) and as described below:
    - i. A billboard shall not be located within the area bounded by a limited access highway, a ramp of a limited access highway, and the limited access highway or non-limited access highway that the ramp intersects or merges with, or within the area bounded by a ramp of a limited access highway and the limited access highway or non-limited access highway that the ramp intersects or merges with; and
    - ii. A billboard must be set back at least 500 feet from the edge of the right-of-way, with the setback area commencing at the point that is 500 feet beyond 1 end of a ramp of a limited access highway, continuing along the outside edge of the entire length of the ramp, and terminating at the point that is 500 feet beyond the end of the other ramp. The 500 foot linear distance from an end of a ramp shall be measured beginning at the gore point of the ramp.
- l. On a corner lot which abuts at least 2 rights-of-way, a billboard must not be erected within:
  1. The triangular area formed by the apex of 2 right-of-way lines and a line connecting them at points 25 feet from the apex of the right-of-way lines; and
  2. A 100-foot radius from the intersection of the centerline of a right-of-way and the nearest railroad track grade crossing.
- m. Double faced billboards must meet the following requirements:
  1. Where sign faces are placed back to back, and parallel to each other, the backs of the sign faces shall not be separated by more the 4 feet.
  2. Where sign faces are constructed in the form of a "V" (when viewed from above), the backs of the faces shall not be separated by more than 3 feet, and the maximum angle between the back of the faces is 45 degrees.
  3. On a tri-faced billboard, the backs of the faces at each apex of the triangle (when viewed from above) shall not be separated by more than 3 feet.
- n. A billboard may be an electronic changeable sign or digital billboard, subject to compliance with the EMC requirements of [\(4\) Electronic Message Center \(EMC\) Signs](#) below.
- o. All billboards must be initially and annually registered with the County Zoning Manager or designee upon payment of an initial and annual registration fee as adopted by the Board of County Commissioners and as specified in the County fee directory, and shall be subject to the following requirements:
  1. Annual registration of each billboard is required on or before October 1 of each year; provided, however, that the registrant shall provide to the County in writing any change of ownership that may have occurred

## SIGNS

- during the annual registration period, and fees for late registration after October 1 shall be assessed and charged in accordance with the fee for late registration as established in the County fee directory.
2. A registration tag issued by the County for the billboard shall be affixed at or near eye level on the billboard pole located in closest proximity to the nearest roadway.
  3. The required application and documentation for the registration of a billboard shall be obtained from the County Zoning Manager or designee. Failure to comply with the registration requirements of this subsection, including the failure to pay the required fees, is a violation of the County Code and may be enforced in accordance with the provisions contained in [Chapter 11](#) thereof.
- (4) Electronic Message Center (EMC) Signs
- a. EMC signs are only permitted for use on ground signs and pole signs in Special Zones, or as permitted on a billboard, except where restricted in [Division 7: Overlay Districts](#), and are subject to the following requirements:
  - b. A maximum of 25% of pole sign area and 50% of ground sign area may be EMC.
  - c. EMC's must comply with the following requirements:
    1. Must be equipped with automatic dimming technology.
    2. Each image must remain static for a minimum 8 seconds;
    3. Transitions must happen instantaneously, without intervening flashing, animation, or movement of any kind; and
    4. Backgrounds may change only with the message.
  - d. EMC's must not exceed 0.3 foot candles above ambient light, measured with a foot candle meter at a preset distance determined by the square root of the sign area multiplied by 100.
  - e. The following operating modes are prohibited in all zones:
    1. Flash; Zoom; Twinkle/sparkle
    2. Any illumination resembling traffic signals or implying that motorists need to stop or slow down
    3. Moving, blinking, scrolling or chasing graphics or characters; and
    4. Any mode that resembles flashing, zooming, twinkling, or sparkling.
- (5) Gas Station Signs
- a. Gas station signs are subject to the requirements for ground signs or pole signs, as applicable.
  - b. Any premises on which the gasoline is sold must contain a sign displaying the current and accurate unit sales price for at least 2 non-diesel grades of unleaded gasoline, with 1 of the prices being for the lowest octane rated unleaded gasoline offered for sale on the premises, displayed in terms of dollars and parts thereof per gallon of gasoline.
  - c. Gas station signs must conform to the following:
    1. Location of signs: Signs must be set back as required for Ground Signs, and must be designed and located so that passing motorists are effectively apprised of the current and correct price of the gasoline sold on the premises.
    2. Sign size: Signs must conform to maximum sign area and dimension requirements of [Table 64: Sign Standards](#), except as provided below. Each of the numerals constituting specifying price per gallon of fuel must be at least 14 inches tall and 8½ inches wide, excluding fractions.
    3. Visibility:
      - i. Gas station signs must be placed at no less than a 45-degree angle to the primary road frontage, unless the sign is located at intersecting streets on a corner lot.
      - ii. The sign shall be kept free from vegetation and other obstructions that effectively block the view of the sign from the adjacent street or roadway.
      - iii. View of the sign from the adjacent street or road must be unobstructed.
      - iv. The numerals constituting the price of gasoline must sharply contrast with the background color of the sign so that a passing motorist of average visual acuity is effectively apprised of the price of the gasoline sold on the premises.
      - v. If the gasoline price sign is contained within a sign face with other advertising material, the gasoline pricing must be separate and distinct from the other material so that the gasoline price is not camouflaged or effectively hidden from passing motorists.
    4. Illumination: Gas station signs must be illuminated in a manner that makes the sign visible at night to a person of average visual acuity.
- (6) Ground Signs
- a. Prohibited within Urban Core Place Types.
  - b. The bottom of the sign must be within 2 feet of grade along the frontage.



- (7) Hanging Signs & Marquee Signs
  - a. Hanging signs are permitted to be erected under a canopy, marquee, arcade, or colonnade.
  - b. Hanging signs & marquee signs located within a private road must be a minimum of 2 feet from curbs, ramps, driveways, light poles, street signs, and bus stops.
  - c. Hanging signs & marquee signs located within a private road must comply with [Article 5, Division 2: Roads](#), including but not limited to clearance, sight distance, and other standards within the Division and within the controlling standards.
- (8) Off-site Directional Signs (Permanent)
  - a. Signs must be located within 2,000 feet of the subject being advertised.
  - b. Signs must be set back at least 5 feet from any right-of-way line.
- (9) Pole Signs
  - a. Pole signs are not permitted on vacant or unimproved property.
  - b. Pole signs have a minimum setback of 10 feet from the right-of-way.
  - c. For a pole sign that is a rotating sign, the maximum speed is 6 revolutions per minute.
  - d. Pole signs are permitted to be an EMC, as specified in [\(4\) Electronic Message Center \(EMC\) Signs](#) above.
  - e. Pole signs are only permitted in SZ-HI, and SZ-LI.
- (10) Projecting Signs
  - a. Projecting signs must be erected on a wall or corner of a building.
  - b. Projecting signs may project up to 4 feet from the wall of the building on which it is erected.
  - c. Projecting signs may project up to 4 feet above the roofline or parapet of the wall of the building on which it is erected.
  - d. Projecting signs that extend into the right-of-way require approval from Public Works.
  - e. Signs located within a private road must be a minimum of 2 feet from curbs, ramps, driveways, light poles, street signs, and bus stops.
  - f. Projecting signs located within a private road must comply with [Article 5, Division 2: Roads](#), including but not limited to clearance, sight distance, and other standards within the Division and within the controlling standards.
- (11) Roof Signs
  - a. Roof signs are only permitted on buildings over 4 stories in T6 and SZ-EN.
  - b. The structure must not be visible from the ROW.
  - c. No part of the sign or its structure may extend beyond the wall of the building on which it is erected.
  - d. Roof signs must not rotate.
- (12) Temporary signs associated with the sale or lease of a property
  - a. May be erected on buildings or may be free standing.
    - 1. A free-standing real estate sign must be set back a minimum of 10 feet from all property lines.
  - b. In T3 and T4:
    - 1. For parcels less than 5 acres, the maximum height of a real estate sign is 8 feet tall and the maximum copy area is 16 square feet.
    - 2. For parcels greater than 5 acres, the maximum height of a real estate sign is 12 feet and the maximum copy area is 32 square feet.
- (13) Temporary Signs Associated with a Building Permit
  - a. Temporary signs may be free-standing or may be erected on a temporary construction fence.
  - b. Temporary signs must be setback 5 feet from all property lines.
- (14) Wall Signs
  - a. Wall signs may be located above tenant storefronts, below second story windows, and beneath the building cornice or coping.
  - b. Wall signs may not extend beyond the roof line or parapet.
  - c. Wall signs in T2 and T3 are limited to non-residential uses.
  - d. Wall signs must not extend more than 24 inches from the wall on which it is erected.
  - e. EMC signs are not permitted as wall signs.
- (15) Window Signs
  - a. Window signs are limited to ground floor tenants and may be:
    - 1. Letters painted directly on the window;
    - 2. Hanging signs hung on the interior of the glass or attached within 5 feet of the interior of the glass; or
    - 3. Vinyl appliqué letters applied to the window. Appliqués must consist of individual letters or graphics with no visible background.

## SIGNS

**SEC. 40-105 NON-CONFORMING SIGNS.**

- (a) Non-conforming signs are subject to the provisions of [Article 2, Division 5: Nonconformities](#).
- (b) The sign face of a non-conforming sign may be changed provided no structural alterations are made, except where structural alterations bring the sign into compliance with this chapter.

**SEC. 40-106 EXEMPTED SIGNS.**

- (a) The signs specified in this Section may be erected without a sign permit:
  - (1) Those signs erected as required by law.
  - (2) Any sign erected by a government.
  - (3) Maintaining or repainting a sign, provided structural and electrical changes are not made without a permit and sign copy does not change.
  - (4) Signs on buses, taxicabs, and other common carrier vehicles that are licensed or certified by a local government or the state public services commission.
  - (5) Public utility signs which identify utility facilities and appurtenances.
  - (6) Signs erected entirely within the confines of a non-residential site, freestanding, attached to vehicles, trailers, or buildings, provided the sign cannot be viewed from a public right-of-way or a private road.
  - (7) Address and Residential Identification Signs
    - a. Subject to [Sec. 21-3 of the Orange County Code](#), building address signs bearing only the street number and street name, not exceeding 12 square feet.
    - b. Any identification sign at the entrance of a single-unit residence or affixed to a mailbox.
  - (8) Flags
    - a. Flags mounted on flagpoles 30 feet tall or less must be a maximum of 40 square feet. Flags mounted on flagpoles greater than 30 feet tall must be a maximum of 60 square feet.
    - b. Each building site must be allowed a maximum of 3 flags, mounted on a permanent freestanding pole or wall-mounted flagpole.
    - c. The maximum height of any flag is 50 feet for T5 and T6 and special zones and 35 feet for all other districts.
  - (9) Warning and Instructional Signs
    - a. Any warning sign, non-advertising sign, provided any such sign does not exceed 4 square feet in copy area, and is not illuminated.
    - b. Any special instruction sign provided any such sign does not exceed 10 square feet in copy area.
  - (10) Miscellaneous Signs
    - a. Any wall sign not to exceed 2 square feet in copy area located near the entrance of a building or each ground floor tenant space.
    - b. Any sign erected under a canopy or marquee which identifies only the on-site commercial establishment, provided it does not exceed 6 square feet in copy area, it has a minimum ground clearance of 8 feet, and it is limited in number to 1 sign per establishment.
    - c. Any marquee sign used by a movie theater to advertise the movies being shown there, provided the sign advertises only the names of the movies, the actors, the times of showing, and the movie ratings. Such a marquee sign shall be limited to 100 square feet per movie screen. If the aggregate copy area is 200 square feet or less, it shall not count against the maximum copy area as calculated by [Sec. 40-108\(b\) Copy Area Calculation](#)., but if it is more than 200 square feet, the excess above 200 square feet shall count against the maximum copy area allowed per [Table 64: Sign Standards](#). Movie posters promoting or announcing current or upcoming movies are also exempt provided that the posters cannot be viewed from off-site.
    - d. Any memorial sign, gravestone, or commemorative plaque.
    - e. Any generic, architectural feature that is designed, integrated and constructed as part of a building.
    - f. Any bulletin board for a public, charitable or religious institution, provided it is located on a structure or building at the institution, it does not exceed 32 square feet in copy area, it is not illuminated, and it is mounted flat against a wall.
    - g. Any sign which is integrated into or on a point of sale purchase display, including a coin-operated machine or other vending machine, gasoline pump or telephone booth.
    - h. Any sign which is posted on a bus bench or transit shelter as may be authorized pursuant to an agreement between the County and the Central Florida Regional Transportation Authority, provided that such sign complies with any other applicable law and regulations.

- i. Any memorial sign, gravestone, or commemorative plaque.
- j. Any sign on a licensed sanitary vehicle, whether private or public.
- k. Any official traffic sign.
- l. Any sign carried by a person.

#### **SEC. 40-107 PROHIBITED SIGNS.**

The signs specified in this Section are prohibited.

##### **(a) Signs in Public Properties and Rights-of-way.**

- (1) Any sign erected on public property by a private entity or individual, including on a public right-of-way, unless approved by Public Works.
- (2) Any portable sign, except for A-frame sidewalk signs.
- (3) Any sign that conflicts with requirements specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).

##### **(b) Illuminated, Animated, Movable, or Inflatable Signs.**

- (1) Animated signs and billboards.
- (2) Inflatable signs, such as but not limited to balloons, gas inflated signs or similar inflated signs.
- (3) Any sign which simulates emergency lights on emergency vehicles, which simulates traffic-control signals or devices, or which simulates directional, informational, or warning signs erected by a government, railroad, public utility, or other authorized entity.
- (4) Any sign which uses intermittent illumination, such as flashing lights, beacon lights, strobe lights, rotating beacons, chasing lights, and zip lights.
- (5) A wind-operated device, such as a feather flag, banner, spinner, streamer, balloon, or pennant, except as otherwise provided in this article.

##### **(c) Miscellaneous Signs.**

- (1) Any sign placed in a railroad right-of-way, unless erected by the railroad company as needed for the operation of the railroad.
- (2) Any sign placed on property that is not zoned, or is zoned T1, except ground signs in T1 are permitted in accordance with the ground sign standards as identified in [Table 64: Sign Standards](#).
- (3) Snipe signs.
- (4) Any sign which obstructs a fire escape, window, door or other passageway or opening which may be used as a means of ingress or egress, any sign which obstructs passage across a roof, or any sign which interferes with any opening required for ventilation.
- (5) Any vehicle or trailer with a sign or signs attached thereto or placed thereon, subject to the following exceptions:
  - a. Any vehicle or trailer parked on private property when parked within the confines of a building or in some manner which provides for effective screening so as not to allow the sign or signs on the vehicle to be viewed from any public street.
  - b. Any vehicle or trailer upon which is placed a sign identifying the firm or its principal products, or upon which is placed a sign being transported to its erection site or to its removal site, if such vehicle or trailer is one which is operated daily or during the normal course of business; provided, however, that no such vehicle or trailer shall be routinely parked in a location where it serves as or constitutes additional signage.
  - c. Buses, taxicabs and similar common carrier vehicles which are licensed or certified by a local government or the state public services commission.

## SIGNS

**SEC. 40-108 GENERAL REQUIREMENTS FOR SIGNS.****(a) Measurement of Height.**

- (1) Signs are measured from finished grade to the top of the sign, except for roof signs which are measured from the finished roof to the top of the sign.

**(b) Copy Area Calculation.**

- (1) Where words, letters, numbers, symbols or other components comprise the copy but are not contained within the sign face, such as independent letters on a wall forming the name of an establishment, the square footage of the copy area shall be determined by drawing an imaginary standard geometric form around and about the words, letters, numbers, symbols or other components comprising the copy, and the copy area shall be the entire area within the perimeter of such imaginary, standard form. All the words, letters, numbers, symbols or other components which comprise the copy shall be included within the perimeter of the imaginary, standard form in determining copy area. Standard forms include a circle, half circle, square, rectangle, parallelogram, cone, sphere, trapezoid, triangle, oval, cylinder or other form for which surface area formulas are established or commonly known. The imaginary, standard form which shall be drawn around and about all the words, letters, numbers, symbols, or other components which comprise the copy shall be the standard form which most closely approximates the imaginary standard form around and about all the words, letters, numbers, symbols, or other components which comprise the copy.
- (2) Complex forms may be broken into component simple forms; however, all areas within the perimeter of the sign shall be included. All words and components of a sign or related message shall be deemed to constitute 1 sign. Words or components may be considered separate signs only if they express a completely independent message and are so physically separated as to not be associated with another message or sign.
- (3) When a sign is enclosed within a border, including those consisting of neon or fiber optic tubing, or highlighted by background graphics, the perimeter of such border or background shall be used to compute copy area.
- (4) When measuring the copy area on a 2-faced sign where the 2 faces are back-to-back facing opposite directions or V-shaped with a degree of separation not exceeding 45 degrees, the copy area of only 1 face shall be counted.
- (5) Maximum copy area calculated using building frontage may be distributed on any or all walls of the establishment; provided, however, if copy area is calculated using a wall of the establishment other than the building frontage, all signage shall be located on the alternate wall selected for copy area calculation.

**(c) Illumination.**

- (1) Internal sign illumination is limited to window and wall signs, and channel letters and halo lit letters in other sign types, with the exception of EMC signs as permitted in [Sec. 40-104\(b\)\(4\) Electronic Message Center \(EMC\) Signs](#).
- (2) Any lights on an illuminated sign must be installed or directed in a manner that avoids undue glare, avoids direct illumination or reflection on to abutting properties, and does not adversely affect the vision of operators of motor vehicles on roads, highways or parking areas.
- (3) Neon signs are only permitted in Special Zones, window signs, and marquee signs.
- (4) Exposed bulbs or lamps must not exceed 25 watts or equivalent.
- (5) For EMC illumination, see [Sec. 40-104\(b\) Restrictions by Sign Type](#).

**(d) Signage Maintenance.**

- (1) All signs must be erected, maintained, repaired, treated, and painted so as to always be safe, reasonably rust-free or termite-free, sightly, and free of debris.
- (2) If required by the Building Official, defective or unsafe signs, or defective or unsafe parts thereof, must be replaced or repaired to the satisfaction of the Building Official after written notice of the problem is provided by the Building Official.
- (3) The owner or the person responsible for an unsafe or defective sign (e.g., the lessee) must, upon written notice from the building official, forthwith in the case of an immediate danger and in any case within 10 days, secure the same in a manner to be approved by the Building Official in conformity with the provisions of this chapter, remove such sign. If such order is not obeyed within 10 days, the Building Official may remove such sign at the expense of the owner or lessee thereof.

**(e) Enforcement.**

Any violation of this division is enforceable in accordance with [Section 1-9 and Sec. 11-27 of the Orange County Code](#) or as otherwise provided by law.

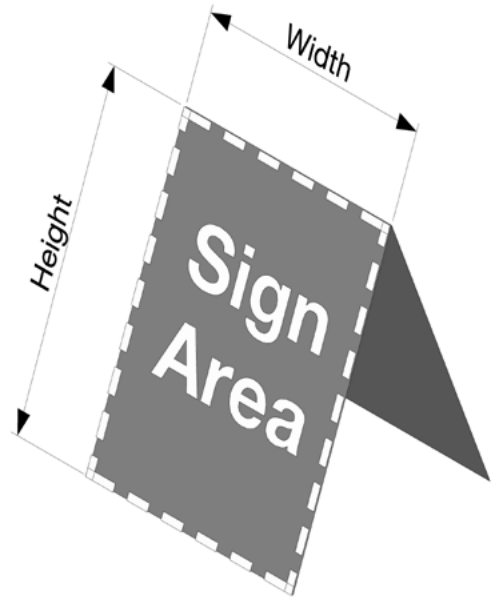
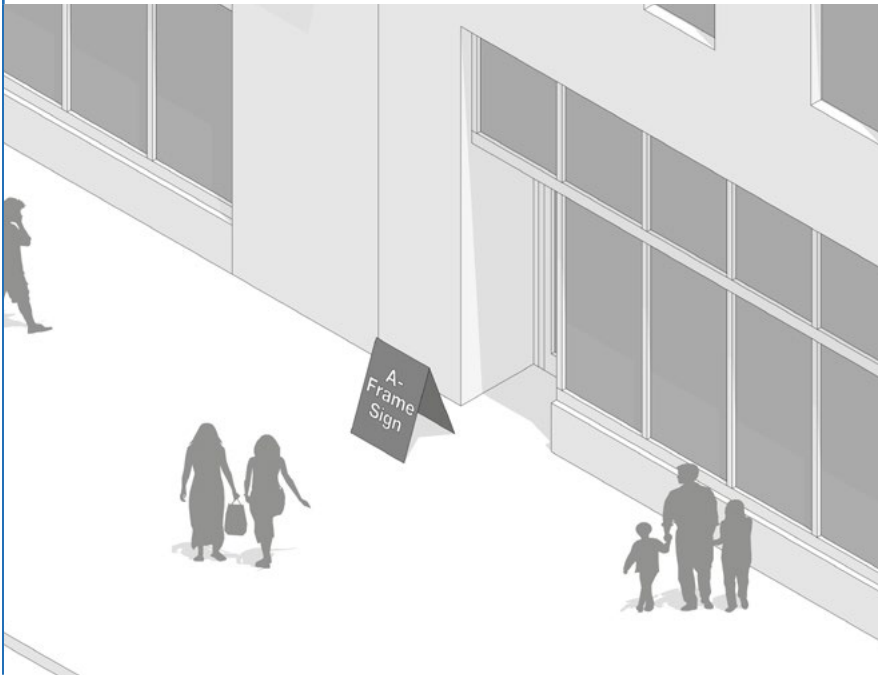
**SEC. 40-109    RESERVED.**

**SEC. 40-110    RESERVED.**

## SIGNS

**Figure 66: Sign Types Illustrated****A-Frame Sign**

A portable sign not secured or attached to the ground or surface upon which it is located, typically constructed in such a manner as to form an “A” or tent-like shape, and primarily intended to advertise to pedestrian traffic.

**Awning Sign**

A sign consisting of information painted on, sewn on, imprinted on, or attached to the surface of an awning. Awning sign standards differentiate the sloping plane area and the valence area.

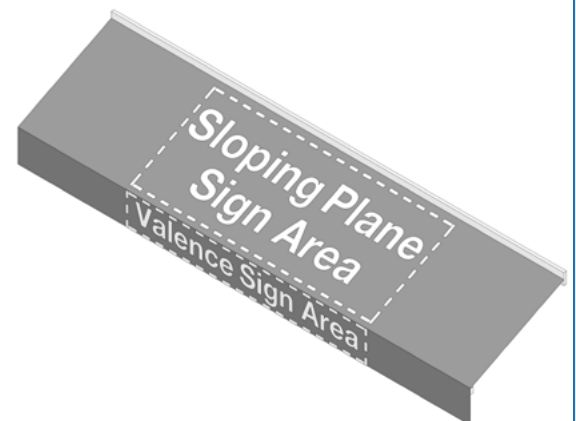
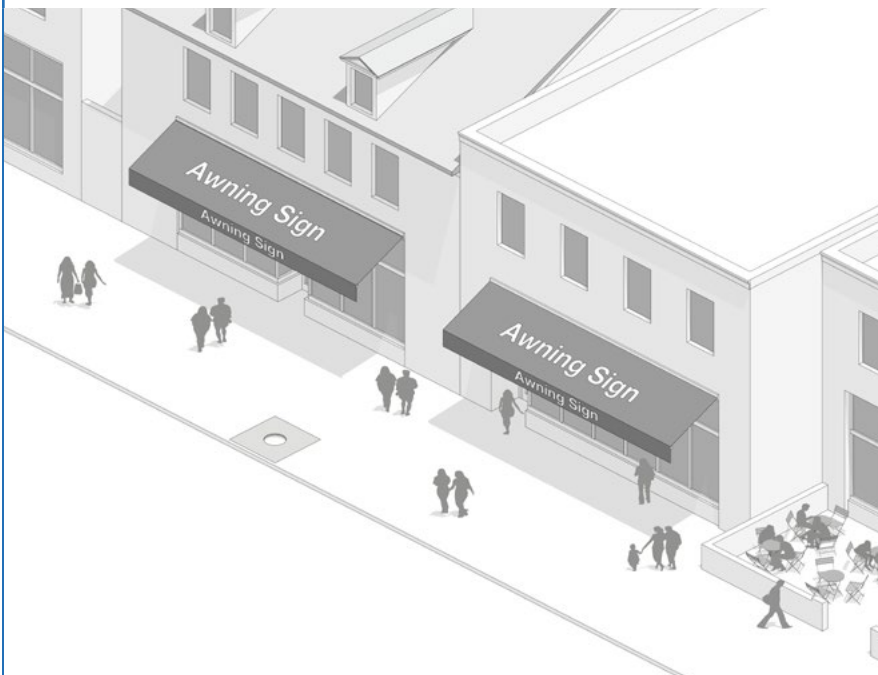


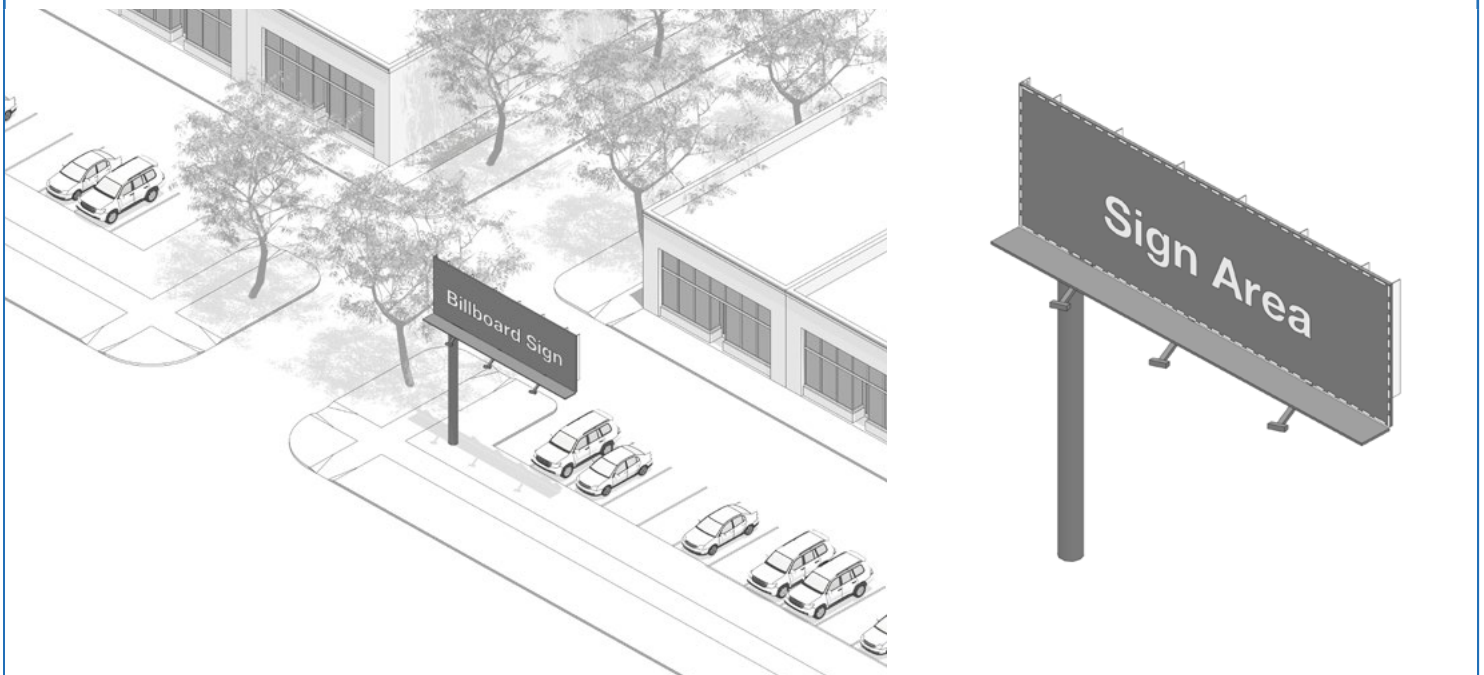


**Figure 66: Sign Types Illustrated****Banner Sign**

A sign that consists of a sign face composed of nonrigid material that is secured or mounted at both ends. The sign area is the full size of the banner.

**Billboards**

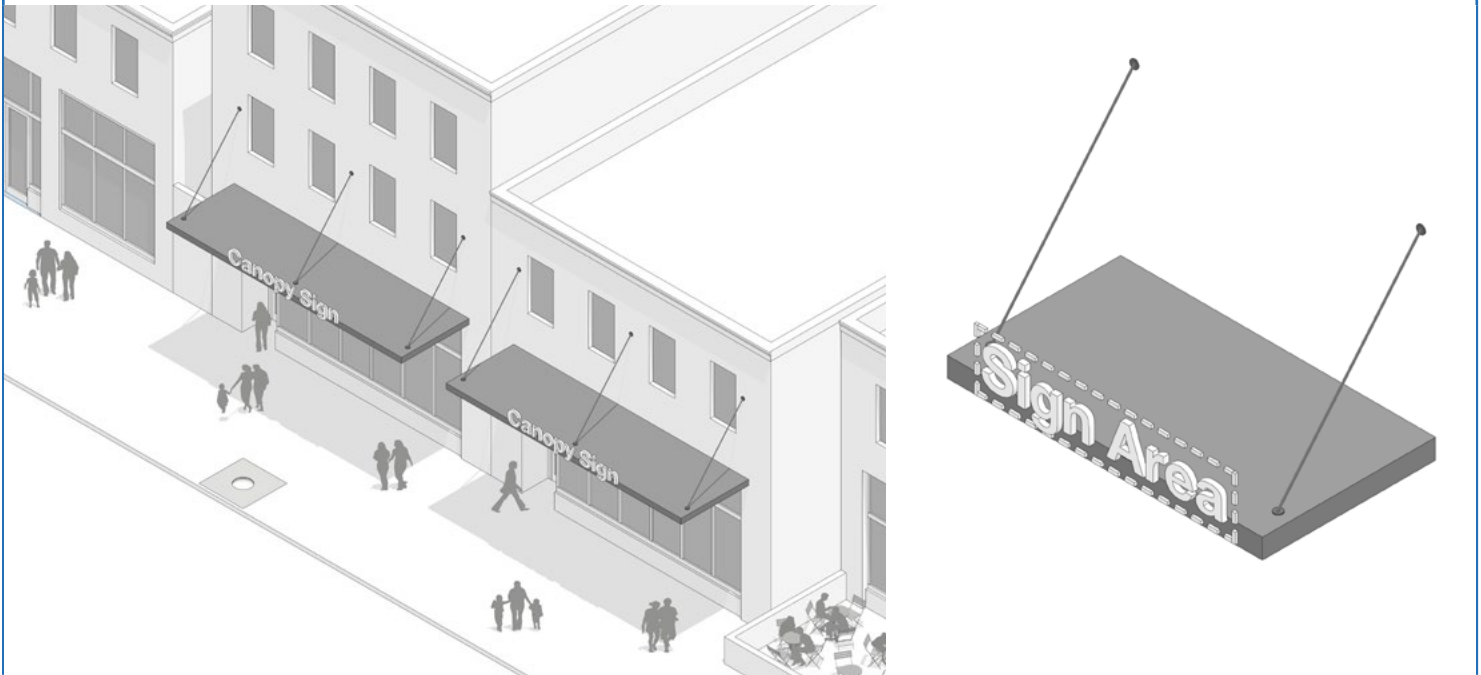
A large sign intended to advertise to people in vehicles, typically mounted on a pole, and whose copy is not directly related to or associated with the site on which the sign is located. The sign area is the full face of the billboard.



## SIGNS

**Figure 66: Sign Types Illustrated****Canopy Sign**

A sign that is part of, or attached to, a canopy. The sign area is a bounding rectangle around the sign copy and graphics.

**Freestanding Canopy Sign**

A sign attached to the vertical planes of a free standing canopy roof structure. The sign area is a bounding rectangle around the sign copy and graphics.

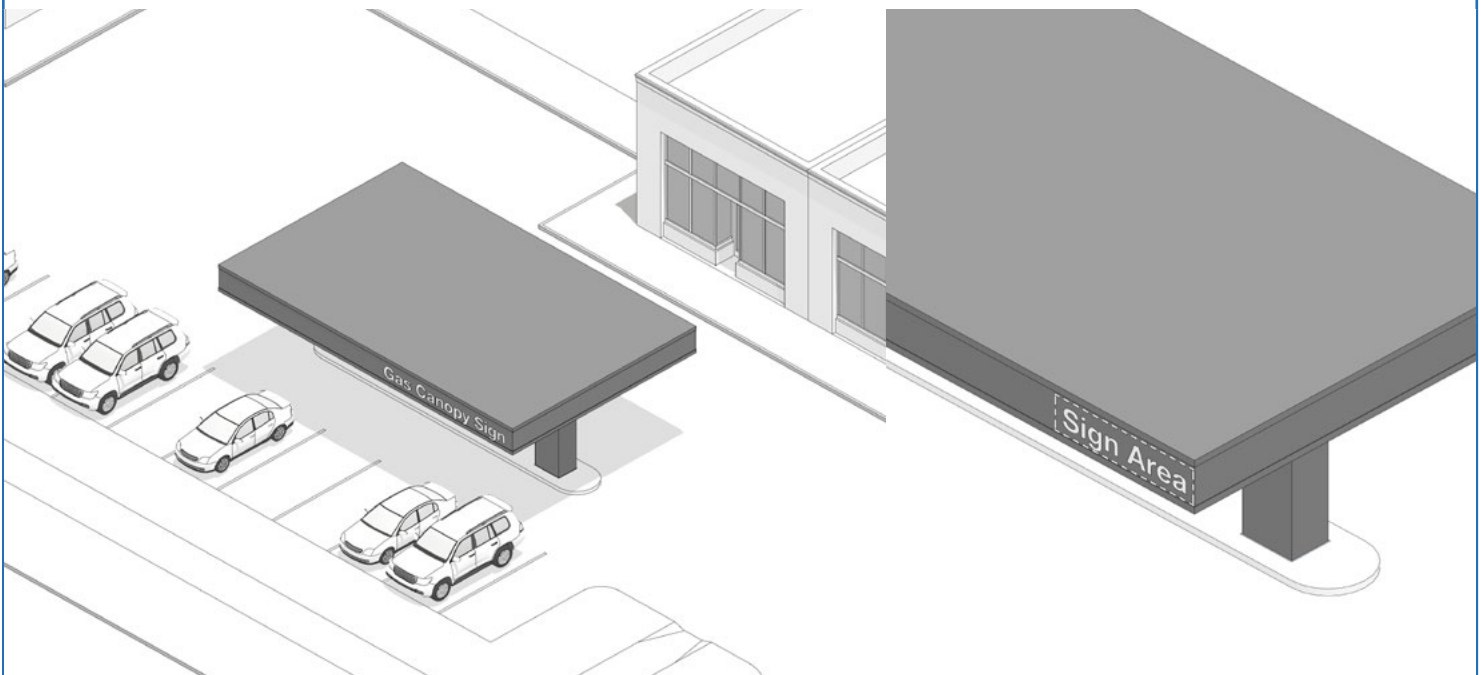
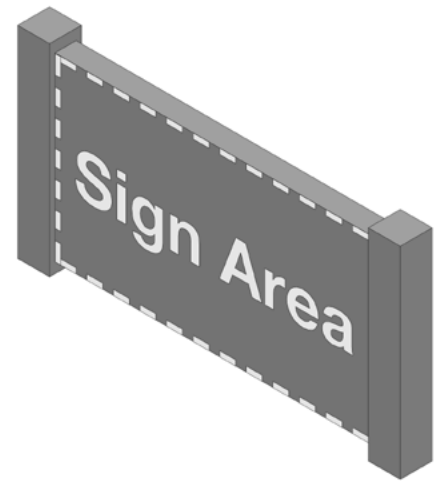
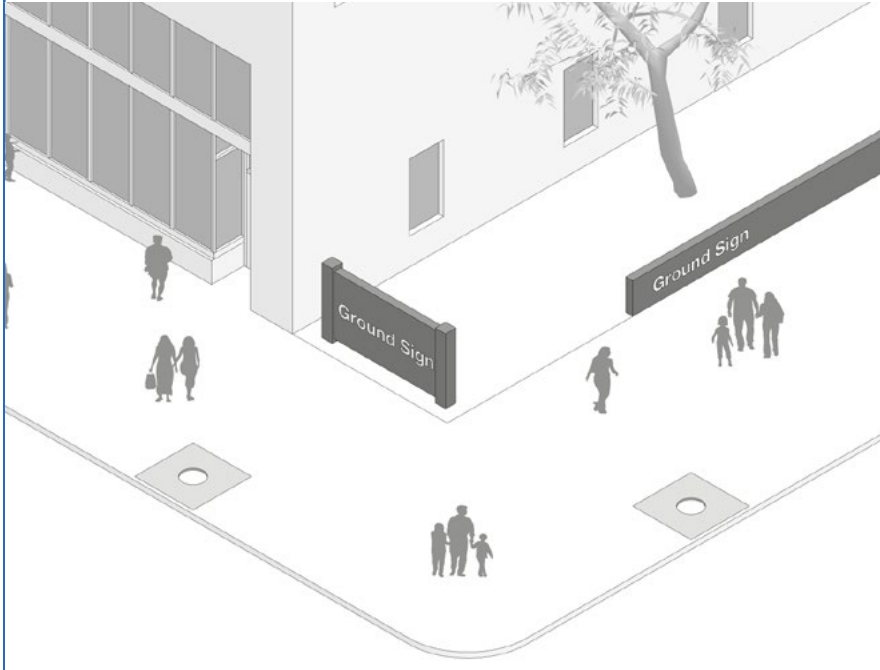
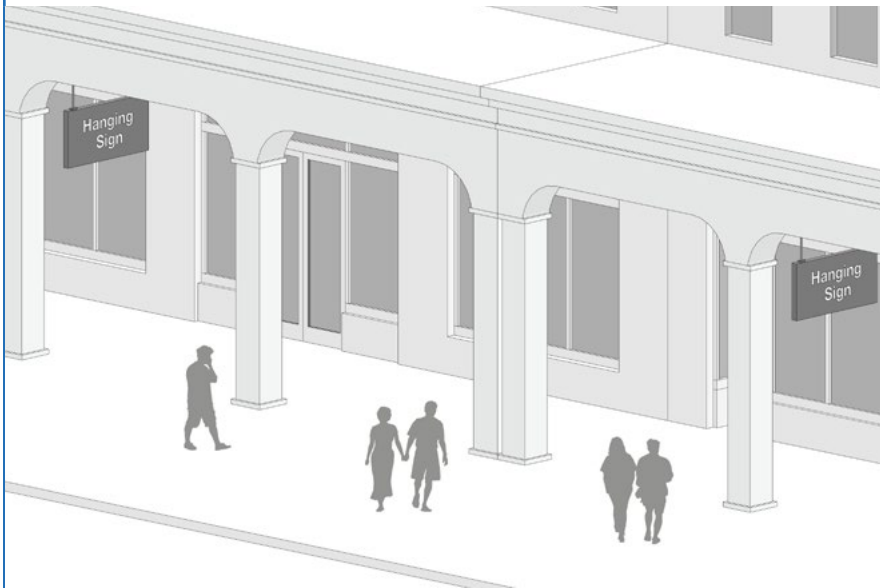


**Figure 66: Sign Types Illustrated****Ground Sign**

A free standing sign supported by uprights or along its bottom, placed on or near ground level, often referred to as a monument sign, or a sign placed on a freestanding wall independent of a building. The sign area is the full face of the sign.

**Hanging Sign**

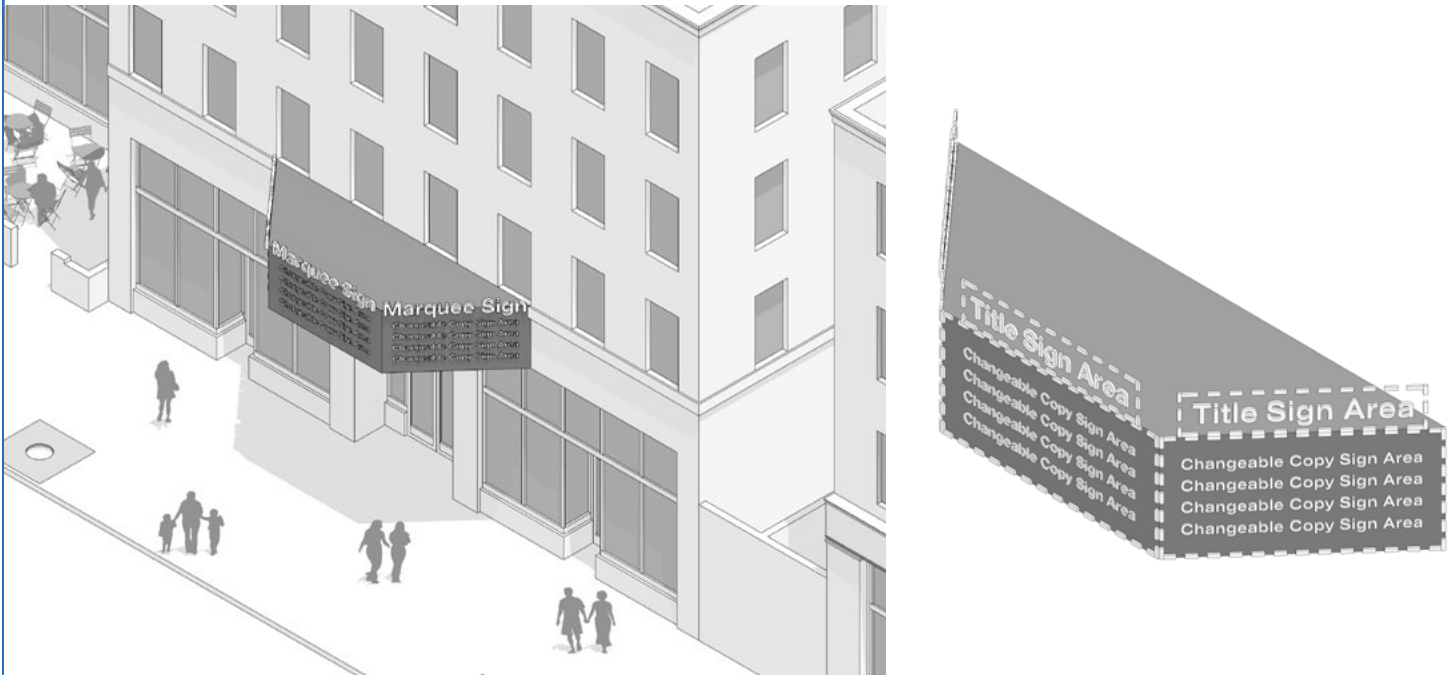
A sign located within an arcade/colonnade or gallery which is hung from the ceiling over the pedestrian walkway, typically by chains, cable, or fixed pipes, in front of the business with which it is associated.



## SIGNS

**Figure 66: Sign Types Illustrated****Marquee Sign**

A canopy or rigid roof-like projection located at the entrance to a building, usually bearing a sign on its face and sides along with changeable copy. Marquee signs may or may not include a vertical sign element. The title sign area is a bounding rectangle around the sign copy and graphics and the changeable copy sign area is the full face of the canopy.

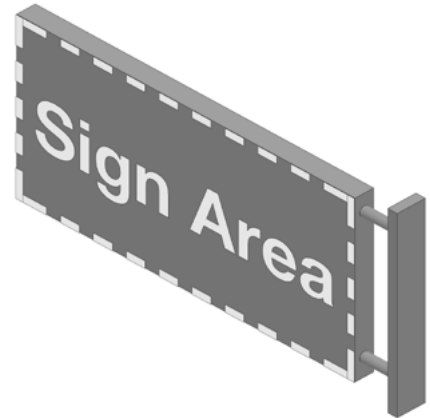
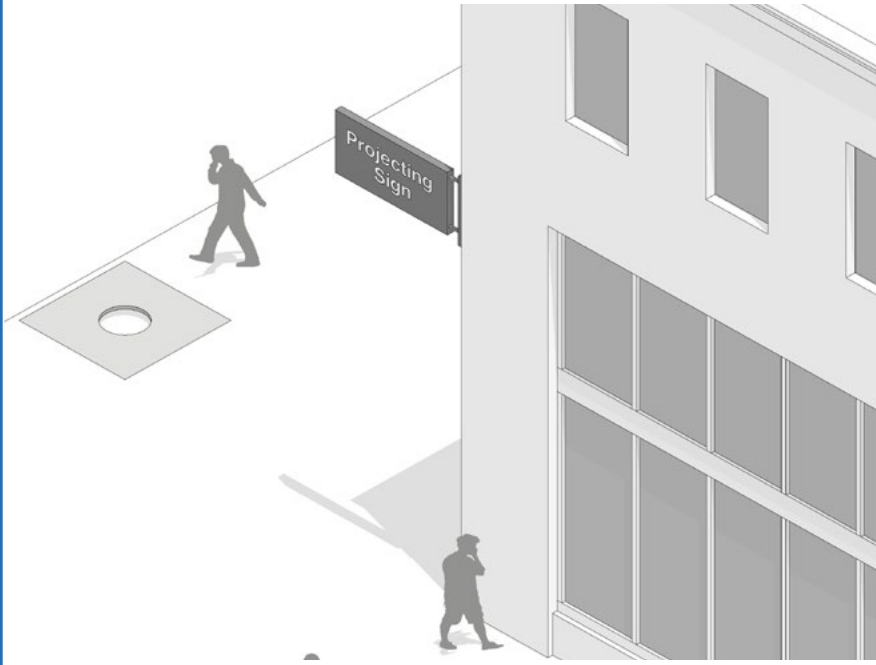
**Pole Sign**

A sign supported by at least one upright pole or post that is secured to the ground. The sign area is the full face of the sign.

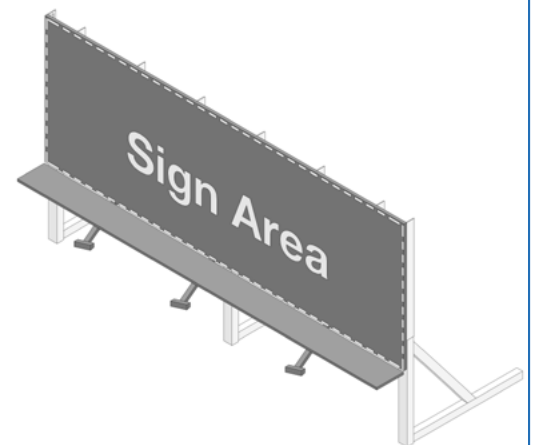
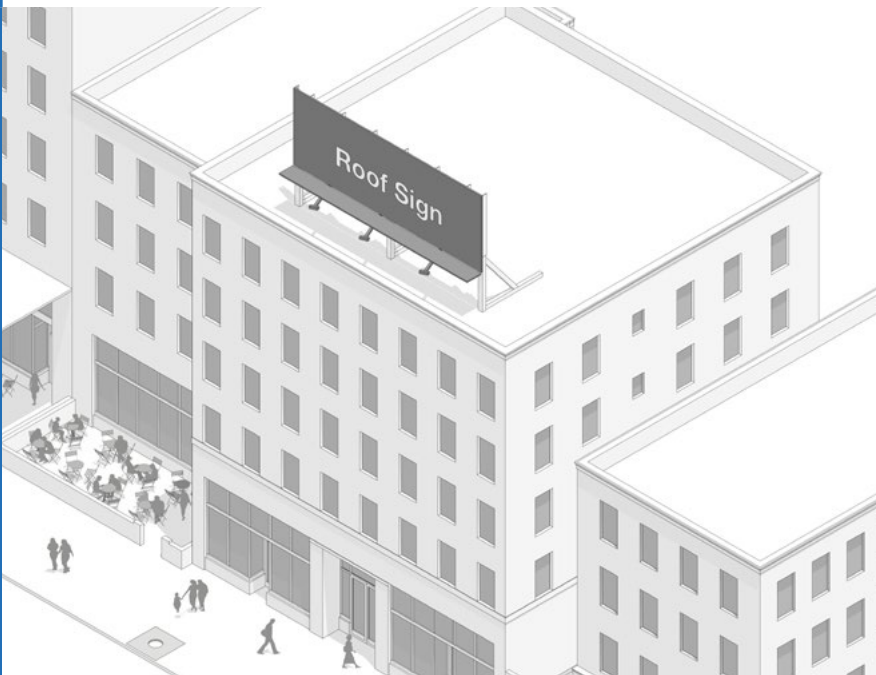


**Figure 66: Sign Types Illustrated****Projecting Sign**

A sign affixed to a building which projects in such a manner that both sides of the sign are visible. The sign area is the full face of the sign.

**Roof Sign**

A sign that is erected on the roof of a building. The sign area is the full face of the sign.

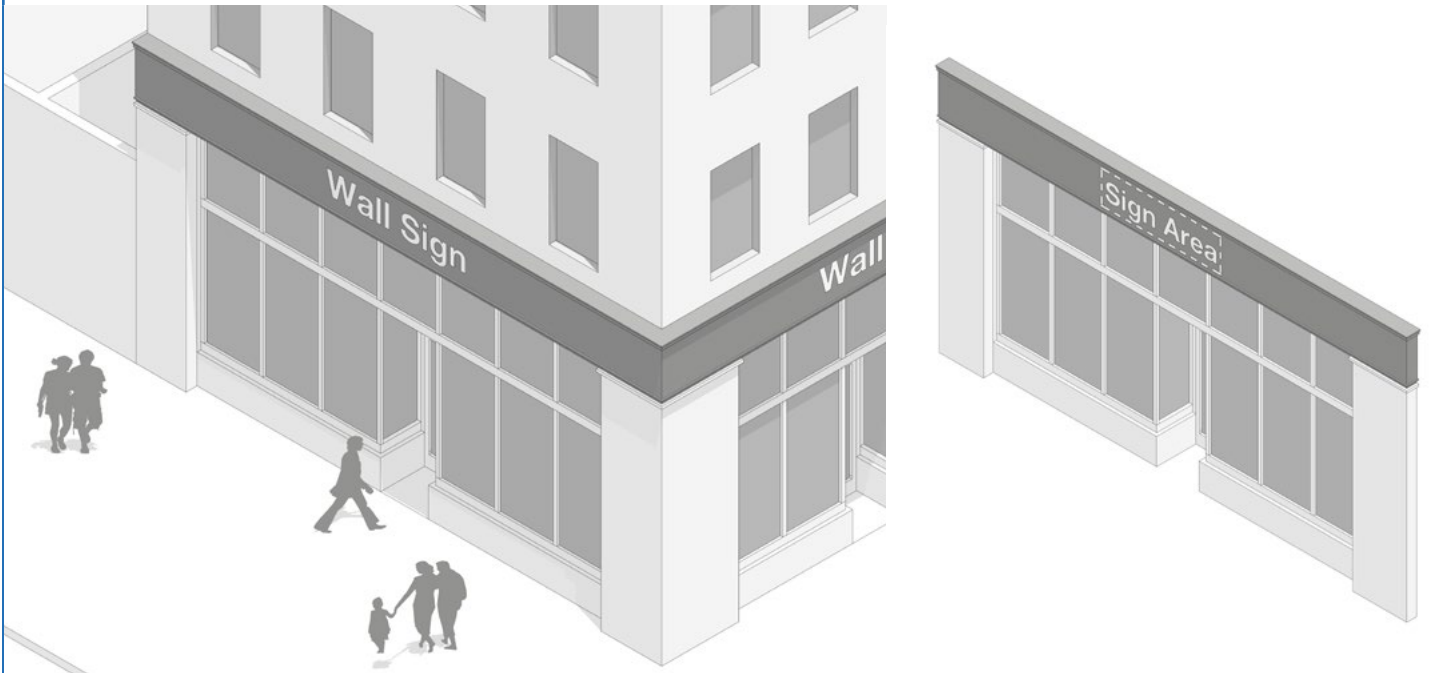




## SIGNS

**Figure 66: Sign Types Illustrated****Wall Sign**

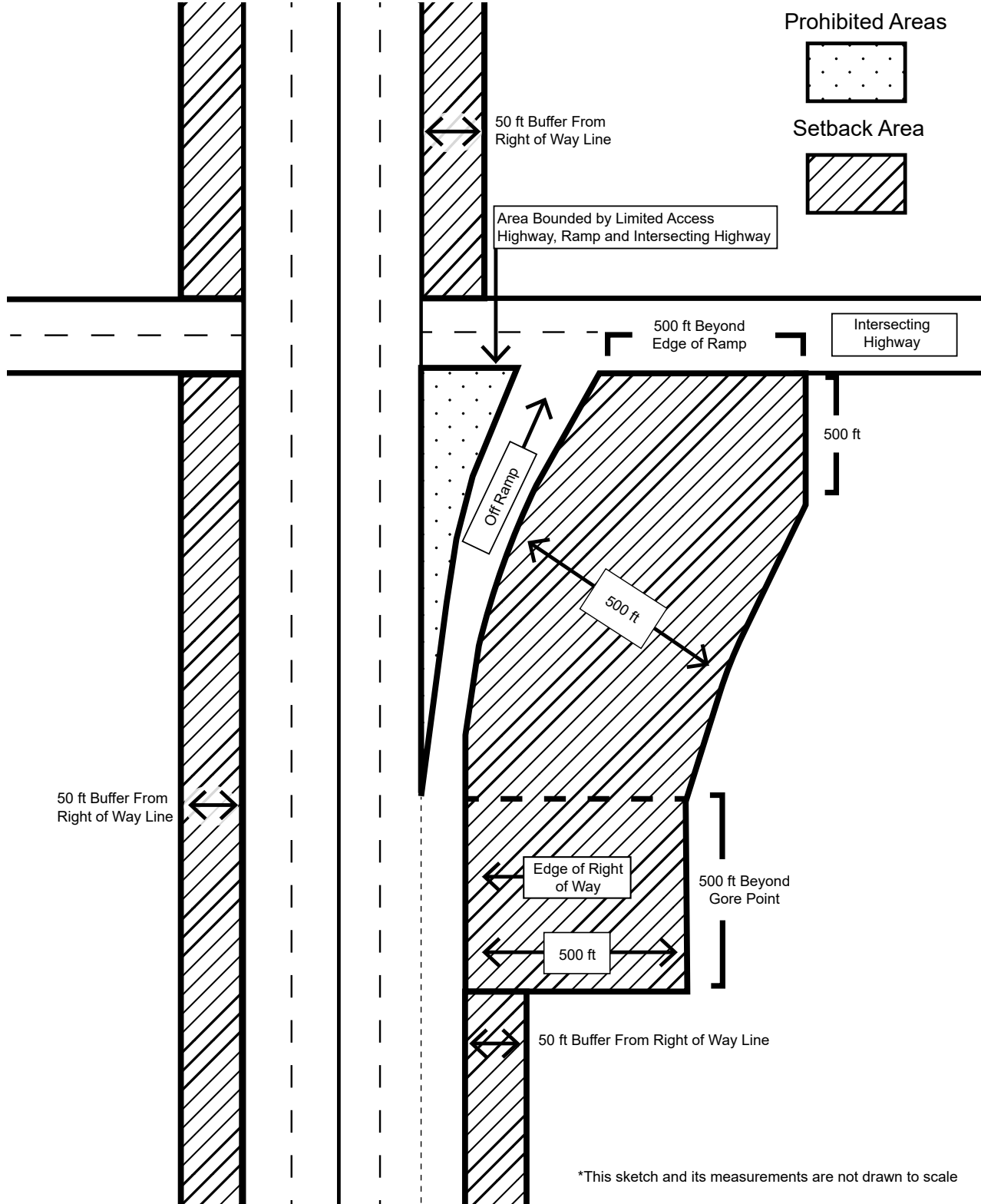
A sign erected on the wall of a building, or a sign which is affixed to or painted on the wall. The sign area is a bounding rectangle around the sign copy and graphics.

**Window Sign**

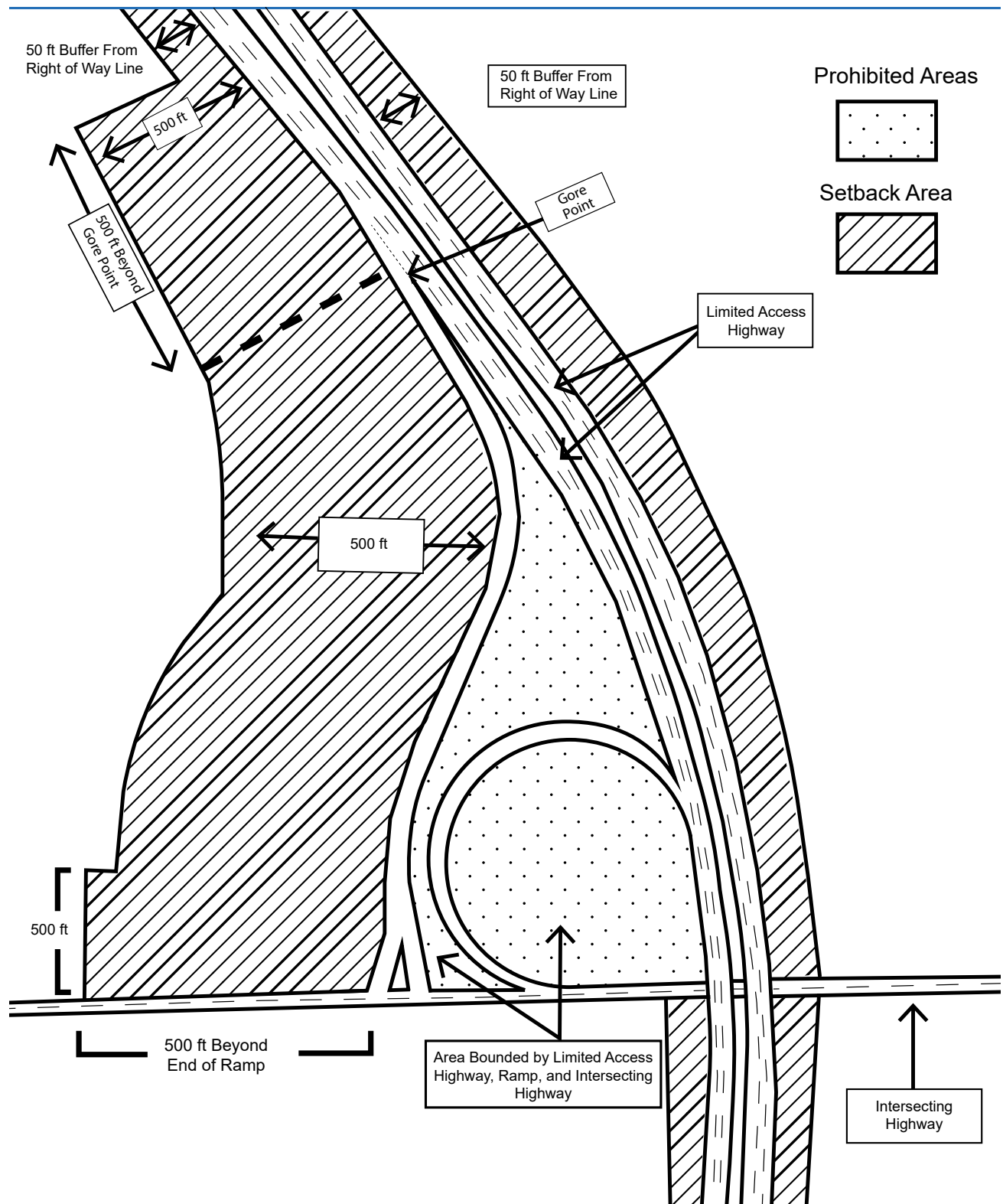
A sign, graphic, or design which is painted, mounted, or otherwise displayed within 3 feet of a window in a manner to present a message to or attract attention of the public on adjoining streets. The sign area is a bounding rectangle around the sign copy and graphics.





**Figure 67: Billboard Placement****Billboards Adjacent to Limited Access Ramps (figure 1)**

Billboards Adjacent to Limited Access Ramps (figure 2)



## ***DIVISION 7: OVERLAY DISTRICTS***

### ***SEC. 40-111 PINE HILLS NEIGHBORHOOD IMPROVEMENT DISTRICT OVERLAY ZONE.***

#### ***(a) Intent and Purpose.***

- (1) The "Pine Hills Neighborhood Improvement District Overlay Zone" or the "Pine Hills NID Overlay Zone, prohibits certain non-residential uses that may adversely impact the development or redevelopment of the North Pine Hills Road/Silver Star Road corridors, and promotes and facilitates the vision of Pine Hills as a safe, business-friendly and family-oriented environment.
- (2) The county recognizes that it is in the best interest of its residents and businesses in the unincorporated areas along the North Pine Hills Road/Silver Star Road corridors to utilize the county's home-rule authority to promote the enhancement of the corridors.
- (3) The overlay district is consistent with the Orange County Comprehensive Plan, which encourages the use of techniques to promote compatibility objectives.
- (4) The Constitution and laws of the State of Florida grant authority to the Board of County Commissioners to adopt and enforce land-development regulations within the unincorporated area of Orange County.

#### ***(b) Findings.***

- (1) Pine Hills is a community located in an unincorporated area of Orange County generally bounded by Apopka-Vineland Road to the west, Clarcona-Ocoee Road to the north, the City of Orlando to the east and the East-West Expressway to the south (the "Pine Hills Area"); and
- (2) In 2011, Orange County established the Pine Hills Local Government Neighborhood Improvement District (the "Pine Hills NID"), which is located within a limited portion of the Pine Hills Area along segments of Silver Star Road and North Pine Hills Road, and which is codified at sections [33-206 through 33-213, Orange County Code](#); and
- (3) The Board finds that neighborhood revitalization and improvement of the Silver Star Road and North Pine Hills Road corridors is the primary focus of the Pine Hills NID and the Pine Hills Neighborhood Improvement Plan, and that such goals will be furthered by the adoption of an overlay zone to prohibit certain non-residential land uses.

#### ***(c) Location and Area.***

- (1) The Pine Hills NID Overlay Zone shall be comprised of all parcels and lots lying within the Pine Hills NID, as currently represented on the Official Zoning Maps of Orange County and more particularly described in [Section 33-206, Orange County Code](#).

#### ***(d) Applicability; Conflicts; Responsibility of Applicant.***

- (1) Lands subject to district regulations. This section applies only to unincorporated parcels or lots lying in whole or in part within the Pine Hills NID Overlay Zone. This section shall cease to govern the use and development of any such lands if and when they may be lawfully annexed by a municipality, as provided by and subject to [F.S. § 171.062\(2\) \(2017\)](#), as it may be amended from time to time.
- (2) Conflict with other sections. Development and use of all such lands may occur only in compliance with both this section and with the provisions of this Code that govern the underlying zoning district in which the land is located. When there is conflict between this section and the provisions applying to the underlying zoning district, this section governs.
- (3) Applicability. This section applies to any rezoning, subdivision, special exception, building permit, use permit, or other development permit, as the term "development permit" is defined by general law, that is applied for within the Pine Hills NID Overlay Zone after June 19, 2018, where the applicant seeks to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure.
- (4) Responsibility of applicant for development permit. Everyone who applies for a development permit to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure within the Pine Hills NID Overlay Zone shall print on the front page of the application or plans the following in capital letters that are at least 2 inches high: "THIS APPLICATION [OR THESE PLANS] RELATE TO THE PINE HILLS NID OVERLAY ZONE, WHICH WAS ESTABLISHED UNDER AND IS SUBJECT TO ORDINANCE NO. 2018-14, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON JUNE 19, 2018."

## OVERLAY DISTRICTS

**(e) Prohibited Land Uses.**

The following uses are prohibited in the Pine Hills NID Overlay Zone:

- (1) Any business in which a material part of its services includes loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders;
- (2) Any business commonly known as "check cashing," or any business in which a material part of its services includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses that provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies; includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses that provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
- (3) Pawnshops, as defined by [F.S. § 539.001 \(2017\)](#), as it may be amended from time to time;
- (4) Package sale vendors, as defined in [Sec. 40-170 Sale Of Alcoholic Beverages](#), operating package sale businesses;
- (5) Bail bond agencies, as defined by [F.S. § 648.25\(1\) \(2017\)](#), as it may be amended from time to time;
- (6) Open air markets, as defined in [Sec. 40-120\(i\) Open Air Markets.](#);
- (7) Bottle clubs, as defined by [F.S. § 561.01\(15\) \(2017\)](#), as it may be amended from time to time;
- (8) New and used automobile sales
- (9) Outdoor display or storage; and
- (10) Portable food vendors (reference [Sec. 40-158 Mobile Service Operations.](#)).

**(f) Additional Standards for Labor Pools and Labor Halls.**

Labor pools and labor halls, as defined by [F.S. §§ 448.22\(1\) and \(3\) \(2017\)](#), respectively, as those sections may be amended from time to time, are permitted within the Pine Hills NID Overlay Zone, provided that the business provides an interior room or rooms for workers and day laborers waiting for work assignments or waiting to be picked up on site and requires such room or rooms to be utilized at all times by workers and day laborers when they are present at the business.

**(g) Nonconforming Uses.**

Nonconforming uses, buildings, structures, and signs, including those that result from the creation of this section, shall be subject to the provisions of [Article 2, Division 5 Orange County Code](#), regarding nonconforming uses.

**SEC. 40-112 STATE ROAD 436/STATE ROAD 50 CORRIDOR OVERLAY DISTRICT.****(a) Intent and Purpose.**

The "State Road 436/State Road 50 Corridor Overlay District" promotes and facilitates an enhanced corridor along designated segments with certain zoning prohibitions and restrictions to ensure compatibility of land uses within and outside the district, especially as between areas within and outside of municipal boundaries.

- (1) The County recognizes that it is in the best interests of its residents and businesses in both the incorporated and unincorporated areas along the State Road 436/State Road 50 corridor to utilize the County's home-rule authority to promote the enhancement of the corridor.
- (2) There are unincorporated areas and enclaves along the State Road 436/State Road 50 corridor in which current and potential future land uses may adversely impact the development or redevelopment of the eastern periphery of the County's metropolitan core.
- (3) Adopting and employing these standards will minimize regulatory confusion and help maintain land-use compatibility with the residential areas immediately adjacent to the State Road 436/State Road 50 corridor.
- (4) The overlay district is consistent with the Orange County Comprehensive Plan, which is designed to accommodate and promote economic growth, and which requires or encourages the coordination of land uses between the County and municipalities.
- (5) The Constitution and laws of the State of Florida grant authority to the Board of County Commissioners to adopt and enforce land-development regulations within the unincorporated area of Orange County.

**(b) Location and Area.**

The State Road 436/State Road 50 Corridor Overlay District (the "district") shall be comprised of all parcels and lots situated within unincorporated Orange County and lying in whole or in part within 550 feet of either edge of the right-of-way of State Road 436 (Semoran Boulevard), State Road 50 (Colonial Drive), and Old Cheney Highway between the northern boundary of the intersection of State Road 436 and State Road 408 (the East-West Expressway) on the south, one thousand fifty (1,050) feet north of the intersection of State Road 436 and Old Cheney Highway on the north, the western boundary of the intersection of State Road 50 and Goldenrod Road on the east, the eastern boundary of the intersection of State Road 50 and Humphries Avenue on the west, and along Old Cheney Highway from the intersection at State Road 50 west of State Road 436 easterly to the intersection at State Road 50 west of Goldenrod Road. A map depicting the boundaries of the district is attached as Exhibit "A" to Ordinance No. 2004-15, and shall be available for inspection in the office of the clerk to the Board of County Commissioners.

**(c) Applicability; Conflicts; Responsibility of Applicant.**

- (1) Lands subject to district regulations. This section applies only to unincorporated non-residential parcels or lots lying in whole or in part within the district. This section shall cease to govern the use and development of any such lands if and when they may be lawfully annexed by a municipality, as provided by and subject to [F.S. § 171.062\(2\)](#), as may be amended.
- (2) Conflict with other sections. Development and use of all such lands may occur only in compliance with both this section and with the provisions of this Code that govern the underlying zoning district in which the land is located. When there is conflict between this section and the provisions applying to the underlying zoning district, this section governs.
- (3) Applicability. This section applies to any rezoning, subdivision, special exception, building permit, use permit, or other development permit, as the term "development permit" is defined by general law, that is applied for after the date of enactment of this division where the applicant seeks to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure.
- (4) Responsibility of applicant for development permit. Everyone who applies for a development permit to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure shall print on the front page of the application or plans the following in capital letters that are at least 2 inches high: "THIS APPLICATION [OR THESE PLANS] RELATE TO THE STATE ROAD 436/STATE ROAD 50 CORRIDOR OVERLAY DISTRICT, WHICH WAS ESTABLISHED UNDER AND IS SUBJECT TO ORDINANCE NO. 2004-15, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON October 12, 2004."

**(d) Prohibited Land Uses.**

The following uses shall be prohibited in the district:

- (1) Labor pools and labor halls, as defined by [F.S. § 448.22\(1\) and \(3\)](#), respectively;
- (2) Any business in which a material part of its services includes loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders;
- (3) Any business commonly known as "check cashing," or any business in which a material part of its services includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
- (4) Tattoo, body art, or body piercing businesses;
- (5) Pawnshops, as defined within [F.S. § 539.001](#);
- (6) Bail bond agencies, as defined within [F.S. § 648.25](#);
- (7) Flea markets, except for those operating in conjunction with not-for-profit functions;
- (8) Fortune tellers, tarot card readers, palm readers, psychics, and similar businesses; and
- (9) Bottle clubs, as defined by this Code.

**(e) Nonconforming Uses.**

Nonconforming uses, buildings, structures, and signs, including those that result from the creation of this section, shall be subject to the provisions of [Article 2, Division 5, Orange County Code](#), regarding nonconforming uses.

## OVERLAY DISTRICTS

**SEC. 40-113 SOUTH ORANGE AVENUE CORRIDOR OVERLAY DISTRICT.****(a) Intent and Purpose.**

The "South Orange Avenue Corridor Overlay District" promotes and facilitates an enhanced corridor along designated segments of South Orange Avenue and Hansel Avenue with certain zoning prohibitions and restrictions to ensure compatibility of land uses within and outside the district, especially as between areas within and outside of municipal boundaries.

- (1) The County recognizes that it is in the best interests of its residents and businesses in both the incorporated and unincorporated areas along the South Orange Avenue corridor to utilize the County's home-rule authority to promote the enhancement of the corridor.
- (2) There are unincorporated areas and enclaves along the South Orange Avenue corridor in which current and potential future land uses may adversely impact the development or redevelopment of the southern periphery of the County's metropolitan core.
- (3) Employing these standards will minimize regulatory confusion and help maintain land-use compatibility with the residential areas immediately adjacent to the South Orange Avenue corridor.
- (4) The overlay district is consistent with the Orange County Comprehensive Plan, which is designated to accommodate and promote economic growth, and which requires or encourages the coordination of land uses between the county and municipalities.
- (5) The Constitution and laws of the State of Florida grant authority to the Board of County Commissioners to adopt and enforce land-development regulations within the unincorporated area of Orange County.

**(b) Location and Area.**

The South Orange Avenue Corridor Overlay District (the "district") shall be comprised of all unincorporated parcels or lots lying in whole or in part within 500 feet of either edge of the right-of-way for South Orange Avenue, and within 500 feet of either edge of the right-of-way for the Hansel Avenue split of South Orange Avenue, all between the southern boundary of the intersection of South Orange Avenue and Pineloch Avenue on the north, and the northern boundary of the intersection of South Orange Avenue and Sand Lake Road on the south. A map depicting the boundaries of the district is attached as Exhibit "A" to Ordinance No. 2003-12, and shall be available for inspection in the office of the clerk to the Board of County Commissioners.

**(c) Applicability; Conflicts; Responsibility of Applicant.**

- (1) Lands subject to district regulations. This section applies only to unincorporated parcels or lots lying in whole or in part within the district. This section shall cease to govern the use and development of any such lands if and when they may be lawfully annexed by a municipality, as provided by and subject to [F.S. § 171.062\(2\)](#), as may be amended.
- (2) Conflict with other sections. Development and use of all such lands may occur only in compliance with both this section and with the provisions of this Code that govern the underlying zoning district in which the land is located. When there is conflict between this section and the provisions applying to the underlying zoning district, this section governs.
- (3) Applicability. This section applies to any rezoning, subdivision, special exception, building permit, use permit, or other development permit, as the term "development permit" is defined by general law, that is applied for after September 9, 2003 where the applicant seeks to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure.
- (4) Responsibility of applicant for development permit. Everyone who applies for a development permit to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure shall print on the front page of the application or plans the following in capital letters that are at least 2 inches high: "THIS APPLICATION [OR THESE PLANS] RELATE TO THE SOUTH ORANGE AVENUE OVERLAY DISTRICT, WHICH WAS ESTABLISHED UNDER AND IS SUBJECT TO ORDINANCE NO. 2003-12, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS ON SEPTEMBER 9, 2003."

**(d) Prohibited Land Uses.**

The following uses shall be prohibited in the district:

- (1) Labor pools and labor halls, as defined by [F.S. § 448.22\(1\) and \(3\)](#), respectively;



- (2) Any business in which a material part of its services includes loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders;
- (3) Any business commonly known as "check cashing," or any business in which a material part of its services includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
- (4) Tattoo, body art, or body piercing businesses;
- (5) Pawnshops, as defined within [F.S. § 539.001](#);
- (6) Bail bond agencies, as defined within [F.S. § 648.25](#);
- (7) Flea markets, except for those operating in conjunction with not-for-profit functions;
- (8) Fortune tellers, tarot card readers, palm readers, psychics, and similar businesses; and
- (9) Bottle clubs, as defined by this Code.

**(e) *Nonconforming Uses.***

Nonconforming uses, buildings, structures, and signs, including those that result from the creation of this section, shall be subject to the provisions of [Article 2, Division 5 Orange County Code](#), regarding nonconforming uses.

**(f) *Signage.***

Pole signs shall be prohibited within the overlay district. All other signage shall comply with [Article 3, Division 6: Signs](#).

**SEC. 40-114 CONWAY ROAD CORRIDOR OVERLAY DISTRICT.**

**(a) *Intent and Purpose.***

The "Conway Road/Hoffner Avenue Corridor Overlay District" promotes and facilitates an enhanced corridor along designated segments with certain zoning prohibitions and restrictions to ensure compatibility of land uses within and outside the district, especially as between areas within and outside of municipal boundaries.

- (1) The County recognizes that it is in the best interest of its residents and businesses in both the incorporated and unincorporated areas along the Conway Road/Hoffner Avenue corridor to utilize the County's home-rule authority to promote the enhancement of the corridor.
- (2) There are unincorporated areas and enclaves along the Conway Road/Hoffner Avenue corridor in which current and potential future land uses may adversely impact the development or redevelopment of the eastern periphery of the county's metropolitan core.
- (3) Employing these standards will minimize regulatory confusion and help maintain land-use compatibility with the residential areas immediately adjacent to the Conway Road/Hoffner Avenue corridor.
- (4) The overlay district is consistent with the Orange County Comprehensive Plan, which is designed to accommodate and promote economic growth, and which requires or encourages the coordination of land uses between the county and municipalities.
- (5) The Constitution and laws of the State of Florida grant authority to the board of county commissioners to adopt and enforce land-development regulations within the unincorporated area of Orange County.

**(b) *Location and Area.***

The Conway Road/Hoffner Avenue Corridor Overlay District (the "district") shall be comprised of all unincorporated parcels or lots lying in whole or in part within 500 feet of either edge of the right-of-way for Conway Road, all between the northern boundary of the intersection of Conway Road and Curry Ford Road on the north and the northern boundary of the intersection of Conway Road and S.R. 528 (the Beeline Expressway) on the south; and all unincorporated parcels or lots lying in whole or in part within 500 feet of either edge of the right-of-way of Hoffner Avenue, all between the eastern boundary of the intersection of Hoffner Avenue and Conway Road on the west and the western boundary of the intersection of Hoffner Avenue and Semoran Boulevard on the east. A map depicting the boundaries of the district is attached as Exhibit "A" to Ordinance No. 2016-19, and shall be available for inspection in the office of the clerk to the Board of County Commissioners.

## OVERLAY DISTRICTS

**(c) *Applicability; Conflicts; Responsibility of Applicant.***

- (1) Lands subject to district regulations. This section applies only to unincorporated parcels or lots lying in whole or in part within the district. This section shall cease to govern the use and development of any such lands if and when they may be lawfully annexed by a municipality, as provided by and subject to [F.S. § 171.062\(2\)](#), as may be amended.
- (2) Conflict with other sections. Development and use of all such lands may occur only in compliance with both this section and with the provisions of this Code that govern the underlying zoning district in which the land is located. When there is conflict between this section and the provisions applying to the underlying zoning district, this section governs.
- (3) Applicability. This section applies to any rezoning, subdivision, special exception, building permit, use permit, or other development permit, as the term "development permit" is defined by general law, that is applied for after December 9, 2003, where the applicant seeks to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure.
- (4) Responsibility of applicant for development permit. Everyone who applies for a development permit to construct, reconstruct, renovate, alter, or enlarge a land use, building or structure shall print on the front page of the application or plans the following in capital letters that are at least 2 inches high: "THIS APPLICATION [OR THESE PLANS] RELATE TO THE CONWAY ROAD/HOFFNER AVENUE CORRIDOR OVERLAY DISTRICT, WHICH IS CODIFIED AT 3-7.4 OF THE ORANGE COUNTY CODE."

**(d) *Prohibited Land Uses.***

The following uses shall be prohibited in the district:

- (1) Labor pools and labor halls, as defined by [F.S. § 448.22\(1\) and \(3\)](#), respectively;
- (2) Any business in which a material part of its services includes loans secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance and retail installment lenders;
- (3) Any business commonly known as "check cashing," or any business in which a material part of its services includes future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
- (4) Tattoo, body art, or body piercing businesses;
- (5) Pawnshops, as defined within [F.S. § 539.001](#);
- (6) Bail bond agencies, as defined within [F.S. § 648.25](#);
- (7) Flea markets, except for those operating in conjunction with not-for-profit functions;
- (8) Fortune tellers, tarot card readers, palm readers, psychics, and similar businesses; and
- (9) Bottle clubs, as defined by this Code.

**(e) *Prohibited Chain Link Fencing.***

Notwithstanding anything to the contrary in [Sec. 40-75 Fencing and Walls.](#), chain link fences are prohibited within the front yard setback of the properties in the district that are located adjacent to the right-of-way of Conway Road and Hoffner Avenue.

**(f) *Nonconforming Uses.***

Nonconforming uses, buildings, structures, and signs, including those that result from the creation of this section, shall be subject to the provisions of [Article 2, Division 5 Orange County Code](#), regarding nonconforming uses.

**(g) *Signage.***

Pole signs are prohibited within the overlay district. All other signage must comply with [Division 6: Signs](#).

**SEC. 40-115 WEST STATE ROAD 50 CORRIDOR OVERLAY DISTRICT.****(a) Intent and Purpose.**

This division provides specific design standards for the West State Road 50 Corridor Overlay District with the purpose of promoting and facilitating intergovernmental coordination along west State Road 50.

- (1) At the time of enactment of this division, West State Road 50 is or was planned for major improvements, providing opportunities for aesthetic and functional enhancements in land use and traffic management.
- (2) The Orange County Comprehensive Plan and [F.S. Ch. 163](#) require the coordination of land uses and roadway design between Orange County and affected cities through joint planning agreements; Orange County has previously entered into joint planning area agreements with the Town of Oakland, and the cities of Ocoee and Winter Garden, located along West State Road 50.
- (3) There are unincorporated areas and enclaves along West State Road 50 in which the uses and designs may impact the important business areas of the surrounding municipality.
- (4) The county, in conjunction with the Town of Oakland and the Cities of Ocoee and Winter Garden, has developed coordinated and consistent design standards to enhance the appearance of the corridor.
- (5) Use of these standards will minimize regulatory confusion and protect the visual appearance of entryways to Ocoee, Winter Garden, and Oakland.
- (6) The overlay district created by this division is consistent with the Comprehensive Plan, which is designed to accommodate and promote economic growth.
- (7) The Constitution and laws of the State of Florida grant authority to the Board of County Commissioners to adopt and enforce land development regulations within the unincorporated area of Orange County.

**(b) Location and Area.**

A special design overlay district is established, to be known as the West State Road 50 Corridor Overlay District (the "district"). The district is comprised of all lands which, as of the date of enactment of this division, abut West State Road 50, between the western boundary of the intersection of State Road 50 and Good Homes Road and the western boundary of the county. A map depicting all properties in the district is attached as exhibit A to the ordinance which enacted this division and is available for inspection in the office of the clerk to the Board of County Commissioners.

**(c) Applicability.**

- (1) Lands subject to district regulations. This section applies only to lands lying within the district, but not within the boundaries of any municipality. These properties are identified on exhibit b, a copy of which shall be kept permanently on file in the office of the clerk to the Board of County Commissioners and available for inspection during normal working hours.
- (2) Conflict with other sections. Development and use of all such lands may occur only in compliance with both this section and with the provisions of this Code that govern the underlying zoning district in which the land is located. When there is conflict between this section and the provisions applying to the underlying zoning district, this section governs.
- (3) Applicability. This section applies to any rezoning, subdivision, development, special exception, building or structure approval permit.
- (4) Expansion of existing structures. This section applies to all development, redevelopment or expansion of existing development that increases the building(s) cumulative gross floor area by more than 50 percent.
- (5) Grandfather provision. Any building or sign which exists on the date of the enactment of this overlay district which conforms to the requirements of this Code as it exists immediately prior to the enactment of this overlay district, and which is damaged or destroyed due to fire, flood, storm damage or other acts of God, may be reconstructed to the size and footprint of the building as it existed on the date of the enactment of this overlay district without complying with this section.

**(d) Site Design and Development Standards.**

- (1) Architectural design requirements. Commercial development must conform to the design requirements of the [Chapter 40, Article 3, Divisions 3 and 5](#).
- (2) Building orientation. Buildings in the district must provide a main customer entrance facing the State Road 50 right-of-way. Automobile service bays may not face the right-of-way.

## OVERLAY DISTRICTS

- (3) Setbacks. Setbacks for principal structures and accessory buildings are as follows:
  - a. Front building setback shall be not less than 50 feet from the State Road 50 right-of-way line.
  - b. Rear- and side-yard setbacks shall follow the requirements of the underlying transect.

Landscaping treatment.

  - c. The grounds adjacent to the right-of-way must be landscaped as follows:
    1. The landscaped yard must be a minimum of 7 feet for lots up to 150 feet in depth, and 5 percent of the lot depth for those lots greater than 150 feet in depth, up to a maximum required landscaped yard of 15 feet.
    2. On those properties with multiple lot depths, the depth of the landscaped yard must be the average of the several lot depths, subject to the minimum and maximum set forth in subparagraph a.
  - d. No parking spaces or loading docks are permitted within the landscaped yard. Primary or joint access driveways among adjoining properties are permitted within the buffer.
  - e. Landscaped yards may incorporate existing on-site trees and shrubbery into the landscaping schemes, and all submitted plans shall indicate such incorporation.
  - f. Landscaped yards along State Road 50 must have a visual screen at least 5 feet in height, consisting of a landscaped berm, shrubbery, a masonry wall, or any combination thereof, and shade trees (as defined in [Sec. 40-91 General Requirements](#).) must be placed at an average of one shade tree per 40 linear feet of frontage on State Road 50.
  - g. Non-fenced stormwater ponds (typically 5:1 slopes to 3 feet below the Normal High-water Line) may be placed within landscaped yards, providing the landscaping and berm requirements of this division are met.
- (4) Sidewalks and pedestrian connections. Five-foot wide sidewalks must be provided along State Road 50.
- (5) Fencing. Chain-link fencing between any building and State Road 50 is prohibited. Barbed-wire fencing may be installed only on SZ-LI or SZ-HI properties and only if not visible from the State Road 50 right-of-way.

**(e) Nonconforming Uses.**

Nonconforming uses and structures in the district are subject to the provisions of [Article 2, Division 5: Nonconformities](#), except as specified in [\(c\)\(5\)](#).

**(f) Variances and Appeals.**

Variances and appeals from any portion of this division will be processed in accordance with procedures established in [Article 2, Division 2: Variances, Special Exceptions, and Minor Deviations](#), except for sidewalks which are subject to [Section 34-27 of the Orange County Code](#).

**(g) Signage.**

- (1) West State Road 50 Corridor Overlay District. For the West State Road 50 Corridor Overlay District, signage must be in accordance with [Division 6: Signs](#), and as follows:
  - a. Pole signs and pylon signs shall be prohibited.
  - b. So long as the municipal codes of the Town of Oakland, the City of Ocoee and the City of Winter Garden prohibit erection of billboards on properties that are both within their respective municipal boundaries and within the overlay district, billboards shall be prohibited on lands subject to this division. If and when any one or more of those municipalities repeal such prohibition on erection of billboards in the district, this subsection shall sunset without further action of the Board of County Commissioners and shall have no further force or effect.
  - c. The street address number of the business or shopping center shall be displayed in a contrasting color on any business identification sign. The minimum height of the address shall be 6 inches and the maximum height of the address shall be 12 inches. Multi-tenant signs shall display the range of street address numbers within the business or shopping center.
  - d. Copy area on monument signage, excluding the required street address numbers, may not exceed 100 square feet per allowable sign.
  - e. Signs may not exceed 12 feet in height.
- (2) EMC signs shall be prohibited.

**SEC. 40-116 FOUR CORNERS COMMUNITY VILLAGE CENTER GUIDELINES AND STANDARDS.****(a) Intent and Purpose.**

The intent and purpose of these guidelines are as follows:

- (1) To implement the "Four Corners Community Village Center" special area study.
- (2) To ensure that the Four Corners CVC, which was located within the Windermere Rural Settlement with a residential density of only one unit per acre prior to the adoption of the community village center objectives and policies, is developed with nonresidential and residential uses in a responsible and careful manner.
- (3) To preserve the major visual amenity in the area of the Four Corners CVC, Lake Down.
- (4) To protect the environmental integrity of Lake Down, an Outstanding Florida Water.
- (5) To create a pedestrian-friendly, mixed-use, village center.
- (6) To ensure that each development in the village center reflects an architectural character that is harmonious with development in the Four Corners CVC area.
- (7) To create a village with a pedestrian scale and sense of place.
- (8) To create a pedestrian-friendly village center through the use of sidewalks, shade trees, mini-parks, and careful design of vehicular parking areas.
- (9) To design streetscapes that are pedestrian in scale, safe, secure, and offer protection from climatic elements.
- (10) To develop an effective, design-criteria framework to guide, develop, and control signage lighting and architectural character.
- (11) To provide open space as a social gathering place for residents, visitors, and workers.
- (12) To create a distinct streetscape with a defined edge along the major roads.
- (13) To maintain a pedestrian scale in terms of building height.
- (14) To provide that these 4 corners (CVC) regulations shall be administered by the County Zoning Division, except that any non-zoning aspects of these regulations shall be administered by the appropriate department or division.

**(b) Establishment of Four Corners CVC; Applicability.**

- (1) There is established hereby a community village center to be known as the "Four Corners Community Village Center" (or "Four Corners CVC").
- (2) These guidelines and standards shall apply only to the Four Corners Community Village Center. Generally speaking, the Four Corners CVC encompasses the four (4) quadrants situated at the intersection of Apopka-Vineland Road and Conroy-Windermere Road in west Orange County. The Four Corners CVC is comprised of the following property:

Begin at intersection of Conroy-Windermere Road (County Road #439) and Apopka-Vineland Road, run south a distance of about 1,322 feet, west about 2,640 feet, north about 1,320 feet, east along the centerline of Conroy-Windermere Road about 1,645 feet, north along the eastern line of the Windermere Reserve Subdivision about 1,288 feet to the northeast corner of Lot 5 of the Windermere Reserve Subdivision, west about 334 feet, north about 1,313 feet, east along the half section line about 1,322 feet to the centerline of Apopka-Vineland Road and south about 2,624 feet to the point of beginning. (All land described in this paragraph is located in Sections 9 and 16 of Township 23, Range 28.)

AND

Begin at intersection of Conroy-Windermere Road (County Road #439) and Apopka-Vineland Road, run north a distance of about 2,640 feet, east about 1,320 feet, south about 3,922 feet, west about 1,340 feet, and north about 1,332 feet to the point of beginning. (All land described in this paragraph is located in Sections 10 and 15, Township 23, Range 28.)

- (3) These Four Corners guidelines and standards shall supplement and complement all applicable laws, ordinances, rules and regulations, including the general guidelines and standards for a community village center set forth in this section. However, to the extent these Four Corners CVC guidelines and standards may conflict with or may not be consistent with any other applicable laws, ordinances, rules or regulations, including the general CVC guidelines and standards in this section, these guidelines and standards shall govern and control.



## OVERLAY DISTRICTS

**(c) Design Guidelines; General.**

- (1) A nonresidential development shall be designed or redesigned as a single, unified and integrated project pursuant to the CVC guidelines and standards in this section and the guidelines and standards for the particular CVC. A disjointed, fragmented, uncoordinated development which is physically or functionally separated from a single, unified and integrated project, such as development on an outparcel, shall be prohibited.
- (2) The natural topography, soils, vegetation, and wetlands and surface waters shall be preserved to the greatest extent practicable, through the careful location and design of circulation ways, buildings and structures, parking areas, recreation areas, open space, and drainage facilities.
- (3) The proposed location, arrangement and scale of buildings and structures shall, to the greatest extent practicable, not be detrimental to the existing or committed adjacent land uses or to the existing or committed development of the surrounding neighborhood.
- (4) Building setbacks from the normal high-water elevation of all natural water bodies shall be a minimum of 50 feet. Established minimum floor elevations shall be observed.
- (5) Buildings, structures and recreation areas shall, to the greatest extent practicable, be situated to take advantage of the natural air flow, sun angle and views. Where feasible, view corridors shall be maintained.
- (6) Lighting, access points, or activities resulting in high noise levels which would adversely affect abutting property shall be prohibited.
- (7) Cascading planters, balconies, canopies or other similar architectural features shall be used along all second story facades which front any existing public right-of-way, and such features shall make up at least 50 percent of the lineal frontage along the right-of-way.

**(d) Street Facilities.**

All streets shall meet minimum county standards with appropriate design widths of pavement surfaces to accommodate projected traffic, providing free movement for safety and efficient use within the development, and shall meet the following design guidelines:

- (1) Local streets shall be designed and located so that future urban development will not necessitate the conversion of such streets to arterial routes. Arterial and major collector streets shall not be impacted by backing movement from adjoining parking areas. Provisions shall be made for the continuation of all arterial streets and highways, where applicable.
- (2) If loop roads are constructed within nonresidential developments, they shall be aligned with each other to encourage through traffic and reduce congestion at any intersection.
- (3) Internal streets and driveways shall be designed to provide optimum conditions for the free movement and safety of vehicular traffic, and to provide safe, efficient, and convenient access to land uses within the development and to roadways adjacent to the development. Joint access shall be provided between separate properties within each quadrant of the area for all nonresidential development. To the greatest extent practicable, median cuts and cross access shall be coordinated between property owners on opposite sides of any major roadways.
- (4) Public streets shall be constructed in accordance with the subdivision standards in chapter 34 of this Code.
- (5) Alternative internal street design may be permitted, such as on street parking, provided it is consistent with the urban design concepts of the CVC.

**(e) Parking Facilities.**

- (1) Parking and loading facilities shall meet the minimum requirements set forth in [Division 4: Parking and Loading](#). Parking areas shall be located within 300 feet of the uses they serve. Parking areas shall be paved and designed with regard to pedestrian safety.
- (2) Pedestrian accommodations shall meet all requirements of [Section 30-250 of Orange County Code](#). Vehicular and pedestrian circulation systems shall be separated on public rights-of-way and within parking facilities. A system of walkways and bicycle paths connecting buildings, common open spaces, recreation areas, community facilities and parking areas shall be provided and adequately lighted for nighttime use. This system of walkways and bicycle paths shall be designed so as to connect all properties within the CVC as they are developed. However, nothing in this paragraph shall be construed as prohibiting private, gated vehicular and/or pedestrian access to residential developments.
- (3) The entrances to parking areas shall be easily accessible and identifiable from public and private streets, shall not interfere with traffic movement on adjoining streets or driveways, and shall provide appropriate horizontal and/or vertical sight distances in accordance with the latest edition of Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook).



- (4) All parking areas shall be designed and landscaped to be visually and functionally integrated with other land uses. A minimum of 10 percent of all nonresidential parking areas shall be landscaped.
- (5) Parking areas shall be surfaced with a hard, dustless material, properly drained, and designed with regard to pedestrian safety and, where appropriate, with regard to conservation and filtration of surface water into the underground aquifer. Alternative parking surfaces may be permitted where frequency of use is appropriate for the proposed alternative surface, but all parking areas shall meet accessibility requirements of the most recent editions of applicable federal and state standards as adopted.
- (6) Alternative parking, including on-street parking and loading on internal streets, may be permitted where it is consistent with the urban design concepts of the particular CVC and is consistent with on-street parking requirements of [Section 34-171 of the Orange County Code](#).
- (7) A method of coordinating joint use of parking areas during off-peak hours shall be encouraged and, if employed, shall be incorporated into the design as a means to reduce the total number of required parking spaces.
- (8) All parking bays shall be designed with tree planting cutouts at a minimum of every 50 lineal feet between parking bays. Such cutouts shall be a minimum of 25 square feet and shall be protected by car stops or curbs. In lieu of tree planting cutouts, landscape islands may be provided at not less than one island for each 10 parking spaces. Landscape islands shall be at least 5 feet wide.

**(f) Open Space.**

Open space areas shall be provided in order to enhance the living and working environment and to promote the design concepts of the CVC.

- (1) An open space area shall be defined as any area serving any one or more of the following 3 functions:
  - a. Shapes village patterns. An area which separates or consolidates development and prevents development in undesirable locations.
  - b. Recreation. An area which supports a specified recreation pursuit, whether it is active or passive.
  - c. Conservation. Reference Chapter 15 Article X
- (2) A planned development shall provide open space in the form of greenbelts and buffer zones at a minimum of 2 percent of the gross land area.
- (3) Open space shall be provided within a planned development based on the following ratio:
  - a. Residential
    1. Up to one unit per acre . . .0 percent
    2. Greater than one unit per acre . . .20 percent
  - b. Office . . .20 percent
  - c. Commercial . . .30 percent
- (4) Open space in the form of greenbelt or buffers provided within the legal description portion of the proposed phase or project may be included to meet the minimum open space criteria. Excess open space committed in prior phases adjacent to a proposed development phase may be considered to meet up to seventy-five (75) percent of the open space criteria.
- (5) Category A open space. All of the uses listed below shall count one hundred (100) percent towards meeting the total open space required for the development or phase thereof:
  - a. Buffer zones and greenbelts.
  - b. Recreational areas (active and passive).
  - c. Landscaped areas.
  - d. All other permanently undeveloped uplands.
  - e. Plazas/hardscape that meet the following requirements:
    1. 20 percent landscaped;
    2. Outdoor seating areas for the general public; and
    3. 30 percent pedestrian accessible (excluding sidewalks) for area remaining after landscaping and water features/sculptures.
- (6) Category B open spaces. All of the uses listed below may be credited toward meeting the minimum open space requirements if the performance standards are met, but they shall not count for more than 75 percent of the total open space required for the development or phase thereof:
  - a. Stormwater management ponds;

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- b. Easements that meet the following requirements:
  - 1. Minimum 25 feet wide;
  - 2. Accessible for public use; and
  - 3. Written verification from the easement holder authorizing unrestricted access.
- (7) Category C open space. An area within a development or phase thereof, which is classified as a wetlands and surface waters (including a mitigation area), pursuant to [Article X of Chapter 15, Orange County Code](#) shall qualify as open space. However, wetlands and surface waters and/or mitigation areas shall not count for more than 50 percent of the total open space required for the development or phase thereof.
- (8) Open space categories "B" and "C" collectively shall not count for more than 75 percent of the total open space required for the development or phase thereof.
- (9) Open space provided in other phases or parcels within a development shall not count for more than 75 percent of the total open space requirements.

**(g) Landscaping Standards for Nonresidential Development.**

- (1) Landscaping; general.
  - a. Landscaping consisting of trees, shrubs, bushes, vines, ground cover or any combination thereof, shall be planted. Regarding the planting of trees, attention shall be given to the type and location of trees in order to provide for relief from the exposure to the sun of both buildings and paved areas. Attention shall also be given to the location and type of planting of trees, shrubs and bushes in and around parking areas, around refuse storage areas and in building setback and separation areas to achieve proper screening of those areas from occupied buildings and exterior roadways.
  - b. Furthermore, attention shall be given to the preservation of existing trees over the strict interpretation of the minimum standards set forth herein, provided the proposed design will produce a unique or aesthetically pleasing design.
  - c. All landscaped areas shall be irrigated by a permanent sprinkler system in order to provide for the continued life of the landscaping and to ensure it will serve its intended purpose. Where practical, water efficient landscaping as defined in [Division 5: Landscape Standards](#) of this Code shall be utilized.
  - d. Any area not covered by buildings, paving or landscaping shall be sodded and irrigated.
  - e. The design choice and placement of landscape materials shall not obstruct the cross-visibility of street traffic, on-site traffic, or pedestrian areas. The cross-visibility area is that area created by measuring from the intersecting point of any two (2) travelways a distance of twenty-five (25) feet along the right-of-way and the driveway with a connecting point between the terminal points, thereby creating a triangular shaped cross-visibility area. The landscape material shall not obstruct the visibility in the area between three (3) feet and eight (8) feet from the ground.
  - f. The submission of construction plans shall include a landscape plan identifying:
    - 1. Existing and/or proposed structures;
    - 2. Paved area;
    - 3. Other features relating to the development of the site;
    - 4. Landscaped areas;
    - 5. Location, name, site, quantity and spacing of all plant materials;
    - 6. Existing trees with eight (8) inches diameter breast height (DBH) or more;
    - 7. Existing trees proposed for removal;
    - 8. Irrigation system.
- (2) Perimeter landscaping.
  - a. Perimeter landscaping shall be provided adjacent to the rights-of-way as shown on the applicable CVC streetscape master plan. Additional landscaping within the a required utility easement shall be designed to complement the design of the applicable CVC streetscape master plan. At a minimum, perimeter landscaping adjacent to roads within the CVC streetscape master plan shall include a continuous hedge, wall, berm or combination screen when adjacent to a parking bay. The screen shall be at least four (4) feet in height one (1) year after installation. Perimeter landscaping adjacent to roads within the CVC streetscape master plan shall include a shade tree averaging fifty (50) feet on center, provided not more than one hundred (100) continuous linear feet along the perimeter of a property line shall be void of shade trees. Small trees shall be incorporated within the perimeter landscaping at a rate averaging three (3) trees per two hundred (200) linear feet or fraction thereof. Frontage perimeter shade trees shall be a minimum four (4) inches caliper and fifteen (15) feet in height.

- b. Shade trees shall be provided along side and rear lot lines not abutting rights-of-way, at a ratio of one (1) tree for each fifty (50) linear feet or fraction thereof. (Existing trees may be counted toward meeting this requirement.) Trees shall be placed within the buffer yard areas with at least fifty (50) percent of the required trees located within fifteen (15) feet of the property line. Fifty (50) percent of such trees shall be three-inch caliper minimum and fifty (50) percent shall be two-inch caliper minimum.
  - c. The application of the perimeter landscaping criteria shall be flexible. Preference shall be given to aesthetically pleasing landscape design over a rigid interpretation of the tree spacing standard. However no more than seventy-five (75) linear feet along the perimeter of a property line shall be void of trees.
- (3) Screens, hedges, berms.
- a. All paved areas shall be screened from rights-of-way or adjacent residential property by a continuous hedge, wall, berm, or combination thereof.
  - b. A berm may be utilized to provide screening of paved areas or stormwater retention facilities, provided it is a minimum of two (2) feet in height, a maximum of five (5) feet in height, with a maximum side slope of four (4) to one (1). A berm less than three (3) feet in height shall be supplemented with landscaping in order to provide a minimum three-foot high screen.
  - c. A berm constructed adjacent to a right-of-way shall not exceed seventy-five (75) feet in length without a landscape break. Overlapping berms may be utilized in lieu of a landscape break.
  - d. A paved area adjacent to side or rear property lines shall be screened from abutting properties by hedging or berms equaling seventy-five (75) percent of the paved frontage. No more than fifty (50) continuous linear feet along the property line shall be void of screening. Additional landscaping shall be provided to screen any on-site uses having a negative impact on adjacent property, including complying with the landscaping and buffering requirements of [Sec. 40-74 Screening and Buffering](#).
- (4) Interior landscaping.
- a. Landscaping shall be provided in scattered locations throughout the parking areas in an amount equal to at least ten (10) percent of the total paved area. Except as provided in [\(e\) Parking Facilities](#), for cutouts, each landscaped area shall be a minimum of one hundred (100) square feet and shall contain at least one (1) shade tree. A landscape starter shall be provided at the end of each parking area adjacent to the travel lane serving the parking isle. A minimum of fifty (50) percent of the required landscaped area shall be landscaped with plant materials other than ground cover.
  - b. Any such landscaped area shall be protected from vehicle encroachment by curbing or wheel stops.
  - c. A minimum of fifty (50) percent of the required trees provided within the interior landscaped area shall be of a large shade tree variety.
- (5) Building landscaping.
- a. A landscaped area shall be provided between the base of any building and any adjacent right-of-way, parking area or residential development.
  - b. Any such landscaped area shall be equal to fifty (50) percent of the linear length of the building base oriented toward the right-of-way, parking area, or residential development, and shall have a minimum width of four (4) feet.
  - c. At least half of any such landscaped area shall contain landscape material other than ground cover, with trees provided at a ratio of one (1) tree per two hundred (200) square feet of required landscaped area or fraction thereof. Fifty (50) percent of such trees shall be three-inch caliper minimum and fifty (50) percent shall be two-inch caliper minimum.
  - d. Any such landscaped area may include plazas and hardscapes as defined in [\(f\) Open Space](#), as an alternative to the required landscaped area on the side of the main ingress/egress of the building. This plaza or landscape area shall consist of a minimum ten-foot wide sidewalk with pedestrian street lighting, street furniture every one hundred (100) linear feet, and shade trees every fifty (50) linear feet.
  - e. The front and side facades of office building shall meet the landscaping standards for the sides of commercial buildings.
- (6) Plant material specifications. The following specifications shall be utilized for all landscape materials chosen for the project site:
- a. The quality of plant materials used shall meet or exceed "Grade 1," as established in "Grades and Standards for Nursery Plants," Part I, 1963, State of Florida, and amendments thereto.
  - b. All plant materials shall be suitable to Central Florida climate and soil conditions.

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- c. Shade trees. A shade tree shall mean a woody species which is capable of growing to a minimum height of fifteen (15) feet with an average mature crown spread greater than fifteen (15) feet and a clear trunk of seven (7) feet from the ground. No more than twenty-five (25) percent of the required trees may be palms. When planted, any required shade tree shall be at least ten (10) feet tall with a minimum trunk diameter of two (2) inches. At least fifty (50) percent of the required shade trees shall be selected from the following list:
 

|                            |             |
|----------------------------|-------------|
| 1. Botanical Name          | Common Name |
| 2. Magnolia grandiflora    | Magnolia    |
| 3. Platanus occidentalis   | Sycamore    |
| 4. Quercus laurifolia      | Laurel Oak  |
| 5. Quercus virginiana      | Live Oak    |
| 6. Ulmus parvifolia        | Chinese Elm |
| 7. Ulmus parviflora"drake" | Drake Elm   |
- d. Small trees. The incorporation of small trees in the landscape is expressly encouraged. Small trees should be used as accents through color, texture, or flowers. At least fifty (50) percent of small trees should be selected from the following list:
 

|                         |                  |
|-------------------------|------------------|
| 1. Botanical Name       | Common Name      |
| 2. Tabebuia spp.        | Trumpet tree     |
| 3. Tipuana tipo         | Tipuana          |
| 4. Lagerstroemia indica | Crepe myrtle     |
| 5. Ilex spp.            | Holly            |
| 6. Ligustrum spp.       | Ligustrum        |
| 7. Koelreuteria formosa | Golden rain tree |
- e. Hedges. Plant materials utilized to provide a continuous screen shall be a minimum of 30 inches in height upon planting, with a maximum spacing of 2½ feet on center. All plant materials shall be capable of attaining at least 75 percent opacity within 12 months after planning.

**(h) General Site Development Standards for Nonresidential Developments.**

- (1) Impervious coverage. Impervious coverage shall not exceed 70 percent of the net land area. This requirement shall be met on a parcel-by-parcel basis unless the parcels are part of a master drainage plan.
- (2) Open space. Open space shall be provided in accordance with the requirements of the CVC guidelines and standards.
- (3) Setbacks. Setbacks from the side and rear property lines shall be at least 10 feet. However, where adjacent to a residential development, a minimum twenty-five-foot setback shall be provided. Unless otherwise approved by the county, front setbacks from public streets shall meet the following minimum guidelines, unless more stringent requirements are established in this Code.
  - a. Collector 30 feet
  - b. Arterial 40 feet
  - c. Internal street 20 feet
- (4) Access cuts and driveways.
  - a. The number of access cuts or access driveways shall be based upon the frontage of the site and the functional classification of the highway.
  - b. In instances where the developer desires additional access cuts, frontage roads shall be designed and constructed to county standards and constructed by the developer on private property with access and pedestrian easements dedicated to the county.
  - c. Access driveways shall be located a minimum of one hundred (100) feet from an intersection with a collector road and one hundred twenty-five (125) feet from an intersection with an arterial highway. The measurements shall be from the center-line of the driveway to the nearest right-of-way line of the intersecting street as measured along the right-of-way.
  - d. The design of access driveways shall conform to county standards.
  - e. All vehicular maneuvering areas and parking areas shall be paved to meet county standards.
- (5) Service areas. Any service area visible from a right-of-way or abutting property shall be screened by a six-foot high maintenance-free masonry wall or a ten-foot high landscaped buffer. Landscaping shall be a minimum of three (3) feet in height upon planting and shall attain a height of four (4) feet within twelve (12) months of planting with an opacity of seventy-five (75) percent.
- (6) Solid waste refuse receptacles. Any solid waste refuse receptacle located in an area visible by patrons, visible from abutting property, or located within the building setback area, shall be screened by a six-foot high maintenance-free masonry wall on three (3) sides with the access side oriented toward the interior of the site.

- (7) Screening walls.
  - a. Maintenance-free masonry walls on side or rear property lines may be permitted. However, such walls shall be specifically identified on the construction plans. Such walls shall be designed and constructed of materials that are compatible with the applicable CVC streetscape master plan. Such walls on side property lines shall not be more than two (2) feet high when located forward of the building setback line.
  - b. Wood fences shall not be permitted.
  - c. A fence or wall on a side or rear lot line shall not exceed six (6) feet in height. Landscaping shall be provided in the form of trees and/or shrubs planted adjacent to the wall or fence equal to seventy-five (75) percent of its length.
- (8) Outdoor storage. Outdoor storage of articles, goods or materials shall not be permitted unless totally screened from right-of-way and adjacent properties. Display areas shall not be visible from the right-of-way or adjacent properties. Utility fixtures when located outside of a structure, shall be screened with dense plant materials or berms, or a combination of both, or within a completely enclosed area.
- (9) Mechanical equipment. Subject to standards in [ARTICLE III—ZONE STANDARDS](#).
- (10) Exterior lighting. Lighting devices for the illumination of the ground, driveways, walkways, signs, parking areas and building exteriors, shall be installed and maintained in such a manner as to confine direct rays to the premises and prevent direct rays and glare onto adjacent properties or rights-of-way. All parking lot and security lighting shall be shielded and directed downward. All exterior lighting shall be complementary in style to the lighting used throughout a single, unified and integrated project. A photometric analysis shall be submitted with the development plan. The analysis shall act as a guide for acceptable light levels shining onto properties located outside the CVC.
- (11) Sidewalks. Sidewalk facilities shall be designed to provide access by the handicapped. Pedestrian sidewalks shall be provided adjacent to storefronts.
- (12) Utilities
  - a. All new and existing utility lines, transmission lines, pipes, cables, services, including sewer, water, electrical, telephone, gas and cable television, regardless of whether they are located on-site or within an adjacent right-of-way, shall be installed underground. Site plans shall indicate the nearest service source for the proposed development, as well as the effects on existing public systems or facilities resulting from the extension of new service, i.e., open cut.
  - b. Any facility or equipment which cannot be located underground shall be adequately screened from view from any right-of-way or abutting property.
- (13) Architecture/urban design. The urban design of the P-D shall include the following components:
  - a. All structures, including walls, roofs, trim, building ornamentation, signage, etc., shall be designed to be compatible and complementary to the existing architecture of the CVC.
  - b. Continuous, covered, colonnaded walkways or other urban design elements shall be provided for visual linkage, unity of design and scale definition in building groups.
  - c. Every building shall have a decorative roof treatment compatible with the architectural style of the particular development. The roof treatment shall include a complete roof of not less than 3/12 pitch, a mansard roof with a minimum height of 8 feet, or an architecturally acceptable front facade with flat roof.
  - d. A pedestrian scale streetscape shall be created with trees, street furniture along the sidewalks, pedestrian colonnades and/or awnings or canopies over the sidewalks, and building arrangements that promote pedestrian activity.
  - e. Integrated architectural elements that emphasize one of the following shall be used:
    - 1. Brick, block covered with stucco, dryvit or other similar building materials;
    - 2. Clear glass windows and storefronts. Windows should be a residential or pedestrian scale and character;
    - or
    - 3. Pavements of concrete, imprinted concrete pavers and brick. Use of asphalt on internal streets should be broken up with other materials mentioned in the foregoing sentence.
  - f. Clear glass windows and storefronts shall be encouraged, but not required, on the ingress/egress sides of nonresidential buildings. When installed, the glass storefront shall be encouraged, but not required, to cover a minimum of 75 percent of the storefront. The glass storefront shall be encouraged, but not required, to extend from a minimum of 3 feet above the sidewalk to a maximum of 7 feet above the sidewalk.
- (14) Maximum building height. Maximum building height shall be 50 feet and 3 stories.
- (15) To the greatest extent practicable, pedestrian and bicycle facilities shall be incorporated into the transportation system of each development.



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**(i) General Site Development for Residential Development.**

- (1) Open space. Open space shall be provided in accordance with the requirements contained in the CVC guidelines and standards.
- (2) Setbacks. Setbacks from side and rear property lines shall relate to the height of the structures. The following guidelines shall be utilized to review proposed setbacks for a project; however, they may vary depending upon conditions and design considerations:
  - a. Major collector streets 35 feet
  - b. Arterial street 50 feet
- (3) Landscaping. In addition to the general landscape provisions contained in [Division 5: Landscape Standards](#), three-inch dbh shade trees shall be provided at the rate of 2 trees per residential lot. Street trees shall be planted 50 feet on-center along both sides of all residential streets. The street trees will be credited toward the residential lot tree requirement. The street trees shall be selected from the following list:
  - a. Live oak.
  - b. Magnolia.
  - c. Shumard oak.
  - d. Sycamore.
- (4) Subdivision design. Subdivisions shall be designed in accordance with [Chapter 34 of the Orange County Code](#). The minimum width of perimeter lots shall be the same as the width requirements under the zoning for the adjacent lots located outside the CVC. Furthermore, the side and rear setbacks for perimeter lots shall be the same as the setback requirements under the zoning for such adjacent lots.

**(j) Development Guidelines; General.**

- (1) A nonresidential development shall be developed or redeveloped as a single, unified and integrated project pursuant to the CVC guidelines and standards in this section. A disjointed, fragmented, and uncoordinated development which is physically or functionally separated from a single, unified and integrated project, such as development on an outparcel, shall be prohibited. It shall be determined whether a proposed development constitutes a single, unified and integrated project at the time of development plan review or at the time of review of any amendment thereto. This determination shall be made based primarily upon the following criteria:
  - a. Building location and massing to emphasize a pedestrian scale, such as a village street.
  - b. Vehicular access shall be interconnected between parcels within the project and at common median breaks on the major roadways within the CVC.
  - c. Architectural features emphasizing a strong relationship to the pedestrian circulation system.

A project shall maintain architectural compatibility in order to cause the project to be unified and integrated, but such shall not require architectural uniformity.

- (2) Redevelopment subsequent to initial development pursuant to the CVC guidelines and standards and the guidelines and standards for the particular CVC shall, to the greatest extent practicable, be consistent and compatible with the CVC guidelines and standards and the guidelines and standards for the particular CVC.
- (3) Any other private, public or semi-public use complementary to, and compatible with, planned nonresidential development in a CVC may be permitted if designated on an approved development plan.

**(k) Approval Procedure.**

Except to the extent a developer has complied with the procedure set forth below, the procedure for obtaining approval of a CVC planned development shall be as follows:

- (1) Development plan.
  - a. After payment of an application fee to the zoning department, the applicant shall submit to the DRC Office a development plan and support data and information. The development plan may cover all or a portion of the approved land use plan. If the applicant proposes to create a subdivision, a preliminary subdivision plan shall be processed concurrently with the development plan. The Technical Review Group shall review the development plan to determine whether all necessary and appropriate data and information has been provided.
  - b. The DRC shall review the development plan to determine whether:
    1. It is consistent with the approved land use plan;
    2. It is consistent with applicable laws, ordinances, rules and regulations;
    3. The development, and any phase thereof, can exist as a stable independent unit; and
    4. Existing or proposed utility services and transportation systems are adequate for the uses proposed.
    5. It is consistent with CVC provisions requiring a single, unified and integrated development plan.



**(I) Development Plan; Requirements.**

The development plan for the project, or any phase thereof, consisting of properly identified exhibits and support materials, shall, where applicable, be drawn to scale (one inch equals 100 feet with all dimensions provided, shall include all relevant data and information that is known by or could reasonably be known by the applicant at the time of submission, and shall indicate the following:

- (1) The project name (indicate if different than the project name on the approved land use plan).
- (2) The legal description and the gross acreage of the proposed development.
- (3) Identification of land and water bodies, including conservation areas.
- (4) A location map identifying the relationship of the development plan to the approved land use plan.
- (5) A preliminary subdivision plan, if the applicant proposes to subdivide the project.
- (6) Certified topography drawn at a one-foot contour interval using county datum and showing natural features.
- (7) Existing street intersections or rights-of-way within five hundred (500) feet of access points.
- (8) Surface improvements of primary streets serving the project.
- (9) Proposed uses.
- (10) Number of dwelling units, density, minimum square footage of living area, minimum net lot area.
- (11) Total square footage of commercial or office space and floor area ratio.
- (12) Maximum building height (stories and feet).
- (13) Maximum building coverage.
- (14) Acreage, types and percent of open space and recreation area.
- (15) Pedestrian/bike path facilities.
- (16) Stormwater management plan, including direction of surface drainage flow.
- (17) On-site soils based upon the Natural Resources Conservation Service (NRCS) (if muck soils exist, their depth and extent shall be identified).
- (18) On-site vegetation.
- (19) Method of providing support utilities including water, sewer, fire flows and refuse storage areas.
- (20) Existing or proposed easements.
- (21) Parking spaces and location, in accordance with [Division 4: Parking and Loading](#).
- (22) Exterior lighting. Photometric analysis is required to address commercial light sources and quantities which fall outside the limits of the CVC.
- (23) Recreation area plan, if applicable.
- (24) Landscape, tree planting and screening concept plan, consistent with [Division 5: Landscape Standards](#).
- (25) Design elevations or renderings of all dissimilar nonresidential and multi-family structures sufficient to indicate the architectural style that will be employed for structures within the development, including the following:
  - a. The applicant shall show and identify a minimum of one (1) type of finish roofing material and one (1) type of exterior wall finish material from the architectural style proposed by the applicant. Additionally, the applicant shall submit materials that are harmonious with the proposed architectural style for roof and exterior wall covering material. The plan shall also incorporate sufficient architectural features and/or treatments into the design of the building, or show architectural features and/or treatments that are consistent and compatible with the proposed architectural style.
  - b. The applicant may choose an architectural amenity from the proposed architectural style or present architectural amenities that are harmonious with the proposed architectural style and incorporate the amenity or amenities into the site.
  - c. Colored elevation drawings will only be required for the front elevation of a structure when all sides of a building are consistent in color and materials. Each colored elevation drawing shall identify the type of each exterior finish material and state the color by name, manufacturer and model or style number. A color sample shall be submitted as an example along with the color or product identified on the plans. The sample will be used for the final site inspection to ensure that the correct product and color were used for the project.
- (26) A master signage plan, including scaled plans of proposed signs which indicates sign material, means of lighting and color palette for all signs visible from any existing public right-of-way.
- (27) Preliminary engineering plans for the provisions of road, water, sewer and stormwater management for the proposed phase and its relationship to the master stormwater concept.
- (28) Proposed covenants, conditions, restrictions, agreements and grants which govern the use, maintenance and continued protection of building structures, drainage systems and landscaping within the planned development.
- (29) Any areas to be conveyed or dedicated and improved for roadways, parks, parkways, playgrounds, school sites, utilities, public buildings and other similar public and public service uses. Improvement bonds for facilities to be owned and maintained by the county and not complete shall be posted before the issuance of building permits.

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- (30) Identification of owners, developers and consultants involved in the preparation of the development plan.
- (31) Documentation that the proposed development plan meets the intent of a single, unified and integrated plan of development.
- (32) Signing and pavement marking plans with details of installation consistent with traffic engineering division specifications.

**(m) Acreage, Maximum Square Footage, and Use Allocations for Nonresidential Development.**

- (1) The respective acreage, maximum square footage (gross leasable area), and use allocations for nonresidential development occurring within the 4 quadrants comprising the Four Corners CVC shall be as shown in the following chart:

**Table 68: ACREAGE, MAXIMUM SQUARE FOOTAGE, AND USE ALLOCATIONS.**

| Quadrants and Parcel ID Numbers* | Acres                     | Square Feet                              | Uses**                       | Second Story Office (sq. ft.) |
|----------------------------------|---------------------------|------------------------------------------|------------------------------|-------------------------------|
| <b>NORTHEAST QUADRANT</b>        |                           |                                          |                              |                               |
| 10-23-28-0000-00-013             | 13.3                      | 104,549                                  | Commercial                   | 20,910                        |
| <b>SOUTHEAST QUADRANT</b>        |                           |                                          |                              |                               |
| 15-23-28-0000-00-020             | 0.8                       | 4,879<br>See (m)(3)(a)                   | Office                       | See (m)(2)(a)                 |
| 15-23-28-0000-00-059             | 2.8                       | 17,076                                   | Office                       |                               |
| 15-23-28-0000-00-004             | See (m)(6)                |                                          |                              |                               |
| 15-23-28-0000-00-025             | See (m)(6)                |                                          |                              |                               |
| <b>SOUTHWEST QUADRANT</b>        |                           |                                          |                              |                               |
| 16-23-28-0000-00-009             | 1.9                       | 17,221                                   | Commercial                   | 6,888                         |
| 16-23-28-0000-00-001             | See (m)(3)(b) and (c)     |                                          |                              |                               |
| 16-23-28-0000-00-002             | 1) up to 24.2<br>(2) 1.30 | (1) 168,230<br>(2) 12,600, see (m)(3)(a) | (1) Commercial<br>(2) Office | 67,292, see (m)(2)(a)         |
| 16-23-28-0000-00-011             | See (m)(3)(a) and (c)     |                                          |                              |                               |
| 16-23-28-0000-00-014             | See (m)(3)(a) and (c)     |                                          |                              |                               |
| 16-23-28-0000-00-004             | 3.3                       |                                          | Post Office                  |                               |
| <b>NORTHWEST QUADRANT</b>        |                           |                                          |                              |                               |
| 09-23-28-0000-00-001             | 2.5                       | 10,000                                   | Commercial                   | 4,000, see (m)(2)(a)          |
| 09-23-28-0000-00-052             | 4.7                       | N/A                                      | Retention                    |                               |

\* The parcel ID numbers in the chart correlate with the parcel ID numbers shown on the map attached hereto as Appendix A, which map is hereby adopted and incorporated herein by reference.

\*\*The word "commercial" in the chart means retail commercial use and office use.

- (2) New commercial development within the 4 quadrants shall not exceed a total of 300,000 square feet. However, subject to subsection (a) below, second-story office development shall be permitted only within a parcel designated for commercial use under the chart, provided the square footage of such office development within the parcel does not exceed 40 percent of the commercial square footage allocated under the chart for that parcel and provided such office development does not serve and is unrelated to the retail commercial uses at the parcel.
  - a. Up to 9,046 feet of the square footage allocated for second-story office at parcel ID number 16-23-28-0000-00-002 in the southwest quadrant may be transferred to the southeast quadrant and, if transferred, shall be used there only as second-story office.
    - 1. Up to 67,292 of the square footage permissible for second-story office in the southwest quadrant may be converted to second-story commercial square footage based upon an equivalent number of p.m. peak hour trips, provided that all such converted square footage shall be utilized solely and exclusively by an anchor tenant. The ability to implement this conversion requires demonstration of design intent and

- is subject to approval during the Land Use Plan approval phase. If second-story office is converted to second-story commercial space, the converted square footage shall not count against the three hundred thousand (300,000) square-foot commercial cap. Furthermore, if second-story office is converted to second-story commercial space, then, in addition to its financial responsibility under (h) [General Site Development Standards for Nonresidential Developments](#), the developer of the second-story commercial shall pay the county two dollars and forty-three cents (\$2.43) per square foot of second-story commercial. Such amount shall be paid prior to issuance of the certificate of occupancy for the first building, and shall be used for the items identified in (h) [General Site Development Standards for Nonresidential Developments](#).
- b. Up to 9,046 feet of the square footage allocated for second-story office at parcel ID number 16-23-28-0000-00-002 in the southwest quadrant may be transferred to the southeast quadrant and, if transferred, shall be used there only as second-story office.
  - (3) To further the intent and purpose of the guidelines for the Four Corners CVC, the square footage allocated for second-story office at the northwest quadrant shall be transferred to the southeast quadrant and shall be used there only as second-story office.
    - a. The following parcels in the southwest quadrant have been developed as of October 29, 1996: 16-23-28-0000-00-011 and 16-23-28-0000-00-014. Parcel ID No. 16-23-28-0000-00-014 is entitled to be redeveloped for up to 29,530 square feet of office space based upon the trip generations calculated utilizing as a basis the intensity existing on that parcel on October 29, 1996. If that parcel is redeveloped, 12,600 square feet of this office square footage shall be transferred to and allocated to Parcel ID No. 16-23-28-0000-00-002 which is located adjacent to and to the west of Parcel ID No. 16-23-28-0000-00-014 in the southwest quadrant, and the remaining 16,930 square feet of office square footage shall be transferred to and allocated to Parcel ID Nos. 15-23-28-0000-00-020 and 15-23-28-0000-00-059, located in the southeast quadrant and which are under a single, unified and integrated development. Following the aforesaid transfers and allocations, Parcel ID No. 16-23-28-0000-00-014 shall become part of the overall development plan for Parcel ID No. 16-23-28-0000-00-002.
    - b. If Parcel ID No. 16-23-28-0000-00-011 is redeveloped, it shall be redeveloped only for office use with a 0.25 floor area ratio (FAR), and to appear and function only as a single, unified and integrated development with the other nonresidential development in the southwest quadrant. Such redevelopment shall be submitted as a planned development in accordance with these guidelines and standards. For purposes of this division, FAR shall be calculated based upon gross acreage of the affected parcel.
    - c. If the transfer and allocation (totaling 16,930 square feet) for the southeast quadrant outlined in paragraph (c)(1)a. is exercised, no variances from any applicable performance standards (for example, setbacks, height requirements, parking requirements) may be applied for or granted regarding development directly associated with the actual square footage being transferred and allocated in the southeast quadrant, which variance is necessitated by the transfer and allocation.
  - (4) The following parcel in the southwest quadrant has been developed as of October 29, 1996: 16-23-28-0000-00-001. If this parcel is redeveloped, it shall be redeveloped only at the greater of 0.14 FAR or the intensity existing on October 29, 1996, based on trip generation, and to appear and function only as a single, unified and integrated development with the other nonresidential development in the southwest quadrant.
  - (5) Notwithstanding the above, upon redevelopment of any of the parcels in the southwest quadrant, office square footage entitlements may be transferred to any of the parcels within the southwest quadrant under the common ownership of the developer/owner of the site to which density is being transferred and used as a single, unified and integrated development.
  - (6) The following parcels in the southeast quadrant have been developed as religious institutions as of October 29, 1996: 15-23-28-0000-00-004 and 15-23-28-0000-00-025. If either of these parcels is redeveloped, it shall be redeveloped only for office use at a FAR not to exceed 0.14, and to appear and function only as a single, unified and integrated development with the other office uses in the southeast quadrant. Such redevelopment shall be submitted as a planned development in accordance with these guidelines and standards.
  - (7) To further the intent and purposes of the guidelines for the Four Corners CVC, the square footage and acreage allocated for commercial use at the northwest quadrant under the stipulated settlement agreement approved by the board of county commissioners on December 27, 1994 (65,253 square feet and 10.7 acres) has been reduced as shown by the figures on the chart. The amount it has been reduced by has been transferred to the southwest quadrant.
  - (8) If the retention area in the northwest quadrant is relocated, some of the residential use allocated to the northwest quadrant may be located on the former retention area.

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- (9) Those parcels designated for commercial use shall be limited to the permitted uses allowed in the T-5.2 Urban Center Transect Zone, excluding pawn shops, bottle clubs and private lounges, cocktail lounges that are not primarily a restaurant, laundromats, biomedical "biohazardous" waste incinerator facilities, animal crematoriums, human crematories, skating rinks, bowling alleys, video arcades, movie theaters, gas stations, restaurants with drive-throughs, car washes and free-standing package sales of alcoholic beverages.
- (10) Those parcels designated for office use shall be limited to those uses allowed in the T-5.1 Urban Center Transect Zone .
- (11) Residential uses may occur vertically above nonresidential uses, but any such residential uses shall be counted against the second-story office allocations permitted under (m) [Acreage, Maximum Square Footage, and Use Allocations for Nonresidential Development](#). and against the density allocations permitted under (n) [Density Allocations for Residential Development](#)..
- (12) Nonresidential development shall be separated from residential areas located outside the Four Corners CVC by a tier of residential development. The tier shall be developed in a manner consistent with the CVC guidelines and standards.
- (13) Maximum building height on the northeast, southeast and southwest quadrants shall be thirty-five (35) feet and 2 stories, except, subject to approval by the board, clock towers, cupolas, atriums, domes and similar architectural features may exceed such height, but in no event may exceed 50 feet in height or include any habitable or leasable square footage.
- (14) Maximum building height on the northwest quadrant shall be 20 feet and one story.

**(n) *Density Allocations for Residential Development.***

- (1) The respective density allocations for residential development occurring within the four (4) quadrants comprising the Four Corners CVC shall be as shown in the following chart:

**Table 70: Density Allocations for Residential Development**

| Quadrants and Parcel ID Numbers* |                      | Dwelling Units / Acre **                         |
|----------------------------------|----------------------|--------------------------------------------------|
| Northeast Quadrant               | 10-23-28-0000-00-012 | 2.5 du/ac                                        |
|                                  | 10-23-28-0000-00-013 |                                                  |
| Southeast Quadrant               | 15-23-28-0000-00-015 | 3 du/ac                                          |
|                                  | 15-23-28-0000-00-004 |                                                  |
|                                  | 15-23-28-0000-00-025 |                                                  |
|                                  | 15-23-28-0000-00-026 |                                                  |
|                                  | 15-23-28-0000-00-027 |                                                  |
| Southwest Quadrant               | 16-23-28-0000-00-002 | 2.5 du/ac                                        |
|                                  | 16-23-28-0000-00-003 | 1.4 du/ac                                        |
| Northwest Quadrant               | 09-23-28-0000-00-001 | 2 du/a with minimum one acre abutting Lake Down. |
|                                  | 09-23-28-0000-00-004 |                                                  |
|                                  | 09-23-28-0000-00-008 |                                                  |
|                                  | 09-23-28-0000-00-010 |                                                  |
|                                  | 09-23-28-0000-00-011 |                                                  |
|                                  | 09-23-28-0000-00-021 |                                                  |
|                                  | 09-23-28-0000-00-026 |                                                  |
|                                  | 09-23-28-0000-00-034 |                                                  |

\* The parcel ID numbers in the chart correlate with the parcel ID numbers shown on the map attached hereto [by reference] as Appendix A.

\*\* The total acreage allotted for residential development per parcel shall equal the total acreage of the parcel less the acreage allotted for nonresidential at that parcel (if any) pursuant to (m) [Acreage, Maximum Square Footage, and Use Allocations for Nonresidential Development](#).

- (2) Clustering may be permitted in each of the Four Corners residential planned developments, provided the density may not exceed 3 dwelling units per acre within any quadrant.
- (3) Maximum building height shall be 35 feet and 2 stories.

**(o) Four Corners Charrette Executive Summary.**

The following general recommendations contained in the Four Corners Charrette Executive Summary Report dated June 10, 1994 ("executive summary report"), as modified herein, are hereby adopted and shall be implemented:

- (1) Pedestrian access and use.
  - a. Create a pedestrian walk on each side of the major roads within the CVC (Apopka-Vineland Road and Conroy-Windermere Road).
    - 1. Create crosswalks at the future loop road intersections which occur away from the actual intersection of the major roads.
    - 2. Use landscape design to minimize the intimidating effects for foot travelers along the major roads.
    - 3. Make the roadside safe, pleasant spaces for pedestrians.
  - b. Treat the major roads with special paving, landscaping and/or other traffic calming devices which blend with the overall aesthetics of the CVC.
  - c. Use design, materials and graphics to define pedestrian areas for oncoming vehicles.
- (2) Vehicular access and use. Design and construct internal streets within the four (4) quadrants which are organized for safety and convenient access between developments for both pedestrians and vehicles.
  - a. To the greatest extent practicable, an entry from a major road to an internal street shall be aligned with the entry to an internal street on the opposite side of the major road.
  - b. Maintain the continuity of landscape design and pedestrian-friendly treatment at all vehicular ingress/egress points.
- (3) Roadway landscape features and style.
  - a. Landscape the major roads fronting the development properties. Use a clearly unified, structured landscape statement which provides a strong sense of arrival at and departure from the CVC.
    - 1. Use regularly spaced canopy trees to define and emphasize enclosure of the major roads.
    - 2. Design the roadway landscape so as to maintain ample sighting opportunities through the streetscaping to the nonresidential development.
    - 3. Use smaller scale undercanopy along with flowering shrubs and groundcovers to relate to pedestrians and to provide color and distinction of place.
    - 4. Carry over the palette of landscape design to the nonresidential development entrances for design continuity.
    - 5. Use street furniture and hardscape features which harmonize with the design concepts of the CVC.
  - b. Create an identification statement with landscape and architectural features at the intersection of the major roads.
    - 1. Use landscape materials and architectural statements which provide a strong visual message but have a relatively low maintenance requirement.
  - c. Install adjacent to the rights-of-way along the major roads either a continuous landscape buffer 20 feet in width or a hardscape supplemented with landscape as may be approved by the county.
  - d. Place utilities underground along the major roads in accordance with all applicable laws, ordinances, regulations, resolutions, and rules. In addition, they shall comply with the following:
    - 1. All new and existing utilities, including transmission lines, regardless of whether such utilities are located on-site or within an adjacent right-of-way, shall be installed underground.
    - 2. All developments shall connect to the central water and sewer systems.
    - 3. Water pipelines shall be of sufficient size and located appropriately to provide adequate fire protection for all structures in the planned development.
    - 4. Wherever appropriate, a continuous, twenty-foot-wide utility easement shall be provided along all property that fronts on any major road. The width of easements shall be measured from the existing or proposed right-of-way line, whichever is greater.
  - e. Install mast arm standards for traffic signals at the intersection of the major roads.
  - f. Use low profile signage for development and tenant identification along the major roads.
    - 1. Maintain the importance of the visual message of the landscape treatment by subordinating other messages.



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- (4) Site design standards.
  - a. Provide tree canopies for parking lots within the nonresidential developments.
    - 1. Maintain a plant palette for large plant materials within the developments similar to the roadway palette.
    - 2. Use special landscape design as accents and to define special places.
  - b. Design and locate retention/detention facilities to be visual amenities.
  - c. Encourage view corridors to Lake Down.
  - d. Create identifiable environments within the developments through the careful design and use of materials for paving, street furniture, graphics, etc.
    - 1. Set common standards for landscape, street and parking treatments graphics, signage, etc.
  - e. Require landscape setbacks between public facades of buildings and parking and traffic areas.
  - f. Buffer service areas from views from adjacent residential areas and other public areas with landscape and other appropriate screening.
    - 1. Design for noise and light pollution screening.
    - 2. To the greatest extent practicable, clearly separate service traffic facilities from public traffic facilities.
- (5) Architectural features and style.
  - a. Create a special environment within the developments through the careful design and use of materials for walls, walkways, roofs, trim, building ornament, graphics, etc.
    - 1. Provide for controlled materials selection rather than dictating style.
    - 2. Carefully control design through clear architectural and landscape architectural standards documents and monitoring and review activities.
  - b. Provide continuous covered colonnaded walkways and/or awnings or canopies for visual linkage, unity of design and scale definition in building groups.
    - 1. Minimum width of walkways should be 10 feet.
    - 2. Heights of walkway covers shall be appropriate to the scale of the adjacent building and provide for actual climatic protection to users.
  - c. Use sloped roofs to provide design unity and a pleasant, more sympathetic, architectural aesthetic for all publicly visible building parts.
    - 1. Design publicly visible roof surfaces with slopes of not less than 3 in 12 or with facades or parapets that create the foregoing effect. Flat roofs shall be prohibited except in service/loading areas.

**(p) Four Corners Streetscape Master Plan.**

The Four Corners Streetscape Master Plan prepared by Ivey, Harris & Walls dated received January 12, 1996 ("streetscape master plan"), a copy of which is attached hereto as Appendix B, is hereby adopted and incorporated herein by reference and shall be implemented.

**(q) Stormwater Management.**

The design and construction of stormwater management systems shall be in accordance with all applicable laws, ordinances, regulations, resolutions, and rules. The following design criteria shall apply to all privately owned and maintained stormwater management systems:

- (1) A stormwater facility shall be designed as an open space amenity which is consistent with the urban design concepts of the CVC. Stormwater facilities serving nonresidential development may be located outside of the area designated for commercial or office development.
- (2) Except as stated below, a retention or detention facility shall be designed with a maximum side slope of 5:1, so that fencing is not required. A wet-bottom retention pond with a side slope steeper than 5:1 may be permitted as an integral element of the urban design or architectural theme of the development.
- (3) A wet-bottom retention pond shall be landscaped in accordance with the following criteria:
  - a. Up to 2½ acres. At least 10 percent of the land above the design high-water level, excluding maintenance berms, shall be landscaped with plant materials other than ground cover over at least 50 percent of the required area, and at least 50 percent of those plant materials shall be native species; or a littoral zone band at least 5 feet in width for at least 50 percent of the shoreline shall be established with native aquatic or semi-aquatic plant species.
  - b. From 2½ to 5 acres. At least 5 percent of the land above the design high-water level excluding maintenance berms shall be landscaped with plant materials other than ground cover over at least 50 percent of the required area, and at least 50 percent of those plant materials shall be native species; or a littoral zone band at least five 5 feet in width for at least 35 percent of the shoreline shall be established with native aquatic or semi-aquatic plant species.



- c. More than 5 acres. A littoral zone band at least 5 feet in width for at least 20 percent of the shoreline shall be established with native aquatic or semi-aquatic plant species.
- (4) A wet-bottom retention pond shall be designed as a barrier-free aesthetic amenity.
- (5) A skimmer shall be provided on a wet-bottom stormwater management facility to minimize the accumulation of trash and pollutants.
- (6) Any wet-bottom retention pond visible from any existing arterial right-of-way shall provide an aquatic planting in a continuous band on the side of the pond remote from the right-of-way to screen the bank area between the normal water elevation and the high-water elevation. This littoral zone planting shall be at least 4 feet wide and average 6 feet wide.
- (7) A dry-bottom stormwater management facility shall be designed with at least 5 percent of the area above the peak stage elevation landscaped with plant materials other than ground cover over at least 50 percent of the required area, and at least 50 percent of those plant materials shall be native species.
- (8) A dry-bottom stormwater management facility shall be unfenced with a maximum side slope of 5:1 and shall be sodded.
- (9) Any dry-bottom stormwater management facility visible from any existing arterial right-of-way shall provide screening in the form of a hedge, berm, wall or combination in a continuous band on the side of the facility proximate to the right-of-way to screen the bank area of the facility.
- (10) Every stormwater management system shall detain the post development runoff rate equal to or less than the predevelopment runoff rate for a one-hundred-year storm frequency, seventy-two-hour duration storm, shall recover, the same over a fourteen-day period, and shall retain 100 percent of pollution abatement volume as defined by the applicable "Outstanding Florida Waters" criteria.

**(r) *Sharing of Costs of Implementing and Maintaining Applicable General Recommendations of Executive Summary Report and Streetscape Master Plan and of Costs of Installing Overhead Transmission Lines Underground.***

- (1) The costs of implementing and maintaining the roadway landscape features of the executive summary report and the streetscape master plan (unified street lighting, unified landscaping, mast arm signals, specialty paving, walls, monuments and other architectural features within the rights-of-way of major roads and as referenced in the streetscape master plan) shall be borne solely and shared proportionately by the owners of the commercial properties within the CVC equal to the square footage allocated per parcel for commercial use under the chart in [\(m\) Acreage, Maximum Square Footage, and Use Allocations for Nonresidential Development](#). All of those properties shall be deemed specially benefitted by those features.
- (2) The costs of installing overhead transmission lines underground shall also be borne solely and shared proportionately by the owners of the commercial properties within the CVC equal to the square footage allocated per parcel for commercial use under the chart in [\(m\) Acreage, Maximum Square Footage, and Use Allocations for Nonresidential Development](#). All of those properties shall be deemed specially benefitted by those features.
- (3) The costs incurred under [subsections \(1\) and \(2\)](#) above, excluding those for maintenance, shall not exceed \$730,000.00 in 1996 dollars. The costs for maintenance shall not be capped.
- (4) The improvements identified in [subsections \(1\) and \(2\)](#) above shall be installed in the following prioritized order:
  - a. Overhead transmission lines;
  - b. Mast arm signals; and
  - c. Streetscape.
- (5) Those costs shall be assessed, allocated and may be collected pursuant to a municipal service taxing unit (MSTU) or MSTUs, municipal service benefit unit (MSBU) or MSBUs, or other special assessment district or districts to be established at a public hearing generally applicable to the Four Corners CVC.
- (6) Costs or assessments paid by any owner of nonresidential property in the Four Corners CVC prior to the establishment of an MSTU, MSBU or other special assessment district shall be appropriately credited and/or reimbursed upon implementation of the MSBU, MSTU and/or other special assessment district.

**(s) *Developer's Agreement.***

Any developer may propose to enter into a developer's agreement with the county designed to set forth terms and conditions appropriate to meet the circumstances of the specific proposed development. Such an agreement shall be reviewed by the DRC and then presented to the board of county commissioners for consideration prior to approval of the development plan. The developer's agreement shall be consistent with the CVC guidelines and standards set forth in the Four Corners CVC guidelines and standards.

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**(t) Vested Rights.**

All property within the Four Corners CVC is vested to develop pursuant to the zoning existing as of October 29, 1996.

**(u) Signage.**

All signage for a Community Village Center (CVC), as described [Sec. 40-116 Four Corners Community Village Center Guidelines and Standards](#), must be approved during the development plan approval process for materials, lighting and color, and shall meet the minimum standards established in this chapter. Moreover, all signage shall, to the greatest extent practicable, be designed to be compatible and consistent with the applicable CVC streetscape master plan, and shall meet the following additional design guidelines:

- (1) In addition to those signs specified in [Division 6: Signs](#) the following signs, shall be prohibited:
  - a. Billboards;
  - b. Roof signs;
  - c. Electronic changeable signs;
  - d. Bench signs;
  - e. Portable signs;
  - f. Moving, flashing or pulsating signs;
  - g. Banners or cold air inflatable balloons;
  - h. Pole signs; and
  - i. Backlit signs.
- (2) Only one (1) ground sign shall be allowed per fully directional frontage access point for nonresidential development. The maximum copy area of a ground sign shall be one-half ( $\frac{1}{2}$ ) square foot of copy area for each lineal foot of right-of-way frontage, but shall not exceed forty (40) square feet. The copy area shall not exceed either twenty (20) feet in length or eight (8) feet in height. A ground sign shall be erected in a minimum three hundred (300) square foot area which is covered with plant material (ground cover, shrubs, and/or trees). The maximum height shall be ten (10) feet as measured from the centerline of the adjoining right-of-way. The maximum width shall be twenty-five (25) feet.
- (3) The maximum copy area of a ground sign for a residential subdivision shall be thirty-two (32) square feet.
- (4) Only one (1) wall sign paralleling the storefront shall be allowed per establishment for nonresidential development. The maximum copy area for a non-backlit sign suspended from the facade is one (1) square foot of copy area for each one (1) linear foot of building frontage per establishment. The maximum copy area for all other wall signs shall be three-fourths ( $\frac{3}{4}$ ) square feet for each one (1) linear foot of building frontage per establishment. No individual wall sign shall exceed one hundred (100) square feet per establishment. A wall sign may include a logo. A wall sign shall not extend above the fascia to cover or block any portion of the roof.
- (5) Sign lights shall be focused, directed and so arranged as to prevent glare or direct illumination or traffic hazard from said lights onto residential districts or onto the abutting roadways. No flashing or pulsating lights shall be permitted on any sign.
- (6) Up to 3 flag poles shall be allowed per parcel, each a maximum of 35 square feet.
- (7) Banners shall be allowed from 2 weeks prior to an announced opening until one month after the opening.
- (8) Marquee signs and awning signs shall be permitted in accordance with [Sec. 40-121 Tourist Commercial Signage Overlay District](#) of this Code.
- (9) Directional signs shall be permitted in accordance with [Sec. 40-121 Tourist Commercial Signage Overlay District](#) of this Code.
- (10) Signage may be located within the utility easement required under [\(e\) Parking Facilities](#).
- (11) A sign erected entirely within the confines of a commercial establishment is not subject to these signage regulations, provided the sign cannot be viewed from a public right-of-way or a private roadway approved by the board of county commissioners.

**SEC. 40-117 LAKE WILLIS NEIGHBORHOOD BUFFERING AND DESIGN GUIDELINES.****(a) Intent and Purpose.**

The Lake Willis Neighborhood Buffering and Design Guidelines are intended to protect and shield the Lake Willis single-family residential enclave from the impacts of approved residential and nonresidential developments within the Tourist Activity Center (TAC). These buffering and designs guidelines are in accordance with Policy MA 1.15.1 of the Comprehensive Plan. These Lake Willis regulations shall be administered by the county zoning division, except that any non-zoning aspects of these regulations shall be administered by the appropriate department or division.

**(b) Applicability.**

Except as provided in section (k) [Exceptions.](#), the provisions of this division apply to all TAC designated property that abuts properties located within the Lake Willis single-family residential district, a neighborhood comprised of approximately 35 single-family residential homes, on one acre lots situated along the shoreline of Lake Willis, fronting one mile of Lake Willis Drive. The Lake Willis Neighborhood boundary and the Lake Willis single-family residential district are identified on the map, which is attached hereto and incorporated herein by reference as Appendix A.

**(c) Building Heights.**

Notwithstanding the applicable provisions of chapter 39 or 40 to the contrary, building heights shall be based on the proximity to single-family zoned properties within the Lake Willis single-family residential district as follows:

- (1) Multifamily buildings (including time-shares, condominiums, and townhouses; or hotels and other commercial non-residential developments) located within 100 feet from the property line of single-family zoned property shall be restricted to a single story in height, not to exceed 20 feet.
- (2) Multifamily buildings (including time-shares, condominiums, and townhouses; or hotels and other commercial non-residential developments) located at a distance in excess of 100 feet from the property line of single-family zoned property may be up to two-stories in height, not to exceed 30 feet.
- (3) Multifamily buildings (including time-shares, condominiums, and townhouses; or hotels and other commercial non-residential developments) located at a distance in excess of 150 feet from the property line of single-family zoned property may be up to three-stories in height, not to exceed 40 feet.
- (4) Multifamily buildings (including time-shares, condominiums, and townhouses; or hotels and other commercial non-residential developments) located at a distance in excess of 200 feet from the property line of single-family zoned property may be up to four-stories in height, not to exceed 50 feet. However, no four story, multi-family buildings shall be permitted unless and until at least one tier of buildings permitted pursuant to (2) or (3) above has commenced construction.

An additional 5 feet in height may be added to the limitations established in [subsections \(1\)—\(4\)](#) for sloped roofs and screening purposes as required by section (h) [Roof Treatment](#). Such additional height shall not be used to accommodate additional living area.

**(d) Screening and Fencing.**

- (1) A 6 to 8 foot high masonry or brick, capped wall shall be constructed 10 feet from the property line adjoining all development that abuts the Lake Willis Drive right-of-way. The wall height shall be measured from the highest finished elevation.
- (2) Landscaping shall be planted on both sides of the wall, including the installation of irrigation facilities, and shall be maintained by the developer and/or subsequent condominium/homeowner association or property owner. At a minimum, 30 inch tall shrubs shall be planted averaging 30 inches on center on the Lake Willis Drive side of the wall. At a minimum, 16 foot shade trees shall be planted averaging 40 feet on center, on both sides of the wall in a staggered formation.

**(e) Buffering.**

A 10 foot landscaped buffer shall be provided along the required masonry wall adjacent to the Lake Willis drive right-of-way. A 20 foot landscaped buffer shall be provided adjacent to the development side of the required masonry wall.

**(f) Vehicular Access.**

All developments adjoining Lake Willis Drive shall be restricted from vehicular access to the road, except for

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emergency purposes.

**(g) Lighting.**

Lighting shall be installed and maintained in a manner as to confine direct rays to the premises and prevent direct rays and glare from intruding on the homes along Lake Willis Drive. All development shall comply with the exterior lighting ordinance as that ordinance may be amended from time to time.

**(h) Roof Treatment.**

Roofs shall be designed in accordance with the Orange County Architectural Standards and Guidelines for Commercial Buildings and Projects, subject to the following:

- (1) No visible flat roofs. The primary facades of a structure shall have sloped roofs (e.g., gable, hip, or lean to) or parapet walls with sloped features (e.g. canopies, awnings, colonnades) or a combination of the two. At least 75 percent of the linear length of a primary facade shall have one or more sloped roofs, one or more sloped features, or a combination thereof.
- (2) Parapet wall finish materials shall match the main wall finish material. A parapet wall shall be decorative in style. A flat parapet wall shall have a cornice.
- (3) Parapet walls when used on flat canopy (non-walls) shall be constructed at the edge of the flat roof. (This type of parapet wall and canopy are common to service stations or drive up bank facilities). The material used for parapet walls on a flat canopy shall be compatible with the material used on the principal building.
- (4) Metal framed roof panels, corrugated metal roof panels, and similar roof materials shall be prohibited.
- (5) A sloped roof (gable, hip and lean to) shall be used in conjunction with a large area of flat roof to create smaller mass and variation on the subject building facade.
- (6) Minimum pitch for a sloped roof or sloped feature shall be a slope of 4:12.
- (7) All developments adjoining the Lake Willis single-family residential district shall incorporate design elements that screen all rooftop mechanical equipment from view. Additionally, the screening devices shall be designed to assure noise attenuation.

**(i) Ancillary Structures.**

Ancillary structures should have similar architectural details as the main building(s).

**(j) Business Orientation.**

All nonresidential developments located in close proximity to the Lake Willis single-family residential district shall be oriented away from residential development. For alterations to a land use plan or development plan for non-residential development of businesses that operate in the evening or late-night hours (for example, fast food restaurants, night clubs, theaters), the location of such development shall be furthest from the Lake Willis single-family residential district.

**(k) Exceptions.**

- (1) Properties zoned P-D planned development within the Lake Willis Neighborhood boundary on January 28, 2003, shall be exempt from [\(a\) Intent and Purpose](#). through [\(i\) Ancillary Structures](#). of this section. Any alteration to a previously approved land use plan or development plan shall be subject to [\(a\) Intent and Purpose](#). through [\(i\) Ancillary Structures](#). of this section.
- (2) ACR designated developments within the Lake Willis single-family residential district shall be limited to single-family residential and ancillary uses.

**SEC. 40-118 BUENA VISTA NORTH DISTRICT STANDARDS.****(a) Intent and Purpose.**

- (1) BVN district established. A special design overlay district is hereby established to be known as the Buena Vista North District ("BVN district"). Generally speaking, the BVN district is located in southwest Orange County in the area situated east of Apopka-Vineland Road and Amy Road, north of Lake Street, south of Fenton Street, and west of Interstate 4, inclusive of those rights-of-way (except for I-4). The BVN district's boundaries are identified on the map, which is incorporated herein by reference as appendix A [available for inspection in the office of the county clerk].
- (2) Purpose and intent. This division is intended to provide specific design standards for the BVN district with the purpose of promoting a diverse mixed-use community that applies imagination, innovation, and variety, by focusing on unique design principles and encouraging creative solutions that accomplish the following:
  - a. Foster higher quality developments through unique design elements, including building materials, signs, and landscaping, etc.
  - b. Guide future developments as a transition area between higher intensity nonresidential development and the lower density single-family residential homes north of the BVN district.
  - c. Encourage unified developments where small individual parcels of land can be collectively planned for infrastructure improvements, coherent land use mix and unified physical appearance.
  - d. Minimize incompatible surroundings and visual clutter, which prevent orderly community development and reduce community property values.
  - e. Sustain the comfort, health, tranquility, and contentment of residents with a desirable environment.
  - f. Balance the man-made system with the natural environment, through mitigation and enhancement of impacted natural resources.
  - g. To provide that these BVN district regulations shall be administered by the zoning division, except that any non-zoning aspects of these regulations shall be administered by the appropriate department or division.

**(b) Development within BVN district.**

- (1) With the exceptions as noted in [subsection \(2\)](#) below, all new development within the BVN District shall be subject to the requirements of this division, in addition to the requirements of Chapter 40, and any other applicable County Code.
- (2) Exceptions. The following development types shall not be required to meet the standards of the BVN district, and instead shall comply with the requirements of their Transect Zone, and Orange Code:
  - a. Residential uses. Single-family residential developments that are four (4) units or less.
  - b. Nonresidential uses.
    1. Freestanding office buildings that have either a gross floor area (GFA) of less than thirty-five hundred (3,500) square feet ("s.f.") or are one-half (0.5) acre in land size (residential conversion).
    2. Freestanding houses of worship, government institutions, and utility facilities that have either a building GFA of less than five thousand (5,000) s.f. or are one-half (0.5) acre in land size.
  - c. Redevelopment. Redevelopment of existing structures where there is neither an increase in GFA nor an increase in land size.

**(c) Development Density and Intensity.**

Compliance with future land use map designation. Permitted land uses and allowable densities/intensities within the BVN district shall be consistent with the future land use map designation in the comprehensive plan. Any proposed changes to the future land use map designation shall follow the comprehensive plan amendment procedures for application, review and approval.

**(d) Street Design.**

- (1) Street design requirements. In addition to the Orange County Engineering Standards for Roadway Design and the requirements of Section 21-176 of County Code, the following requirements shall apply within the right-of-way:
  - a. Arterial and collector roadways. The arterial and collector roadways of Palm Parkway, Apopka-Vineland Road, Daryl Carter Parkway, and Lake Street, shall be four-lane divided roadways. These roadways shall have at least:
    1. A 20-foot wide landscaped median (see [Sec. 40-214\(d\) Medians.](#)); and
    2. An 18-foot wide landscaped parkway on each side of the roadway, including an eight-foot wide concrete sidewalk on each side of the roadway.
  - b. (2) Ruby Lake Road and related internal roadway corridors. Ruby Lake Road and related internal roadway



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corridors as defined in the Orange Center Land Use Study Transportation Analysis (May 1999) shall be two-lane undivided roadways. These roadways shall have a 15-foot wide landscaped parkway on each side of the roadway, including a minimum five-foot wide concrete sidewalk on each side of the roadway.

- c. (3) Local roads. Local roads shall be two-lane roadways. Local roads shall have a minimum 11-foot wide landscaped parkway on each side of the roadway, including a five-foot concrete sidewalk on each side of the roadway. If planned as part of an urban village, which is defined as a place where the front building setback is zero (0) feet and the buildings on the entire block are oriented toward the road, then the required parkway for a local road may be designed as a paved pedestrian way. In an urban village, the 11-foot wide paved sidewalk shall allow for urban street tree planting and pedestrian lighting, and the street tree planting requirements shall match the streetscape requirements of [Article 5, Division 2: Roads](#).

**(e) Setbacks.**

The minimum setback requirements will vary according to the type of roadway, as defined in Article 6 of this chapter, on which a property has frontage, as described in the chart below. The setbacks listed in the table below shall supersede those listed in [ARTICLE III—ZONE STANDARDS](#). For property abutting land zoned T3.2 or T3.3, or containing existing single unit residential development, the minimum building setback shall be thirty-five (35) feet. In certain cases, the distance between buildings and property lines is also dependent upon the height of the buildings (see section 38-1393, Height Limitations). All other setbacks shall be as follows:

**Table 71: Setbacks.**

| Front Roadway Facility | Front     | Side     | Streetside                                               | Rear |
|------------------------|-----------|----------|----------------------------------------------------------|------|
| Arterial Road          | 20'       | 10'      | Arterial: 20'<br>Collector: 15'<br>Local Road: 0' or 15' | 20'  |
| Collector Road         | 15'       | 10'      | Arterial: 20'<br>Collector: 15'<br>Local Road: 0' or 15' | 20'  |
| Local Road             | 0' or 10' | 0' or 5' | Arterial: 20'<br>Collector: 15'<br>Local Road: 0' or 15' | 15'  |

**(f) Bufferyards**

Bufferyards are intended to provide ample area for green space between the edge of the road pavement and the building or paved parking area. Uses and structures that shall be allowed inside bufferyards include landscaping, masonry walls, flag poles, monument signs, and underground utilities. Sidewalks are allowed within a front bufferyard, but not in side or rear bufferyards unless the sidewalk creates pedestrian access to adjoining properties and buildings. Masonry walls, flag poles, monument signs, bricks, and pavers will not be permitted in public rights-of-way. The streetscape requirements, (see section 38-1394), provide landscape standards for a front bufferyard.

- (1) Principal and accessory structures and uses. Principal and accessory buildings shall not be allowed in bufferyards. Accessory structures such as stormwater ponds, cooling towers, mechanical yards, dumpsters, freestanding concession stands, and freestanding ticket booths, shall not be allowed in bufferyards. However, transit stops and shelters shall be allowed within a bufferyard and must be consistent with Sections 21-253 and 21-254 of County Code.
- (2) Pedestrian orientation for individual buildings. For freestanding individual buildings facing a street, direct pedestrian pathways shall lead from sidewalks within bufferyards or public rights-of-way to the building's main entrance. The pedestrian pathways shall, at a minimum, consist of the following design requirements:
  - a. Five-foot wide paved surface (concrete or textured/stamped concrete or asphalt);
  - b. Crosswalk markings at all crossings of vehicular use areas; and
  - c. Minimum ten-foot wide landscape strip along one side of the path.
- (3) Pedestrian orientation for multiple buildings. For multi-building developments, a pedestrian plan shall be submitted during the development plan or site plan review, as applicable. Direct pedestrian pathways shall link the complex's internal pedestrian system to sidewalks located within bufferyards or public rights-of-way. The pedestrian pathways shall meet the following minimum design requirements:



- a. Six-foot wide paved surface (concrete or textured/stamped pavement);
- b. Crosswalk markings at all crossings of vehicular use areas;
- c. Minimum 12-foot wide landscape strip along one (1) side (or six (6) foot on each side) of the connecting pathway. Landscape provided for pedestrian pathway may be counted toward the landscape requirements for parking lot and building base; and
- d. Pedestrian lighting in accordance with Orange County standards and the latest edition of the latest edition of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook), as published by the Florida Department of Transportation.

**(g) Access Management.**

An access management plan shall be submitted during the development plan or site plan review stage, as applicable. The access management plan shall comply with applicable provisions of [Article 5, Division 2: Roads](#) and the Orange Center Land Use Study Transportation Analysis (May 1999). Development proposals shall:

- (1) Comply with the study requirements for vacation of various internal roadways in compliance with state statute and Article III, Chapter 21 of County Code;
- (2) To the extent possible, comply with re-alignment for planned roadways;
- (3) Control the external roadway access from Apopka-Vineland Road, Lake Street, and Fenton Street (with attention to use of joint access/shared driveway facilities and with median openings); and
  - a. Specifically, median openings on Apopka Vineland Road between Lake Street and Fenton Street shall be located at the median openings existing as of February 13, 2001. Any additional openings shall not be less than six hundred and sixty (660) feet from these established median openings.
  - b. Right-in, right-out access drives shall not be spaced less than three hundred (300) feet apart unless approved by the county engineer for reasons of traffic safety or good engineering practice. Where right-in access is provided serving development in excess of fifty (50) peak hour trips, the developer/applicant shall provide a right turn deceleration lane and corresponding turn radius to meet proper engineering standards; and
- (4) Align internal access consistent with the internal roadway network.
  - a. Wherever feasible, as determined by the county, the county engineer shall require the establishment of a joint-use driveway serving two (2) abutting building sites, with cross-access easements.
  - b. The property owner shall, at his or her own expense, record a cross-access easement in the Orange County public records running with the land, allowing cross-access to and from the other properties in the affected area, and providing that pre-existing curb cuts on the building site shall be closed and eliminated after the construction of both sides of the joint-use driveway. The property owner shall provide a copy of the recorded cross-access easement to the development engineering division.
- (5) Identify all existing or proposed transit facilities along the adjacent roadways and all connections from the site to these facilities, which must provide accessibility consistent with applicable federal and state standards as adopted.

**(h) Utilities.**

Streetscape shall be designed in a uniform manner located within public rights-of-way. The landscape plan submitted with the development plan or site plan, as applicable, shall include the streetscape design for all roadways and shall feature Florida-friendly landscape materials. The landscape plan shall demonstrate that safe vertical and/or horizontal sight distances can be achieved at driveway and street intersections after plantings reach maturity. Clusters of accent landscape planting areas shall be allowed at entrance driveway or around ground signs, but shall not be permitted in roadway rights-of-way. Accent landscape planting areas shall be at least one hundred (100) feet apart.

All median and parkway planting shall be done in compliance with the latest edition of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) standards, as published by the Florida Department of Transportation, for clear zones and vertical and/or horizontal sight distances.

**(i) Parking Lot Design and Parking Lot Landscape.**

Parking space dimension and drive aisle standards shall be consistent with applicable provisions of the Orange County Code. Parking lot landscape requirements shall follow applicable provisions of the Orange County Code, except as set forth below:

- (1) Landscape area. A minimum of ten (10) percent of a parking lot area shall be landscaped. Bufferyards shall not be deemed as parking lot landscape area. At a minimum, one landscape planter (island) shall be located every

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one hundred (100) feet of continuous parking spaces. Tree-wells (diamonds) or landscape strips are allowed between planter islands. The parking lot perimeter and landscape islands shall be curbed. Minimum landscape planter width shall be thirteen (13) feet from face of curb to face of curb and extend the full length of the parking stall depth. Minimum tree well area, if used, shall be thirty (30) square feet.

- (2) Planting requirements. Canopy trees shall be planted within parking lot areas. The minimum number of canopy trees shall be based on a standard of 0.8 caliper inches of canopy trees for every parking space. All trees shall be Florida Number One, as presented in "Grades and Standards for Nursery Plants," FDOA (1988), with a minimum four-inch caliper with a minimum height of not less than fourteen (14) feet at the time of planting. (see Appendix B, which is attached hereto and incorporated herein by reference.)
- (3) Tree preservation. The county may require that specimen trees existing prior to development not be removed. For purposes of this section, a "specimen tree" shall mean any tree that is at least twenty-four (24) inches measured diameter at breast height that has been identified by the county as being of outstanding size, excellent form, and/or a healthy sample of the species.  
Credit may be granted for the preservation of specimen trees and other healthy canopy trees located within the designated parking lot area. Retained trees shall be credited toward the required caliper inches at a rate of one (1) caliper inch of retained trees at one (1) inch of the required parking lot trees. (See Appendix "C," which is attached hereto and incorporated herein by reference, and refer to Article VIII of Chapter 15 of the Orange County Code regarding tree protection and removal for recommended stock list and replacement requirements.)
- (4) The Zoning Manager may grant deviations from this section of code, where it can be demonstrated that there is a physical hardship that makes the application impractical, and sufficient alternatives are proposed.

**(j) Height Limitations for Multi-family Residential and Non-residential Buildings.**

Building height for multi-family and nonresidential buildings shall be based on proximity to single unit residential properties. For multi-family residential or nonresidential buildings abutting existing single unit residential development within the BVN district, , or lands outside the BVN district zoned T3, or within existing Planned Developments with single unit residential uses, the building heights shall be as follows:

**Table 72: Building Height.**

| Building Height         | Minimum Building Setback                                                                                                                   |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| Up to 3 stories         | See <a href="#">Table 71: Setbacks</a> .                                                                                                   |
| 4 stories               | 100 ft. from property line                                                                                                                 |
| 5 stories               | 200 ft. from property line                                                                                                                 |
| 6 stories               | 300 ft. from property line; refer to Appendix "D" and Appendix "E," both of which are attached hereto and incorporated herein by reference |
| Greater than 6 stories. | Refer to Appendix "D" and Appendix "E,"                                                                                                    |

**(k) Facade Design.**

Building facade design shall be in accordance with [Article 3, Division 3: Sites and Buildings](#).

**(l) Roof Treatments.**

Roofs shall be designed in accordance with [Article 3, Division 3: Sites and Buildings](#), and subject to the following:

- (1) No visible flat roofs. A primary facade of a structure shall have sloped roofs (e.g., gable, hip, or lean to) or parapet walls with sloped features (e.g., canopies, awnings, colonnades) or a combination of the two (2). At least seventy-five (75) percent of the linear length of a primary facade shall have one or more sloped roofs, one (1) or more sloped features, or a combination thereof.
- (2) Parapet wall finish material shall match the main wall finish material. A parapet wall shall be decorative in style. A flat parapet wall shall have a cornice.
- (3) Parapet walls when used on a flat canopy (non-walls) shall be constructed at the edge of the flat roof. (This type of parapet wall and canopy are common to service stations or drive up bank facilities.) The material used for parapet walls on a flat canopy shall be compatible with the material used on the principal building.
- (4) Metal framed roof panels, corrugated metal roof panels, and similar roof materials shall be prohibited.
- (5) A sloped roof (gable, hip and lean to) shall be used in conjunction with a large area of flat roof to create smaller mass and variation on the subject building facade.

(6) Minimum pitch for a sloped roof or sloped feature shall be a slope of 4:12.

**(m) Color and Material.**

Building color and materials shall be in accordance with [Article 3, Division 3: Sites and Buildings](#), and subject to the following:

- (1) High contrast and primary colors on a building facade shall be prohibited.
- (2) A maximum of three (3) colors may be used on the body of any one (1) building, plus one (1) additional color for trim and cornice work. However, for any section of a building that, by a clear break in the building style or architectural treatment, gives the appearance of constituting a separate building structure, such section shall be allowed a maximum of three (3) colors (which colors may be different than those used elsewhere on the body of the building). These limits on the number of allowable colors exclude unpainted natural stone or roof material.
- (3) Corrugated panels shall be prohibited.

**(n) Streetscape.**

Streetscape shall be designed in a uniform manner within the green space located within public rights-of-way. The landscape plan submitted with the development plan or site plan, as applicable, shall include the streetscape design. The landscape plan shall demonstrate that safe sight distances can be achieved at driveway and street intersections after plantings reach maturity. Clusters of accent landscape planting areas shall be allowed at entrance driveway or around ground signs. Accent landscape planting areas shall not be closer than one hundred (100) feet from one (1) another.

- (1) Streetscape planting. Wherever a public right-of-way has a median, the developer/property owner shall install streetscape in both the median and parkway as follows:
  - a. Thoroughfare: One (1) shade tree every forty (40) feet, four-inch caliper, 14-foot height minimum; and Five (5) ornamental trees every one hundred (100) feet; and Continuous shrub hedges, minimum twenty-four (24) inches in height at planting.
  - b. Collector road: One (1) shade tree every forty (40) feet, four-inch caliper, 14-foot height minimum; and Three (3) ornamental trees every one hundred (100) feet.
  - c. Local road: Three (3) shade trees every one hundred (100) feet, four-inch caliper, 14-foot height minimum; or Five (5) under-story trees in tree-wells for every one hundred (100) feet if parkway is paved for public sidewalk.

All median and parkway planting shall be done in compliance with the Florida Highway Landscape Guide, dated April 1995, and FDOT Standard Index 700 for clear zones.

- (2) Acceptable trees. Only live oaks and laurel oaks shall be planted as streetscape shade trees, unless otherwise prohibited. All trees planted in the right-of-way shall be "Florida Fancy," as defined in "Grades and Standards for Nursery Plants" by the Florida Department of Agriculture, 1998.
- (3) Subject to good cause shown, deviations from the requirements of the requirements of (1) and (2) above may be permitted when approved by both the Zoning Manager and County Engineer.

**(o) Site Landscape.**

- (1) Building base. A green space shall be designed around the base of each building according to criteria set forth below:

**Table 73: Building Base Green Space**

| Number of Habitable Stories | Minimum Width of Building Base Green Space |
|-----------------------------|--------------------------------------------|
| 1 story                     | 10'                                        |
| 2 stories                   | 13'                                        |
| 3 stories                   | 16'                                        |
| 4 stories                   | 19'                                        |
| Greater than 5 stories.     | 20'                                        |

- a. For multiple story buildings where the ground floor is solely used as a drop-off, porte-cochere, or service area, the ground floor shall not be counted as a habitable story. If a roofline or upper floor overhangs the first floor, the building base shall be measured from the furthest extension of the building. The maximum width required for a green space is twenty (20) feet from the edge of the designated building base.
- b. Tree planting requirements within the building base landscape area shall include one (1) canopy tree planted

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for each twenty-five (25) feet or fraction thereof of the lineal building facade adjacent to the landscape area, or one (1) understory tree planted for each fifteen (15) feet or fraction thereof of the lineal building facade adjacent to the landscape area. The green space may be planted with grass, shrubs, hedges and other acceptable landscape material. A maximum of fifty (50) percent of building base landscape area may be grass. Pedestrian access paths to the building shall be allowed in the building base landscape area, but shall not count as green space. The building base landscape area may be used for meeting landscape requirements for the perimeter of a parking lot when adjacent to the subject building. (Ord. No. 2023-46, § 61, 12-12-23)

- c. Hardscape plaza for pedestrian facilities may be allowed on up to twenty-five (25) percent of the required building base green space areas between the building and parking lot area. In lieu of building base green space, a hardscape plaza between buildings may be allowed on up to one hundred (100) percent. The required amount of landscape or greenspace areas and trees in the hardscape plaza, however, shall remain the same as those identified in [subsection \(1\)b.](#) above.
  - d. Minor deviations may be approved to the building base landscaping requirements above, subject to the criteria in [Article 2, Table 5: Minor Deviation Review Criteria.](#)
- (2) Sign area landscaping. A landscape planting area shall be required around all ground sign bases. The minimum ground sign planting area shall equal at least three (3) times the copy area of the ground sign. (If the sign has one (1) face, the required landscape area shall be based on the copy area of that one (1) face. If the sign is double-faced, the required landscape area shall be based on the copy area of both faces.)
  - (3) Perimeter landscaping. Landscape buffers between land uses shall be consistent with applicable provisions of the Orange County Code. Hedges planted along common property lines shall be of identical species.

**(p) Plant Material.**

Unless otherwise specified herein, all landscape material shall equal a quality of "Florida Number One" or better. The minimum size of landscaping at time of planting shall meet the following standards:

- (1) Canopy tree size: Four-inch caliper and a height of fourteen (14) feet.
- (2) Under story tree size: Two-inch caliper and a height of ten(10) feet.
- (3) Shrub size: 36-inches high, planted thirty (30) inches on center.

**(q) Mounting Height for Lighting.**

Lighting within roadway rights-of-way shall be consistent with the latest edition of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook), as published by the Florida Department of Transportation, and shall be provided pursuant to the following criteria within development sites:

- (1) Parking and driveway lights shall not exceed eighteen (18) feet in height. Light poles shall be centered in the landscape islands whenever feasible and be a minimum of five (5) feet from the face of the curb. In areas without landscape islands, light fixtures shall be placed at the intersections of parking lot spaces.
- (2) Exterior building lighting shall not be mounted higher than the cornice line or eave overhang with the exception of internally lit wall signs and balcony lighting, which shall be recessed in the ceiling.
- (3) Lighting under canopies or behind awnings shall be recessed.
- (4) Lighting for pedestrian walkways shall not exceed twelve (12) feet in height.

**(r) Lighting Fixtures.**

Lighting fixtures shall be provided pursuant to roadway and pedestrian lighting standards within roadway rights-of-way in the latest edition of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook), as published by the Florida Department of Transportation, and to the following criteria:

- (1) The lamp source/light bulbs for any exterior lighting, whether for signs, entrance doors, service or drop-off areas, shall be shielded and not visible from public view, regardless of the mounting height.
- (2) Permitted light fixtures shall be decorative acorn type with a textured clear lens/globe, with frosted/phosphor coated light bulbs, and an internal optical system, that specifically reduce glare.
- (3) Featured lighting for landscaping, buildings, and water features may be allowed, provided light sources are completely shielded from public view.
- (4) Parking and pedestrian area lighting (other than for or over a public sidewalk) shall use metal halide phosphor coated lamp sources/light bulbs.

**(s) Illumination.**

Lighting shall meet roadway and pedestrian lighting standards within roadway rights-of-way in the latest edition of the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (Florida Greenbook) published by the Florida Department of Transportation, which shall govern and supersede any conflicting Orange County Code provision, and the following illumination standards within development sites:

- (1) Two hundred and fifty (250) watt maximum for acorn fixtures used in parking areas, and one hundred (100) watt maximum for acorn fixtures used in conjunction with pedestrian walkways and bikeways.
- (2) Parking area:
  - a. Minimum—0.6 foot candles (fc);
  - b. Maximum (outside a 20-foot radius from pole)—3.6 fc.
- (3) Pedestrian Walkway, Drop off area, and Bikeway:
  - a. Minimum—0.2 fc;
  - b. Maximum—2.5 fc.
- (4) Property Line: Illumination at the property line shall be 0.0 fc to 1.0 fc with as close to 0.0 fc as reasonably feasible when lighting is located next to residential. No light source shall be located closer than fifteen (15) feet from any property line, except pedestrian, sign, and landscape lighting shall be allowed within fifteen (15) feet of the property line along rights-of-way. Also, light fixtures along a public right-of-way shall be staggered.
- (5) Lighting at ATM's shall comply with Florida Statutes.
- (6) All lighting shall be designed as recommended by the Illuminating Engineering Society (IES).

**(t) Property Owners Association.**

A property owners association (POA) shall be created to promote, support and monitor compliance with the integrated approach to development required for the BVN district. The POA shall periodically review and report to Orange County on the street design, streetscape, landscape, signage and lighting in the BVN district as to the ongoing creation and continuance of a coherent community and sense of place. Additionally, the POA may be involved in the BVN district's or a larger area's marketing and tourist information networking efforts. The conditions of development approval shall require participation in the POA.

**(u) Municipal Service Taxing Unit.**

A municipal service taxing unit (MSTU) may be created as a funding mechanism to implement and maintain the required landscaping improvements on public property within the BVN district.

**(v) Miscellaneous.**

- (1) Special event tents. Tents for special events shall only be white in color, and shall not be located on the subject property for more than ten (10) days.
- (2) Accessory structures. Freestanding concession/ticket booths, storage sheds, containers, and the like, shall not be allowed between the primary building and adjacent right-of-way.
- (3) Heavy vehicle parking. No overnight parking of tractor-trailers, company truck fleets, delivery trucks, and/or promotional trucks may be allowed within parking lot areas. Company truck fleets or delivery trucks shall be parked in designated areas and shall be screened from public view by masonry wall and landscaping.
- (4) Stormwater ponds. Stormwater ponds shall be designed to have sufficient side slope to avoid the need for security fencing.
- (5) Fences. Coated or uncoated chain-link fence, wire mesh fence, barbed wire and wood fences shall not be allowed between buildings and rights-of-way.

**(w) Signage.**

- (1) All signage in the Buena Vista North District is subject to other portions of [Article 3, Division 6: Signs](#), except as set forth below:
  - a. Sign copy area shall be consistent with applicable provisions of the sign ordinance. Exterior signs shall be monument-style ground signs or wall signs, and comply with the following:
    1. Ground signs. The monument structure and material of a ground sign shall match the material and architectural style of the principal building. Lighting for ground signs shall be external illumination only. The maximum height and copy area of a ground sign shall be as follows:



**Table 74: Ground Signs**

| Sign Type       | Maximum Height Per Sign* | Maximum Copy Area Per Sign |
|-----------------|--------------------------|----------------------------|
| Single Tenant   | 6 ft.                    | 54 sq. ft.                 |
| Multiple Tenant | 8 ft.                    | 96 sq. ft.                 |

\* Sign height shall be defined as the height from the finished grade to the top of the sign.

2. Wall signs. Only one (1) wall sign per establishment may be placed on the primary façade. No wall sign may be placed on a secondary façade. A wall sign may be internally or externally illuminated. The maximum height and area for a wall sign shall be consistent with applicable provisions of this sign ordinance, subject to the following requirements:
  - i. For a single tenant sign, the sign shall not extend above the roof line.
  - ii. For a multiple tenant sign, the sign shall not extend above the highest point of the cornice line or eave overhang of the first floor.
- (2) In addition to signs prohibited under applicable provisions of this article, the following signs shall be prohibited:
  - a. Pole signs;
  - b. Billboards and other off-premises or off-site signs;
  - c. Exterior temporary signs, with the exception of temporary signs associated with a property for sale or lease;
  - d. Exterior neon signs;
  - e. Awning signs and internally lit or backlit awnings;
  - f. Any type of signs, temporary or permanent, that have moving parts, or appear to have movement;
  - g. Flashing or blinking signs; and
  - h. Electronic message center signs

**SEC. 40-119 LAKE AVALON RURAL SETTLEMENT (LARS) COMMERCIAL DESIGN OVERLAY DISTRICT.**

**(a) LARS Overlay District Established; Location and Area.**

A special development overlay district is hereby established to be known as the Lake Avalon Rural Settlement Commercial Design Overlay District ("LARS Overlay District"). The LARS Overlay District is located in west Orange County, in the area situated east of the Lake County Line, north of McKinney Road, south of Lake Avalon and west of Mann Road, inclusive of those rights-of-way. The LARS Overlay District's boundaries are identified on the Lake Avalon Rural Settlement Boundary Map and incorporated herein by reference as Exhibit "A" to Ord. No. 2009-06.

**(b) Purpose and Intent.**

This division provides specific development standards for the LARS Overlay District. These development standards are consistent with the Orange County Comprehensive Plan. As directed by Future Land Use Element Policy MA1.8.37, these development standards are meant to supplement the criteria established in Policy LMN4.3.4 which ensure that new development within the Lake Avalon Rural Settlement ("LARS") reinforces that community's rural character. These LARS Overlay District regulations shall be administered by the county zoning division except that any non-zoning aspects of these regulations shall be administered by the appropriate department or division.

**(c) Applicability, Conflicts, Responsibility of Applicant.**

- (1) Lands subject to district regulations. This division applies only to unincorporated parcels or lots, or the portions thereof, lying entirely within the LARS Overlay District as shown on the map. This division shall cease to govern the use and development of any such lands if and when they may be lawfully annexed by a municipality, as provided by and subject to section 171.062(2), Florida Statutes.
- (2) Conflict with other sections. Development and use of all such lands may occur only if such development is in compliance with this division, [Article 3, Division 3: Sites and Buildings](#), the Orange County Exterior Lighting Ordinance (chapter 9, article XVI, Orange County Code) (the "exterior lighting ordinance"), [Article 3, Division 6: Signs](#), the Orange County Tree Protection Ordinance (chapter 15, article VIII, Orange County Code), and the chapter of the Orange County Code that governs the underlying zoning district in which the land is located. If a conflict occurs between this division and the architecture ordinance, the exterior lighting ordinance, the sign ordinance, the tree protection ordinance, or the provisions within the underlying zoning district, this division governs.
- (3) Applicability. This division applies to any rezoning, subdivision, special exception, building permit, use permit, or



other development permit (as the term "development permit" is defined by general law) which is applied for after April 1, 2009, where the applicant seeks to construct, reconstruct, renovate, alter, or enlarge a commercial/office land use, building or structure. All agricultural businesses, whether in existence prior to the effective date of this division or created thereafter, are exempt from the requirements of this division, for so long as such businesses continue to operate as agricultural businesses.

- (4) Responsibility of applicant for development permit. All plans associated with an application to construct, reconstruct, renovate, alter, or enlarge a commercial/office land use, building or structure shall print on the front page of the application and plans the following text in capital letters which are at least two (2) inches high on the plans:

"THIS APPLICATION AND PLAN SET RELATE TO PROPERTY LOCATED WITHIN THE LAKE AVALON RURAL SETTLEMENT COMMERCIAL DESIGN OVERLAY DISTRICT WHICH WAS ESTABLISHED UNDER AND IS SUBJECT TO ORDINANCE NO. 2009-06, ADOPTED BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS ON MARCH 10, 2009."

**(d) Acceptable Commercial Uses.**

The intent of the Lake Avalon Rural Settlement Commercial Design Overlay District is to preserve the unique rural quality of life the residents presently enjoy. Therefore, only small offices and commercial development consistent with policies contained within the future land use element of the Orange County Comprehensive Plan relating to commercial development within a rural settlement, shall be permitted, except as may be prohibited by [\(e\) Prohibited Commercial Uses](#). below.

**(e) Prohibited Commercial Uses.**

The commercial and office uses permitted within the LARS Overlay District shall be those permitted within within the T5.1 transect. All uses proposed within the LARS Overlay District, which are designated as a special exception in the underlying district, in the use table set forth in [Article 4, Division 1: Permitted Uses](#), shall be required to follow the special exception process as outlined in Orange County Code. The following commercial uses shall be prohibited within the LARS Overlay District:

- (1) Labor pools (section 448.22(1) and (3), Florida Statutes);
- (2) Any business which, as a material part of its services, provides loans secured by vehicle titles (often known as "car-title loans");
- (3) Any business commonly known as "check cashing," or any business which, as a material part of its services, provides future employment wages or other compensation (often known as "payday loans," or "payday advances");
- (4) Dating services, escort services, valet services, tattoo parlors, or body piercing businesses;
- (5) Adult entertainment, body scrub and/or massage parlors;
- (6) Exterminating and pest control services, pest control supplies, disinfecting service, fumigating;
- (7) Pawnshops, as defined by section 648.25(1), Florida Statutes;
- (8) Bail bond agencies, as defined by section 648.25(1), Florida Statutes;
- (9) Banks or financial institutions;
- (10) Flea markets, except for those operating in conjunction with not-for-profit businesses;
- (11) Palm readers, fortune tellers, tarot card readers, psychics, and similar businesses;
- (12) Manufacturing of chemical products;
- (13) Contractor storage or salvage yard;
- (14) Textile manufacturing;
- (15) Courier services;
- (16) Bottle clubs;
- (17) Food processing and packaging;
- (18) Auto dealerships, repair, or vehicle repossession;
- (19) Auto towing service and window tinting;
- (20) Carwashes and gasoline stations;
- (21) Drive-through facilities;
- (22) Retail sales with outdoor storage, excluding agricultural and produce stands that adhere to remaining requirements of this division; and
- (23) Fireworks retailers.

## OVERLAY DISTRICTS

**(f) Nonconforming Uses.**

Nonconforming uses, buildings, structures, and signs, including those which result from the creation of this division, shall be subject to the provisions of [Article 2, Division 5: Nonconformities](#).

**(g) Variances and Appeals.**

Variances and appeals from any portion of this division, including deviations and variances to existing Orange County Code, shall be processed in accordance with procedures established in code.

**(h) Development within the LARS Overlay District; Allowable intensities, Rezoning and Future Land Use Amendment Required.**

- (1) Development intensity. Allowable intensities within the LARS Overlay District shall be consistent with the Future Land Use Element Policy MA1.8.1. Any new commercial/office development shall have a maximum 0.15 floor area ratio (FAR) per parcel.
- (2) Rezoning and future land use amendment required. In order to ensure high-quality development and maintain compatibility with the area's prevailing rural character, all new commercial/office development and redevelopment within the LARS Overlay District shall be rezoned to T5.1, through the applicable rezoning process outlined in [Article 2, Division 1: Rezoning and Development Review](#). Applicants seeking a rezoning shall also be required to apply for and acquire a future land use change to Rural Center prior to any change in zoning request as per chapter 163, Florida Statutes.

**(i) Commercial and Office Development Requirements.**

New construction shall complement, and be compatible with, existing development and shall conform to the following requirements:

- (1) Site design and layout. All buildings are to be located adjacent to the front street. Corner lot developments shall locate buildings directly on the intersection corner. At mid-block locations, parking is prohibited between the front property line, and the front of the structure unless required by federal regulation. The area in front of buildings shall comply with the Frontage Setbacks of [Article 3, Division 3: Sites and Buildings](#). Buildings shall be placed within the maximum setback area of the T5.1 district, and shall comply with all other standards of the T5.1 district in [ARTICLE III—ZONE STANDARDS](#).
- (2) Buildings. The roofs, and primary and secondary facades (as defined in the architecture ordinance) of all commercial and office buildings within the LARS Overlay District shall incorporate vertical window proportions, window surrounds, porch and railing features, roof treatments, and overhanging eaves in order to provide a residentially scaled building. The primary and secondary facades shall have similar treatment, detail and visual interest. This is inclusive of entrances, windows, roof form (gable, hip, gambrel, or combination) and architectural elements (overhangs, dormers, cupolas and/or other projections of facade and fenestration). All shall be compatible with the rural settlement and Florida vernacular style. The maximum height of any building shall be thirty-five (35) feet) (two (2) stories). The following architectural elements are encouraged:
  - a. Peaked roofs with two (2) or more plan breaks
  - b. Dormers
  - c. Unenclosed porches with or without railings
  - d. Double hung windows with muntins that encompass fifty (50) percent of the first floor
- (3) Color and materials. The LARS Overlay District's charm and character is enhanced by appropriate selection of exterior colors. Historically, lighter more subdued shades were preferred to darker colors. Thus, colors shall be restricted to lighter pale shades of beige, gray, green, yellow, rose, and blue within the LARS Overlay District. Building materials shall be restricted in accordance with the architecture ordinance. All finished surfaces of all structures shall be comprised of a minimum of fifty (50) percent natural materials such as stone, wood, brick, etc. This may include six-inch lap siding with a plank appearance, or a vertical board on batten appearance.

**(j) Lighting.**

All commercial and office uses shall be developed in accordance with the exterior lighting ordinance, subject to the lighting standards established below.

Lighting shall be low intensity and conform to "dark sky" standards of downward projected, "full cut-off" illumination that shields light from being emitted upwards toward the night sky or surrounding natural areas. To be full cut-off, the light bulb shall not extend below the lamp shade. The height of any exterior light pole fixture shall be limited to twenty-five (25) feet and utilize a residential scaled fixture.

All commercial/office lighting shall have a power-down mechanism that will bring the lighting levels down to seventy-five (75) percent at one (1) hour after close of business. Commercial/office hours of operation shall be limited to hours between 7:00 a.m. and 7:00 p.m.

**(k) Fencing.**

- (1) Rural style and transparency. In keeping with the LARS Overlay District's rural character, fencing is encouraged. Fencing styles within the front yard structural setback of all nonresidential projects shall be no less than fifty (50) percent transparent, and be of a split-rail, paddock, picket, or other approved rural or equestrian style, some examples of which can be found on Exhibit "B" hereto (barbed wire, razor wire, and chain link fencing shall be prohibited).
- (2) Fencing materials. Fencing shall be fabricated from wood, aluminum, wrought iron, vinyl, brick, or other approved materials. Concrete masonry units (CMU) are prohibited as fencing material except for fence columns. Such columns shall be a minimum of twenty-four (24) inches in diameter, spaced a maximum of fifty (50) feet on-center. The columns shall incorporate a decorative cap feature and the surface must be covered in a stone or brick veneer. The trim of the columns shall replicate the principal structure. Chainlink, barbed, or razor wire fencing, in any configuration, is prohibited.

**(l) Lot and Floor Area**

In order to preserve the rural-residential character of the LARS Overlay District while also facilitating small-scale, neighborhood office and commercial land uses, the following lot and floor area criteria are established for nonresidential uses within the LARS Overlay District\*:

**Table 76: Lot and Floor Area.**

| Land Use             | Minimum Lot Size* | Minimum Floor Area (sq. ft.) | Maximum Floor Area (sq. ft.) |
|----------------------|-------------------|------------------------------|------------------------------|
| Office or Commercial | 0.5               | 650                          | 3,000                        |

\*Note: These size requirements are applicable to single-tenant developments. Multiple use/multiple phase developments may be permitted by the DRC.

**(m) Signage.**

All commercial and office uses within the LARS Overlay district shall be subject to the signage standards established below, and all exterior signs shall be either monument-style ground signs or wall-mounted signs, and shall comply with the following requirements:

- (1) Prohibited signs. The following exterior signs shall be prohibited within the LARS Overlay District:
  - a. Internally illuminated signs;
  - b. Pole signs;
  - c. Off-premises signs
  - d. Temporary signs, with the exception of temporary signs associated with a Property for Sale or Lease ;
  - e. Neon signs;
  - f. Internal or backlit awnings or any signage placed on an awning;
  - g. Any type of sign, temporary or permanent, which has moving parts or appears to have movement;
  - h. Flashing, blinking, or LED signs;
  - i. Electronic message center signs or boards;;
  - j. Temporary or permanent signage on fencing;
  - k. Roof signs.
  - l. Any sign prohibited in [Article 3, Division 6: Signs](#).

## OVERLAY DISTRICTS

- (2) Permitted sign.
  - a. Wall or building projected signs. For signs erected on buildings having up to two hundred (200) linear feet of building frontage, such as marquee signs, projecting signs, and wall signs (facia signs), a total of one-quarter (.25) square foot of copy area for signage may be allowed for each one (1) linear foot of building frontage per establishment.
  - b. Ground mounted (monument) sign copy area. The maximum copy area, in square feet, per ground-mounted sign (multiple or single tenant) shall be twenty-four (24) square feet. Sign copy area shall be a minimum of thirty (30) inches from finished grade. The maximum height of the ground mounted sign shall be six (6) feet from the top of the sign to the finished grade
- (3) Sign illumination. Exterior signs shall be lit with external light sources only. Light sources shall be mounted, shielded and pointed toward the sign face so that spill-over glare onto any adjacent rights-of-way, properties, or skyward is completely avoided.
- (4) Sign landscaping. All exterior ground (monument) signs shall include a minimum thirty-six (36) inches wide landscape strip surrounding the base (foundation) of the sign. The landscape strip shall be planted with materials that attain a maximum height of thirty (30) inches above the finished grade.

**SEC. 40-120 AIRPORT OVERLAY DISTRICT.****(a) Airport Noise Impact Areas.**

- (1) Any property located within the aircraft noise/land use control zones established in Sec. 9-603 of the Orange County Code shall be subject to the requirements and regulations outlined in [Chapter 9, Article XV.-Airport Noise Impact Area of the Orange County Code](#).

**(b) Airport Height Zones.**

- (1) Any property located within an airport height zone, as depicted on the airport height zoning map established with Ord. No. 2018-20 as Exhibit "A", shall be subject to the requirements and regulations set forth in [Chapter 7 – Airport Zoning Regulations of the Orange County Code](#).

**SEC. 40-121 TOURIST COMMERCIAL SIGNAGE OVERLAY DISTRICT.****(a) Applicability.**

This division regulates signage on properties located within the Tourist Commercial Signage Overlay, as adopted with Ord. No. 99-21. All signage on properties located within the overlay shall comply with both the provisions of this Division and all provisions of [Division 6: Signs](#) to the extent that this Division does not conflict with [Division 6: Signs](#). To the extent that any requirement within this Division conflicts with [Division 6: Signs](#), the applicable requirement of this Division shall govern and supersede that conflicting provision of [Division 6: Signs](#) to the extent of the inconsistency.

**(b) Prohibited Signs.**

In addition to the signs which are prohibited by [Sec. 40-107 Prohibited Signs.](#), the following signs are prohibited in the Tourist Commercial Signage Overlay District:

- (1) Animated signs
- (2) Bench Signs
- (3) Billboard Signs
- (4) Rotating Signs
- (5) Roof Signs
- (6) Pole Signs

**(c) Permitted Signs.**

Signs must conform to [Table 78: Sign Standards Tourist Commercial.](#), [Table 79: Temporary Sign Standards Tourist Commercial.](#), as well as the following:

- (1) Signs are limited by height, sign copy area, copy height, and the number of each sign type.
- (2) Except where otherwise specified in this Division, signs must be fully contained within private property.
- (3) A permit is required for all permitted signs, except for exempted signs, pursuant to [Sec. 40-106 Exempted Signs](#).

**Table 78: Sign Standards Tourist Commercial.**

| Sign Type   | Number (max.)                                | Height (max.)            | Copy Area (max.)                                                    | Copy Height (max.) |
|-------------|----------------------------------------------|--------------------------|---------------------------------------------------------------------|--------------------|
| Awning      | 1 per entry to each ground floor tenant      | n/a                      | 75% of valence or sloping plane (combined)                          | 18 inches          |
| Canopy      | 1 per entry                                  | n/a                      | 2 sq. ft. per linear ft. of canopy width                            | 24 inches          |
| Directional | 1 per curb cut in each direction of travel   | 8 ft.                    | 6 sq. ft.                                                           | n/a                |
| Ground      | 1 per ROW frontage                           | 10 ft.                   | .5 sq. ft. per 1 linear foot of ROW frontage to a max. of 80 sq. ft | n/a                |
| Marquee     | 1 per building                               | 24. inches above marquee | 120% of face of canopy                                              | n/a                |
| Projecting  | 1 per ground floor tenant                    | n/a                      | .5 sq. ft. per linear foot of building frontage facing a ROW        | n/a                |
| Wall        | 1 per building face                          | n/a                      | 1 sq. ft. per linear foot of building frontage facing a ROW         | n/a                |
| Window      | Limited by sign area for ground tenants only | n/a                      | 25% of glazing                                                      | 6 inches           |

**Table 79: Temporary Sign Standards Tourist Commercial.**

| Sign Type                                    | Number (max.)             | Height (max.) | Copy Area (max.)                                              | Frequency                                                                                                   | Duration |
|----------------------------------------------|---------------------------|---------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|----------|
| A-Frame                                      | 1 per ground floor tenant | 42 in.        | 6 sq. ft.                                                     | During Business Hours                                                                                       |          |
| Banner                                       | 1 per parcel              | 20 ft.        | 40 sq. ft                                                     | 1 every 6 months                                                                                            | 30 days  |
| Associated with a property for sale or lease | 1 per ROW frontage        | 15 ft.        | See <a href="#">Sec. 40-104(d) Restrictions by Sign Type.</a> | Shall be removed no later 7 days following the associated sale, lease, or rental of the property            |          |
| Associated with a building permit            | 1 per parcel              | 10 ft.        | 32                                                            | Shall be removed no later than 10 days after the expiration or completion of the associated building permit |          |

**(d) Restrictions by Sign Type.****(1) A-Frame Signs**

- a. A-Frame signs are only permitted to be displayed when the associated business is open.
- b. A-Frame signs should be removed from outdoor spaces during high winds or other weather conditions that might pose a hazard to public safety.
- c. A-Frame signs are limited to ground floor businesses only.
- d. A-frame sign must be located on the business' property and no further than 5 feet from the building in which the business is located, and at a location which does not interfere with sidewalk access or violate building code accessibility requirements.

**(2) Banner Signs**

- a. Banner signs must only be erected on the facade of a building and may not be erected on a fence or wall independent of a building.
- b. iStreamers, pennants, flags, ribbons, spinners, or other prohibited devices must not be included with, erected with, or incorporated into the display of a banner sign.

**(3) Directional Signs**

- a. Directional signs shall be setback a minimum of 4 feet from all property lines.

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- (4) Electronic Message Center Signs (EMC) Signs
  - a. EMC signs are only permitted for use on ground signs, and only on properties that have 1,000 feet of total right-of-way frontage (excluding limited access highways).
  - b. A maximum of 50% of ground sign area may be EMC.
  - c. EMC's must comply with the requirements of [Sec. 40-104\(b\)\(4\) Electronic Message Center \(EMC\) Signs](#).
- (5) Ground Signs
  - a. The maximum number of ground signs shall be one sign per parcel, unless the parcel has greater than 500 feet of right-of-way frontage (excluding limited access highways), in which event one additional ground sign may be permitted.
  - b. Ground signs shall have a minimum distance separation of 100 feet from any other ground sign or pole sign located on the same parcel.
  - c. The minimum setback for any ground sign shall be 10 feet from all property lines.
  - d. On a corner lot which abuts at least 2 rights-of-way, ground signs shall not be located within the triangular area formed by the apex of the 2 right-of-way lines and a line connecting them at points 25 feet from the apex of the right-of-way lines. Ground signs may be an EMC in compliance with [\(c\) Permitted Signs](#).
- (6) Marquee Signs
  - a. Marquee signs must provide the following clearance:
    - 1. A minimum of 9 feet over pedestrian ways; and
    - 2. A minimum of 13.5 feet over vehicular travel ways and parking aisles.
  - b. Signs located within a public right-of-way or private road must be a minimum of 2 feet from curbs, ramps, driveways, light poles, street signs, and bus stops. Signs shall not be located in the public right-of-way unless otherwise approved by the County Engineer.
- (7) Projectings Signs
  - a. Projecting signs must be erected on a wall or corner of a building.
  - b. Projecting signs may project up to 4 feet from the wall of the building on which it is erected.
  - c. Projecting signs may project up to 4 feet above the roofline or parapet of the wall of the building on which it is erected.
  - d. Projecting signs that extend into the right-of-way require approval from Public Works.
  - e. Projecting signs must provide the following clearance:
    - 1. A minimum of 9 feet over pedestrian ways; and
    - 2. A minimum of 13.5 feet over vehicular travel ways and parking aisles.
    - 3. Signs located within a public right-of-way or private road must be a minimum of 2 feet from curbs, ramps, driveways, light poles, street signs, and bus stops. Signs shall not be located in the public right-of-way unless otherwise approved by the County Engineer.
- (8) Temporary Signs Associated with a Property for Sale or Lease
  - a. May be erected on buildings or may be free standing.
    - 1. A free-standing real estate sign must be set back a minimum of 5 feet from all property lines.
  - b. For parcels less than 2 acres, the maximum copy area is 9 sq. ft.
  - c. For parcels greater than 2 acres, but less than 10 acres, the maximum copy area is 32 sq. ft.
  - d. For parcels greater than 10 acres, but less than 50 acres, the maximum copy area is 64 sq. ft.
  - e. For parcels greater than 50 acres, the maximum copy area is 128 sq. ft.
- (9) Temporary Non-commercial Signs Associated with a Building Permit
  - a. May be free-standing or may be erected on a temporary construction fence.
  - b. Must be setback 5 feet from all property lines.
- (10) Wall Signs
  - a. Wall signs may be located above tenant storefronts, below second story windows, and beneath the building cornice or coping.
  - b. Wall signs may not extend beyond the roof line or parapet.
  - c. A wall sign shall not extend more than 12 inches from the wall on which it is erected
  - d. EMC signs are prohibited as wall signs.
- (11) Window Signs
  - a. Window signs are limited to ground floor tenants and may be:
    - 1. Letters painted directly on the window,
    - 2. Hanging signs hung on the interior of the glass, or
    - 3. Vinyl appliqué letters applied to the window. Appliqués must consist of individual letters or graphics with no visible background.



**(e) General Requirements for Signs in the Tourist Commercial.**

Signage within the Tourist Commercial Signage Overlay district shall be subject to and comply with the general requirements for signs as provided in [Sec. 40-108 General Requirements for Signs](#).

**(f) Nonconforming Signs.**

Non-conforming signs are subject to the provisions of [Article 2, Division 5: Nonconformities](#).

**SEC. 40-122 CONVENTION CENTER SIGNAGE OVERLAY DISTRICT.**

- (a) Due to the unique nature and function of the Orange County Convention Center (OCCC), consideration of signage for identification, information, directions, contract events, exhibitors, and vendors cannot be adequately and completely addressed by the standard Orange County sign ordinance codified in [Division 6: Signs](#) of Orange Code. The OCCC is a facility with over 7,000,000 square feet under roof, with over one thousand 1,300 linear feet of building frontage, with no building over 150 feet in height, and resting on over 300 acres of functionally contiguous lands. The OCCC annually hosts approximately 200 contract events attracting over 1,300,000 attendees. Orange County, through the tourist development tax, has a significant financial investment in the OCCC, and its continued success is vital to the economy of Orange County.
- (b) In order to address signage issues unique to the OCCC, the Convention Center Sign District (CCSD) is hereby created as the master sign plan code for the OCCC. The CCSD is attached as Appendix "A" and incorporated into this section by reference.
- (c) When used in this section, the following terms shall have the following meanings:
  - (1) Bridge sign shall mean a sign placed on an elevated bridge identified in Appendix "A" that connects portions of the OCCC or connects the OCCC to another venue.
  - (2) Contract event shall mean an occurrence held at the OCCC pursuant to a written agreement or contract with a set beginning date (including set-up) and a set ending date that utilizes a minimum of ninety thousand (90,000) square feet of exhibition space.
  - (3) Electronic Message Center (EMC) shall mean an on-site changeable copy sign capable of displaying words, symbols, figures, or images that can be changed electronically by remote or automatic means.
  - (4) Exhibition space shall mean the floor space within the OCCC that is leased for exhibition and does not include common areas, outside areas, back of house, hallways, or other areas not commonly rented during contract events.
  - (5) Exhibitor or vendor shall mean an organization, association, corporation, partnership, business, non-profit group, government, or individual that rents exhibition space from OCCC during a contract event to display, present, show, or demonstrate products and/or services at such contract event and has met with approval from the show management.
  - (6) Imagery shall mean a representation that conveys a message concerning a product, service, contract event, business, or directions.
  - (7) Show management shall mean an organization, association, corporation, partnership, business, non-profit group, government, or individual that organizes or promotes a contract event.
  - (8) Wayfinding sign shall mean a sign that directs attendees at the OCCC to a contract event, vendor, exhibitor, registration area, staging area, OCCC office, personal service facility, entertainment site, or refreshment area.
- (d) The CCSD is intended to accomplish the following goals, purposes, and objectives:
  - (1) Provide for the identification of the OCCC and the location of its several buildings (W, S, and N);
  - (2) Provide directional information to help attendees more easily and safely locate their intended destinations (wayfinding signs);
  - (3) Provide attendees with information about contract events they are attending or information about future contract events scheduled for the OCCC; and
  - (4) Provide space for exhibitors and vendors to identify themselves to those attending contract events.
- (e) Except as noted herein below in subsection (6), the following sign restrictions shall apply within the CCSD:
  - (1) Signage shall be limited to directional information, OCCC logo and identification, contract events, listings of upcoming contract events, and the imagery owned by or licensed to an exhibitor or vendor, provided such imagery does not exceed 25 percent of the copy area of a sign at any time.

## OVERLAY DISTRICTS

- (2) Prior to copy being placed on any sign, such copy shall be reviewed and approved by the director of the OCCC or his or her designee.
- (3) No exhibitor or vendor may be identified on a sign more than 3 days before the start of a contract event involving such exhibitor or vendor.
- (4) No exhibitor or vendor may be identified on a sign after the conclusion of a contract event.
- (5) The message on a changeable copy sign, including background colors, designs, or displays, shall change no more frequently than 8 second intervals, and while displayed the message shall remain static.
- (6) Subject to the copy area limitations under subsection (e)(1) relating to exhibitors and vendors, the maximum number of signs that an exhibitor or vendor may be allowed to display during a contract event shall be based as follows on the amount of exhibition space rented or reserved to the exhibitor or vendor on the exhibit floor at the contract event:
  - a. Less than 500 sq. ft. = 0 signs
  - b. 500 sq. ft.—700 sq. ft. = 3 signs;
  - c. 701 sq. ft.—1,000 sq. ft. = 4 signs;
  - d. 1,001 sq. ft.—9,000 sq. ft. = 6 signs;
  - e. 9,001+ sq. ft. = 8 signs.

When an exhibitor or vendor rents or reserves more than one space at the contract event, only the largest space shall be used in determining the maximum number of signs allowed; the sizes of the 2 or more spaces rented or reserved shall not be aggregated in making such determination. Also, if the largest space rented or reserved by the exhibitor or vendor is equal in size to another space rented or reserved by the exhibitor or vendor, only one of those co-equal spaces shall be used in making the determination.

- (7) An EMC shall be equipped with dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions. An EMC shall not exceed a brightness level of 0.3 footcandles above ambient light as measured using a footcandle meter at a preset distance, depending on the size of the sign. The measuring distance shall be determined using the following formula: the square root of the product of the sign area multiplied by 100.
  - (8) At least 75 percent of a bridge sign shall contain directional and/or contract event information (not information relating to a vendor or exhibitor).
- (f) Banner signs shall be permitted per [Sec. 40-104 Permitted Signs](#). Additionally, projected signs (e.g., "Gobo" projection signs) and wall banner signs (collectively, "temporary convention center hotel signs") may also be permitted at hotels in connection with convention center contract events, subject to the following criteria:
- (1) The hotel shall be physically attached to the convention center through an elevated walkway and exceed 750 rooms.
  - (2) Each temporary convention center hotel sign shall be reviewed for approval regarding, without limitation, size and materials by the Director of the Orange County Convention Center or a designee.
  - (3) A temporary convention center hotel sign may be erected and displayed for a period of not more than 14 consecutive days.
  - (4) Temporary convention center hotel signs shall be placed within the top 50 percent of the building.
  - (5) A hotel shall be allowed a maximum of 3 such temporary convention center hotel signs at any one time.
  - (6) The maximum copy area of a temporary convention center hotel sign shall be 4,000 square feet.
  - (7) Additionally, the following will apply regarding Gobo and other projection signs:
    - a. Such signs may only operate between dusk and 2:00 a.m.
    - b. Images must be static and not flashing, animated, or similar, such as may distract pedestrians, bicyclists, and/or motorists.
    - c. Images projected by such signs shall remain in place, without changing, between dusk and 2:00 a.m., and may only change upon dusk of the following day.
- (g) The following signs shall be prohibited within the CCSD:
- (1) Any sign prohibited under [Article 2, Sec. 40-107 Prohibited Signs](#). or [Sec. 40-121\(b\) Prohibited Signs](#);
  - (2) Imagery not directly associated with a contract event, including imagery of off-site establishments, restaurants, entertainment, attractions, and theme parks; and
  - (3) Advertising of products.

- (h) Annually, on or before June 1 of each year, the director of the OCCC, the Orange County Planning Manager, and a member of the executive board of the efficient transportation for the Community of Central Florida, Inc. (ETC) shall review the sign program for the previous year, and discuss proposed revisions to this section (if any).
- (i) Except as may be provided otherwise in this section, the provisions of [Article 3, Division 6: Signs](#) shall control and apply.

**SEC. 40-123 ORANGE BLOSSOM TRAIL BILLBOARD OVERLAY DISTRICT.**

- (a) The Orange Blossom Trail Overlay District (OBTOD) shall cover that area as depicted in Exhibit 97-A, consisting of all property fronting Orange Blossom Trail from Grand Avenue on the north, to the Bee Line Expressway on the south for a depth of 150 feet from the centerline of the Orange Blossom Trail. A copy of Exhibit 97-A is on file and available for inspection in the office of clerk to the board of county commissioners, the county zoning department and the county planning department.
- (b) No new billboards shall be permitted within the OBTOD as described in subsection (c) below.
- (c) The maximum number of billboards permitted in the OBTOD shall not exceed 38 billboards (except for the 2 billboards on the south side of Holden Avenue, east of S.O.B.T.) Any of the thirty-eight (38) billboards may be relocated provided all requirements of [Article 3, Division 6: Signs](#) for billboards are met. If one of the 38 billboards is relocated outside the OBTOD, as part of an agreement as approved by the county and the billboard company, a replacement billboard shall not be placed within the district and the total number of billboards within the district shall then be reduced by that number. If any portion of the OBTOD is annexed into a municipality, any billboards within that annexed portion shall no longer be considered part of the OBTOD and the total number of billboards within the district shall then be reduced by that number of billboards within the annexed portion.
- (d) All existing billboards within the OBTOD, if not already on a monopole and not designated for removal, shall be replaced with a monopole structure at the rate of at least one billboard per year. All non-conforming billboards shall become vested billboards. Vested billboards can be replaced at their current size, height, distance, separation, setbacks, and zoning.
- (e) All billboard structures within the district, not designated for removal, shall be painted within one year of the creation of the OBTOD, a specified green color. The determination of whether a particular shade of green is within the color spectrum of the "specified green color" shall be made by the zoning manager based on a master sample of the "specified green color" on file in the zoning department. Those portions of the sign structure which are required to be painted the specified green color include the monopole, sign apron, and any portion of the platform and/or catwalk that is visible from the right-of-way of South Orange Blossom Trail.

**SEC. 40-124 RESERVED.**

**SEC. 40-125 RESERVED.**

**SEC. 40-126 RESERVED.**

**SEC. 40-127 RESERVED.**

**SEC. 40-128 RESERVED.**

**SEC. 40-129 RESERVED.**

**SEC. 40-130 RESERVED.**

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## ARTICLE IV–USES



## ***DIVISION 1: PERMITTED USES***

### ***SEC. 40-131 GENERAL PROVISIONS.***

- (a) Uses are limited by zone according to [Table 87: Permitted Uses By Zone](#).
- (b) Properties may contain more than one use.
- (c) Any use may have both indoor and outdoor facilities, unless otherwise specified.
- (d) Uses are further restricted according to [Division 1: Permitted Uses](#), [Division 2: Performance Standards](#), [Division 3: Temporary Structures And Uses](#), [Division 5: Regulations for Specific Uses](#), [Division 6: Communication Towers](#), and [Division 7: Public School Siting Regulations](#).
- (e) Definitions in [ARTICLE VI—DEFINITIONS](#) are an essential tool to help define uses and may provide clarity for uses listed in [Table 87: Permitted Uses By Zone](#).
- (f) All uses must comply with [Chapter 9, Article XVI \(Exterior Lighting Standard\) of the Orange County Code](#).

### ***SEC. 40-132 DETERMINATION OF USES.***

- (a) If a use is not listed, the Zoning Manager will interpret and determine the appropriate, similar permitted use according to the following characteristics:
  - (1) The functional and locational requirements of the use;
  - (2) Whether the determination is consistent with the intent of the particular transect zone;
  - (3) Whether the determination is compatible with the permitted uses in the transect zone; and
  - (4) Whether the determination ensures that the use is similar in noise, vibration, dust, odor, glare, heat-producing and any other noxious characteristics to adjacent properties.
- (b) The Zoning Manager's determination may be appealed, pursuant to [Sec. 40-36 Appeals of Staff Decisions](#).

### ***SEC. 40-133 PERMITTED USES.***

- (a) [Table 87: Permitted Uses By Zone](#) outlines the permitted use in each zone. Each use is given one of the following designations for each zone in which that use is permitted:
  - (1) Permitted (P). These uses are permitted by right;
  - (2) Permitted as an Accessory Use only (A). These uses are only permitted when they are accessory to another permitted use within the zone;
  - (3) Permitted by Special Exception (S). These uses may be permitted by Special Exception, pursuant to [Sec. 40-23 Special Exceptions](#);
  - (4) Permitted or Permitted by Special Exception (P/S). These uses may either be permitted or require a Special Exception, pursuant to the conditions specified in [Division 5: Regulations for Specific Uses](#);
  - (5) Where an asterisk (\*) is included, the use is subject to additional requirements as specified in [Division 5: Regulations for Specific Uses](#), except Open Space, the standards for which are specified in [Article 5, Division 4: Civic and Open Space](#);
  - (6) Listed uses in [Table 87: Permitted Uses By Zone](#) that are prohibited in the zones are indicated by a blank space; and
  - (7) Where uses list both a main category followed by one or more detailed uses, designations associated with the main category apply to all detailed uses within that category except for those more detailed uses specified.

## PERMITTED USES

- (b) Civic Zones are additionally subject to the following:
  - (1) Properties zoned CZ-CF:
    - a. Must be owned by a government entity, a utility provider, or a non-profit entity as approved through a Special Exception; and
    - b. New facilities or uses must be approved by Special Exception, except as otherwise provided by state and federal law, except that K-12 Public and Charter schools must comply with [Division 7: Public School Siting Regulations](#).
  - (2) Properties zoned CZ-OS are subject to [Article 5, Division 4: Civic and Open Space](#).
- (c) Accessory uses to non-residential uses are subject to the following:
  - (1) Any non-residential use may be accessory to any other non-residential use permitted within the same zone.
  - (2) The accessory use may be located inside the building occupied by the principal use.
  - (3) The accessory use floor area must be less than 50% of the floor area of the principal use.

**SEC. 40-134 NON-CONFORMING USES.**

Refer to [Article 2, Division 5: Nonconformities](#) for conditions under which non-conforming uses may be continued, altered, renovated or expanded.

**SEC. 40-135 RESERVED.**

**SEC. 40-136 RESERVED.**

**SEC. 40-137 RESERVED.**

**SEC. 40-138 RESERVED.**

**SEC. 40-139 RESERVED.**

**Table 87: Permitted Uses By Zone**

|                                                                            | T2<br>Rural |   |   | T3<br>Sub-Urban |   |    | T4<br>General |    |    | T5<br>Center   |   |   | T6<br>Urban Core |   |   | CZ<br>Civic |    | SZ<br>Special Zones |    |    |    |    |
|----------------------------------------------------------------------------|-------------|---|---|-----------------|---|----|---------------|----|----|----------------|---|---|------------------|---|---|-------------|----|---------------------|----|----|----|----|
|                                                                            | 1           | 2 | 3 | 1               | 2 | 3  | 1             | 2  | 3  | 1 <sup>1</sup> | 2 | 3 | 1                | 2 | 3 | CF          | OS | LI                  | HI | EN | MH | ED |
| <b>Residential</b> (see Sec. 40-160 Residential. for Additional Standards) |             |   |   |                 |   |    |               |    |    |                |   |   |                  |   |   |             |    |                     |    |    |    |    |
| Dwelling, Single                                                           | P           |   |   | P               |   |    | P             |    |    |                |   |   |                  |   |   |             |    |                     |    |    |    |    |
| Dwelling, Duplex                                                           |             |   |   |                 |   | P* | P*            |    |    | P*             |   |   | P*               |   |   |             |    |                     |    |    |    |    |
| Dwelling, Townhouse                                                        |             |   |   |                 |   |    | P*            |    |    | P*             |   |   | P*               |   |   |             |    |                     |    |    |    |    |
| Dwelling, Triplex                                                          |             |   |   |                 |   |    | P*            |    |    | P*             |   |   | P*               |   |   |             |    |                     |    |    |    |    |
| Multi-Dwelling, 6 or less                                                  |             |   |   |                 |   |    |               | P  | P  | P              |   |   | P                |   |   | S           |    |                     |    |    |    |    |
| Multi-Dwelling, more than 6                                                |             |   |   |                 |   |    |               |    | P  | P              |   |   | P                |   |   | S           |    |                     |    |    |    |    |
| Accessory Dwelling Unit                                                    | P*          |   |   | P*              |   |    | P*            |    |    |                |   |   |                  |   |   |             |    |                     |    |    |    |    |
| Adult or Child Day Care Home                                               | S*          |   |   | S*              |   |    | S*            | S* | P* | P*             |   |   | P*               |   |   |             |    |                     |    |    |    |    |
| Adult or Child Day Care Center                                             | S*          |   |   | S*              |   |    | S*            | S* | P* | P*             |   |   | P*               |   |   | S           |    |                     |    | S* | S* |    |
| Assisted Living                                                            |             |   |   |                 |   |    |               | P  | P  | P              |   |   | P                |   |   | S           |    | P                   |    |    |    |    |
| Community Residential Home<br>6 or less Residents                          | P*          |   |   | P*              |   |    | P*            |    |    | P              |   |   | P                |   |   | S           |    |                     |    |    |    |    |
| Community Residential Home<br>7-14 Residents                               |             |   |   |                 |   |    | S*            | P* | P* | P              |   |   | P                |   |   | S           |    |                     |    |    |    |    |
| Residential Care Facility                                                  | S           |   |   |                 |   |    | S             |    |    | S              |   |   | S                |   |   |             |    | P                   | P  |    |    |    |
| Family Day Care Home                                                       | P*          |   |   | P*              |   |    | P*            |    |    | P*             |   |   | P*               |   |   |             |    |                     |    |    |    |    |
| Live-Work                                                                  |             |   |   |                 |   |    |               |    | P* | P*             |   |   | P*               |   |   |             |    | P*                  |    |    |    |    |
| Mobile Home                                                                | P*          |   |   | P*              |   |    |               |    |    |                |   |   |                  |   |   |             |    |                     |    | P* |    |    |
| Home Based Business                                                        | P*          |   |   | P*              |   |    | P*            |    |    | P*             |   |   | P*               |   |   | P*          |    |                     |    | P* |    |    |
| Student Housing                                                            |             |   |   |                 |   |    |               |    | P* | P*             |   |   | P*               |   |   | S           |    |                     |    |    |    | P  |
| Boarding House                                                             |             |   |   |                 |   |    | S*            | S* |    | S*             | P | P | P                |   |   |             |    |                     |    |    |    |    |
| Single Room Occupancy                                                      |             |   |   |                 |   |    |               |    |    | P              | P |   | P                |   |   | S           |    |                     |    |    |    |    |

|                                                                    |    |  |  |    |  |  |    |  |   |    |   |  |   |  |  |   |  |   |  |    |  |   |
|--------------------------------------------------------------------|----|--|--|----|--|--|----|--|---|----|---|--|---|--|--|---|--|---|--|----|--|---|
| <b>Lodging</b> (see Sec. 40-161 Lodging. for Additional Standards) |    |  |  |    |  |  |    |  |   |    |   |  |   |  |  |   |  |   |  |    |  |   |
| Bed & Breakfast                                                    | S* |  |  | S* |  |  | S* |  |   | P* |   |  |   |  |  |   |  |   |  |    |  |   |
| Single Dwelling Transient<br>Rental                                |    |  |  |    |  |  |    |  | P |    |   |  |   |  |  |   |  |   |  |    |  |   |
| Campgrounds and Recreation-<br>al Vehicle Parks                    | S* |  |  | S* |  |  |    |  |   |    |   |  |   |  |  | S |  |   |  | P* |  |   |
| Short-Term Rental (Hotels and<br>Timeshares)                       |    |  |  |    |  |  |    |  |   | P  | P |  | P |  |  |   |  | P |  | P  |  | P |

|                                                                          |    |  |  |   |  |  |    |   |   |       |    |  |       |  |  |  |  |           |    |    |  |   |
|--------------------------------------------------------------------------|----|--|--|---|--|--|----|---|---|-------|----|--|-------|--|--|--|--|-----------|----|----|--|---|
| <b>Commercial</b> (see Sec. 40-162 Commercial. for Additional Standards) |    |  |  |   |  |  |    |   |   |       |    |  |       |  |  |  |  |           |    |    |  |   |
| Adult Entertainment                                                      |    |  |  |   |  |  |    |   |   |       |    |  |       |  |  |  |  | P*        | P* |    |  |   |
| Animal Services                                                          | S* |  |  |   |  |  | S* |   |   | P/S*  |    |  | P/S*  |  |  |  |  | P         | P  |    |  |   |
| Auto-Related Commercial                                                  |    |  |  |   |  |  |    |   |   | P*    |    |  | P*    |  |  |  |  | P*        | P* |    |  |   |
| - Automobile Repair                                                      |    |  |  |   |  |  |    |   |   | P*    |    |  | P*    |  |  |  |  | P*        | P* |    |  |   |
| - Automobile Sales                                                       |    |  |  |   |  |  |    |   |   | P*    |    |  | P*    |  |  |  |  | P*        | P* |    |  |   |
| - Automobile Towing Service                                              |    |  |  |   |  |  |    |   |   | S*    | S* |  | S*    |  |  |  |  | P*        | P* |    |  |   |
| - Free-Standing Car Wash                                                 |    |  |  |   |  |  |    |   |   | P*    |    |  | P*    |  |  |  |  | P*        |    |    |  |   |
| - Gas Station                                                            |    |  |  |   |  |  |    |   |   | P*    |    |  | P*    |  |  |  |  | P*        | P* | P* |  |   |
| Big Box Retail                                                           |    |  |  |   |  |  |    |   |   | P*/S* |    |  | P*/S* |  |  |  |  | P*/<br>S* |    |    |  |   |
| Clubs (Fraternal/Civic<br>Organizations)                                 | S  |  |  | S |  |  | S  | S | P | P     |    |  | P     |  |  |  |  | P         | P  | P  |  | P |

P Permitted Use

P\* Permitted Use, with Additional Standards

A Permitted as an Accessory Use only

S Special Exception

S\* Special Exception, with Additional Standards

A\* Accessory Use, with Additional Standards

\* Refer to [Division 7: Public School Siting Regulations](#)

Boxes with no designation signify prohibited use.

<sup>1</sup> Uses and intensity may be further limited by Rural Center Policies (LMN 4.2.5, LMN 4.3.2(a), LMN 4.3.10 - LMN 4.3.12).

## PERMITTED USES

**Table 87: Permitted Uses By Zone**

|                                                                          | T2<br>Rural |    |   | T3<br>Sub-Urban |    |    | T4<br>General |    |      | T5<br>Center   |    |    | T6<br>Urban Core |   |   | CZ<br>Civic |    | SZ<br>Special Zones |    |    |    |    |
|--------------------------------------------------------------------------|-------------|----|---|-----------------|----|----|---------------|----|------|----------------|----|----|------------------|---|---|-------------|----|---------------------|----|----|----|----|
|                                                                          | 1           | 2  | 3 | 1               | 2  | 3  | 1             | 2  | 3    | 1 <sup>1</sup> | 2  | 3  | 1                | 2 | 3 | CF          | OS | LI                  | HI | EN | MH | ED |
| <b>Commercial</b> (see Sec. 40-162 Commercial. for Additional Standards) |             |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     |    |    |    |    |
| <b>Food &amp; Beverage</b>                                               | A*          |    |   | A*              | A* | A* | A*            | A* | P*   | P*             |    |    | P*/S*            |   |   | S           |    | P                   | P  | P  |    | P  |
| <b>Health and Medical Office or Clinic</b>                               |             |    |   |                 |    |    |               |    | P*   | P              |    |    | P                |   |   |             |    | P                   | P  |    |    |    |
| - Pain Management Clinic                                                 |             |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     | P* |    |    |    |
| <b>Hospital</b>                                                          |             |    |   |                 |    |    |               |    |      |                |    | P  | P                |   |   | S           |    | P                   |    |    |    | P  |
| <b>Office</b>                                                            |             |    |   |                 |    |    |               |    | P*   | P              |    |    | P                |   |   |             |    | P                   | P  | P  |    | P  |
| <b>Open Air Market (permanent)</b>                                       |             |    |   |                 |    |    |               |    |      | S*             | S* | S* | S*               |   |   |             |    | S*                  | S* | P* |    |    |
| <b>Place Of Assembly</b>                                                 | S*          |    |   | S*              |    |    | S*            | S* | P*   | P*/S           | P* | P* | P*               |   |   | S*          | S* | P*                  | P* | P* | S* | P* |
| <b>Recreational / Athletic</b>                                           | S*          |    |   | S/A*            |    |    | S/A*          |    |      | P*/S           |    |    | P*/S             |   |   | P*          |    | P                   | P  | P  |    | P  |
| <b>Retail and Services, General</b>                                      |             |    |   |                 |    |    |               |    | P*   | P              |    |    | P                |   |   |             |    | A                   | A  | P  |    | P  |
| <b>Retail and Services, Specialized</b>                                  | S*          |    |   |                 |    |    |               |    | S*   | P              |    |    | P                |   |   |             |    | P*                  | P* |    |    |    |
| - Funeral Services                                                       | S*          |    |   |                 |    |    |               |    |      | P*             |    |    | P*               |   |   |             |    | P*                  | P* |    |    |    |
| - Labor Pools & Labor Halls                                              |             |    |   |                 |    |    |               |    |      |                |    | S* |                  |   |   |             |    | P*                  | P* |    |    |    |
| - Medical Marijuana Dispensing Facility                                  |             |    |   |                 |    |    |               |    | P*   | P*             |    |    | P*               |   |   |             |    | P*                  | P* | P* |    | P* |
| - Package Sale Vendors                                                   |             |    |   |                 |    |    |               |    | S*   | P*             |    |    | P*               |   |   |             |    |                     |    | P* |    |    |
| - Pawn Shops                                                             |             |    |   |                 |    |    |               |    |      | P*/S           |    |    | P*/S             |   |   |             |    |                     |    |    |    |    |
| <b>Theme Parks</b>                                                       |             |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     |    | P  |    |    |
| <b>Rural Retail</b>                                                      | P*          |    |   | P*              |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     |    |    |    |    |
| - Lawn & Garden Service                                                  | S           |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     |    |    |    |    |
| <b>Temporary Retail</b>                                                  |             |    |   | P*              |    |    | P*            |    |      | P*             |    |    | P*               |   |   |             |    | P*                  | P* | P* |    | S* |
| - Portable Food Vendors & Vending Carts                                  |             |    |   | P*              |    |    | P*            |    |      | P*             |    |    | P*               |   |   |             |    | S*                  | S* | P* |    | P* |
| - Seasonal Sales                                                         | P*          |    |   | P*              |    |    | P*            |    |      | P*             |    |    | P*               |   |   |             |    | P*                  | P* | P* |    | P* |
| <b>Vocational School</b>                                                 |             |    |   |                 |    |    |               |    | S    | S              | P  | P  | P                |   |   | P           |    | P                   | P  | P  |    | P  |
| <b>Industrial</b> (see Sec. 40-163 Industrial. for Additional Standards) |             |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     |    |    |    |    |
| <b>Agricultural Industrial</b>                                           | S*          |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    | P*                  | P* |    |    |    |
| - Firewood sale or storage                                               | P*          |    |   |                 |    |    |               |    | P*   | P*             |    |    | P*               |   |   |             |    | P*                  | P* |    |    |    |
| - Medical Marijuana Cultivation Facility                                 | P*          | P* |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     |    |    |    |    |
| - Medical Marijuana Processing Facility                                  |             |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    | P*                  | P* |    |    |    |
| - Slaughterhouse and Rendering Plants                                    | S*          |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    | P*                  | P* |    |    |    |
| - Wood chipping, wood mulching, and compost                              | P/S*        |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    | P*                  | P* |    |    |    |
| <b>Craft &amp; Light Industrial</b>                                      |             |    |   |                 |    |    |               |    | P*/S | P*/S           |    |    | P*/S             |   |   |             |    | P                   | P  |    |    |    |
| <b>Heavy Industrial</b>                                                  |             |    |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     | P  |    |    |    |
| - Biosolid Treatment Facility                                            | S*          | S* |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     | S* |    |    |    |
| - Borrow Pits and Excavation and Fill                                    | P*          | P* |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     | P* |    |    |    |
| - Concrete, Cement, Asphalt Plant and Crushing                           | S*          |    |   | A*              |    |    | A*            |    |      | A*             |    |    | A*               |   |   | A*          |    | A*                  | P* |    | A* |    |
| - Fuel Terminal                                                          | P*          |    |   | P*              |    |    | P*            |    |      | P*             |    |    | P*               |   |   | P*          |    |                     |    | P* |    |    |
| - Hazardous Waste Treatment and Storage Facility                         | S*          | S* |   |                 |    |    |               |    |      |                |    |    |                  |   |   |             |    |                     | S* |    |    |    |

P Permitted Use

P\* Permitted Use, with Additional Standards

A Permitted as an Accessory Use only

S Special Exception

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A\* Accessory Use, with Additional Standards

\* Refer to [Division 7: Public School Siting Regulations](#)

Boxes with no designation signify prohibited use.

<sup>1</sup> Uses and intensity may be further limited by Rural Center Policies (LMN 4.2.5, LMN 4.3.2(a), LMN 4.3.10 - LMN 4.3.12).

**Table 87: Permitted Uses By Zone**

|                                                                                                  | T2<br>Rural |       |       | T3<br>Sub-Urban |       |   | T4<br>General |       |      | T5<br>Center |      |   | T6<br>Urban Core |    |    | CZ<br>Civic |    | SZ<br>Special Zones |       |       |      |       |
|--------------------------------------------------------------------------------------------------|-------------|-------|-------|-----------------|-------|---|---------------|-------|------|--------------|------|---|------------------|----|----|-------------|----|---------------------|-------|-------|------|-------|
|                                                                                                  | 1           | 2     | 3     | 1               | 2     | 3 | 1             | 2     | 3    | 1'           | 2    | 3 | 1                | 2  | 3  | CF          | OS | LI                  | HI    | EN    | MH   | ED    |
| - Incinerator                                                                                    | S*          |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    | S*                  | S*    |       |      |       |
| <b>Industrial (see Sec. 40-163 Industrial. for Additional Standards)</b>                         |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       |       |      |       |
| - Solid Waste Management Facility                                                                | S*          | S*    |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     | S*    |       |      |       |
| - Yard Trash Processing                                                                          | S*          |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    | P                   | P     |       |      |       |
| <b>Storage &amp; Distribution</b>                                                                |             |       |       |                 |       |   |               |       |      | P            | P    |   | P                | P  |    |             |    | P                   | P     |       |      |       |
| - Building Material Storage & Sales                                                              |             |       |       |                 |       |   |               |       |      | P*           | P*   |   | P*               | P* |    |             |    | P*                  | P*    |       |      |       |
| - Junk Yard                                                                                      |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     | S*    |       |      |       |
| - Oil and propane gas dealers                                                                    |             |       |       |                 |       |   |               | A*    |      | A*           |      |   | A*               | A* |    |             |    | P                   | P     |       |      |       |
| - Outdoor Storage and Display of Equipment, Products and Merchandise, Vehicles and Similar Items |             |       |       |                 |       |   |               |       |      | A*           | A*   |   | A*               | A* |    |             |    | P*                  | P*    |       |      |       |
| - Self-Storage                                                                                   |             |       |       |                 |       |   |               |       |      | P*           | P*   |   | P*               | P* | P* |             |    | P*                  | P*    |       |      |       |
| - Warehouse                                                                                      |             |       |       |                 |       |   |               |       |      | P            | P    |   | P                | P  | P  |             |    | P                   | P     |       |      |       |
| <b>Government Services and Facilities (see Sec. 40-164 for Additional Standards)</b>             |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       |       |      |       |
| <b>Correctional Facility</b>                                                                     |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     | P*    |       |      |       |
| <b>Government Civil Support</b>                                                                  |             | P     |       |                 | P     |   |               | P     |      | P            |      |   | P                |    |    | P           | P  |                     |       | P     |      |       |
| - Cemetery                                                                                       |             | S     |       |                 | S     |   |               | S     |      | S            |      |   | S                |    |    | S           | S  | P                   | P     |       |      |       |
| <b>National Defense</b>                                                                          |             | S*    |       |                 | S*    |   |               | S*    |      | S*           |      |   | S*               |    |    | S*          | S* |                     |       | S*    |      |       |
| <b>Educational (see Sec. 40-165 Educational. for Additional Standards)</b>                       |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       |       |      |       |
| <b>College / University</b>                                                                      |             |       |       |                 |       |   |               | S     |      | P            | P    |   | P                |    |    | S           |    |                     |       |       |      | P     |
| <b>Schools</b>                                                                                   |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       |       |      |       |
| - Public, K-12                                                                                   |             | S     |       |                 | P*/S* |   |               | P*/S* |      | P*/S*        |      |   | P*/S*            |    |    | P*/S*       |    |                     | P*/S* |       |      | P*    |
| - Charter                                                                                        |             | S*    |       |                 | S*    |   | S*            | S*    | P*   | P*           |      |   | P*               |    |    |             |    |                     |       |       |      | P*    |
| - Private, K-12                                                                                  |             | S*    |       |                 | S     |   | S             | S     | P    | P            |      |   | P                |    |    |             |    |                     |       |       |      | P     |
| <b>Agriculture (see Sec. 40-166 Agriculture. for Additional Standards)</b>                       |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       |       |      |       |
| <b>Agricultural Storage &amp; Distribution</b>                                                   |             | P*    |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    | P*                  | P*    |       |      |       |
| - Outdoor Display of Agricultural Equipment                                                      |             | P*    |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    | P*                  | P*    |       |      |       |
| <b>Arable / Crop Farming</b>                                                                     |             | P     |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    | P                   | P     |       |      | A     |
| <b>Forestry</b>                                                                                  |             | P     |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    | P                   | P     |       |      | A     |
| <b>Fruit &amp; Vegetable Garden</b>                                                              |             | P     |       |                 | A/P*  |   | A/P*          |       | A/P* |              | A/P* |   | A/P*             |    |    | S*          | P* | P                   | P     | P     | A/P* | P     |
| <b>Kennels</b>                                                                                   |             | S     |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     | P     |       |      |       |
| <b>Livestock Farming &amp; Husbandry</b>                                                         |             |       |       |                 |       |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       |       |      |       |
| - Raising and keeping of poultry                                                                 |             | P*/S* |       |                 | P*    |   | P*            |       |      | P*           | P*   |   |                  |    |    |             |    |                     |       | P*    |      | P*    |
| - Raising of cattle                                                                              |             | P*    | P*    | P*              | P*/S* |   |               |       |      |              |      |   |                  |    |    |             |    |                     |       | A     |      | A     |
| - Raising and keeping of horses, ponies, donkeys, and mules                                      |             | P/S*  | P*/S* | P*/S*           | P*/S* |   |               |       |      |              |      |   |                  |    |    |             |    | P*/S*               | P/S*  | A*/S* |      | A*/S* |

P Permitted Use

P\* Permitted Use, with Additional Standards

A Permitted as an Accessory Use only

S Special Exception

S\* Special Exception, with Additional Standards

A\* Accessory Use, with Additional Standards

\* Refer to [Division 7: Public School Siting Regulations](#)

Boxes with no designation signify prohibited use.

<sup>1</sup> Uses and intensity may be further limited by Rural Center Policies (LMN 4.2.5, LMN 4.3.2(a), LMN 4.3.10 - LMN 4.3.12).

## PERMITTED USES

**Table 87: Permitted Uses By Zone**

|                                                                                                                           | T2<br>Rural |           |           | T3<br>Sub-Urban |   |   | T4<br>General |    |   | T5<br>Center   |   |   | T6<br>Urban Core |   |   | CZ<br>Civic |    | SZ<br>Special Zones |    |           |          |           |
|---------------------------------------------------------------------------------------------------------------------------|-------------|-----------|-----------|-----------------|---|---|---------------|----|---|----------------|---|---|------------------|---|---|-------------|----|---------------------|----|-----------|----------|-----------|
|                                                                                                                           | 1           | 2         | 3         | 1               | 2 | 3 | 1             | 2  | 3 | 1 <sup>1</sup> | 2 | 3 | 1                | 2 | 3 | CF          | OS | LI                  | HI | EN        | MH       | ED        |
| - Raising and keeping of goats, sheep, lambs, and pigs                                                                    | P/<br>S*    | P*/<br>S* | P*/<br>S* | P*<br>S*        |   |   |               |    |   |                |   |   |                  |   |   |             |    |                     |    | A*/<br>S* |          | A*/<br>S* |
| <b>Agriculture</b> (see Sec. 40-166 Agriculture. for Additional Standards)                                                |             |           |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    |                     |    |           |          |           |
| <b>Commercial Nurseries &amp; Greenhouses</b>                                                                             |             | P*        |           | P*              |   |   |               |    |   |                |   |   |                  |   |   |             |    | P                   | P  |           |          | A/<br>P*  |
| <b>Veterinary Services for Live-stock</b>                                                                                 |             | P         |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    | P                   | P  |           | A*       | A/<br>P   |
| <b>Transportation &amp; Infrastructure</b> (see “Sec. 40-167 Transportation and Infrastructure” for Additional Standards) |             |           |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    |                     |    |           |          |           |
| <b>Airport</b>                                                                                                            |             | S         |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    | S                   | S  |           |          |           |
| <b>Communication Tower</b>                                                                                                |             | P*/S*     |           | P*/S*           |   |   | P*/S*         |    |   | P*/S*          |   |   | P*/S*            |   |   | P*/S*       |    | P*/S*               |    |           |          |           |
| <b>Public Parking (Principal Use)</b>                                                                                     |             |           |           |                 |   |   |               | P* |   | P*             |   |   | P*               |   |   | P*          | P* | P                   | P  | P         |          |           |
| <b>Transit Facility</b>                                                                                                   |             | P*        |           | P*              |   |   | P*            |    |   | P              |   |   | P                |   |   | A           | A  | P                   | P  | P         | P*       | A         |
| <b>Truck Stop</b>                                                                                                         |             |           |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    | P                   | P  |           |          |           |
| - Truck Parking and Parking of Dual Rear Wheel Vehicles                                                                   |             | A*        |           |                 |   |   |               |    |   |                | S | S | S                |   |   |             |    | P                   | P  |           |          |           |
| <b>Renewable Energy</b>                                                                                                   |             | A*        |           | A*              |   |   | A*            |    |   | A*             |   |   | A*               |   |   | S*          | S* | P*                  | P* | A*        | A*       | A*        |
| - Large scale installations                                                                                               |             | P*        |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    | P*                  | P* |           |          |           |
| <b>Utilities</b>                                                                                                          |             | P*/S      |           | P*/S            |   |   | P*/S          |    |   | P*/S           |   |   | P*/S             |   |   | P*/S        |    | P*                  | P* | P*/<br>S  | P*/<br>S | P*/<br>S  |
| <b>Vertiports, Heliports, and Sea Plane Bases</b>                                                                         |             | S*        |           |                 |   |   |               |    |   | S*             |   |   | S*               |   |   |             |    | P*                  | P* | S*        |          |           |
| <b>Open Space</b> (see Article 5 Division 4: Civic and Open Space for Additional Standards)                               |             |           |           |                 |   |   |               |    |   |                |   |   |                  |   |   |             |    |                     |    |           |          |           |
| <b>Open Space</b>                                                                                                         |             | P*        |           | P*              |   |   | P*            |    |   | P*             |   |   | P*               |   |   | P*          | P* | P*                  |    |           |          |           |

P Permitted Use      P\* Permitted Use, with Additional Standards      A Permitted as an Accessory Use only  
 S Special Exception      S\* Special Exception, with Additional Standards      A\* Accessory Use, with Additional Standards  
 \* Refer to [Division 7: Public School Siting Regulations](#)      Boxes with no designation signify prohibited use.

<sup>1</sup> Uses and intensity may be further limited by Rural Center Policies (LMN 4.2.5, LMN 4.3.2(a), LMN 4.3.10 - LMN 4.3.12).



## ***DIVISION 2: PERFORMANCE STANDARDS***

### ***SEC. 40-140 INTENT.***

Performance standards in this section are intended to protect residents from certain adverse effects of commercial and industrial activities and to promote a safe and healthy environment in and near such uses.

### ***SEC. 40-141 GENERAL.***

- (a) A use indicated in this section applies to an operation, activity or use.
- (b) Measurements must be taken at the point of emission, unless noted otherwise in this section.
- (c) Additional standards and requirements found in [Chapter 15 \(Environmental Control\) of the Orange County Code](#) may be applicable.

### ***SEC. 40-142 SMOKE & PARTICULATE MATTER.***

See [Chapter 15, Article III \(Air Quality Control\) of the Orange County Code](#).

### ***SEC. 40-143 AIR POLLUTION & ODOR.***

See [Chapter 15, Article III \(Air Quality Control\) of the Orange County Code](#).

### ***SEC. 40-144 WELLHEAD PROTECTION AREAS.***

Facilities which may be a potential source of pollution must demonstrate compliance with the same setbacks from community potable water wells and other criteria in rule 62-521 Florida Administrative Code, subject to review by the Environmental Protection Division. This includes but is not limited to facilities that: generate or store hazardous waste; have regulated petroleum storage tanks; land apply wastewater residuals; and/or are Solid Waste Disposal Facilities.

### ***SEC. 40-145 VIBRATION.***

- (a) No operation or use shall, at any time, create earthborne vibrations which, when measured at the bounding property line of the source of operation, exceed the limits set forth in the following tables: [Table 80: Maximum Permitted Vibration: T4.3 - T6 & SZ-LI](#), [Table 81: Maximum Permitted Vibration: SZ-HI](#), and [Sec. 40-131 General Provisions](#).
- (b) Vibrations must be measured by normal vibration analysis equipment with associated transducer mounted vertically on 2-inch pipe driven into the ground at least 3 feet.
- (c) Vibration shall be measured by normal vibration analysis equipment with associated transducer mounted vertically on 2-inch pipe driven into the ground at least 3 feet.

## PERFORMANCE STANDARDS

**Table 80: Maximum Permitted Vibration: T4.3 - T6 & SZ-LI**

| Frequency in Cycles per Second | Acceleration G's Single Amplitude |
|--------------------------------|-----------------------------------|
| 1                              | 0.00062                           |
| 2 to 5                         | 0.00084                           |
| 6 to 10                        | 0.00055                           |
| 11 to 20                       | 0.0014                            |
| 21 to 50                       | 0.004                             |
| Over 50                        | 0.0092                            |

**Table 81: Maximum Permitted Vibration: SZ-HI**

| Frequency in Cycles per Second | Acceleration G's Single Amplitude |
|--------------------------------|-----------------------------------|
| 1                              | 0.016                             |
| 2 to 5                         | 0.02                              |
| 6 to 10                        | 0.012                             |
| 11 to 20                       | 0.015                             |
| 21 to 50                       | 0.026                             |
| Over 50                        | 0.046                             |

**SEC. 40-146 NOISE.**

See [Chapter 15, Article V \(Noise Control Ordinance\)](#) of the Orange County Code.

**SEC. 40-147 GLARE & HEAT.**

All uses must be designed and operated as to prevent the emission of glare and heat of such intensity as to be readily perceptible at any point on the lot property line on which the use is located, and must comply with [Chapter 9, Article XVI \(Exterior Lighting\)](#) of the Orange County Code.

**SEC. 40-148 INDUSTRIAL SEWAGE AND WASTE.**

See [Chapter 37, Article XX \(Public and Private Sewer System Use Requirements\)](#) of the Orange County Code.

**SEC. 40-149 RESERVED.**

### ***DIVISION 3: TEMPORARY STRUCTURES AND USES***

#### ***SEC. 40-150 GENERAL.***

All temporary structures and uses specified in this Division require a permit.

#### ***SEC. 40-151 CONSTRUCTION SUPPORT STRUCTURES AND USES.***

Temporary structures may be used as construction field offices or used for equipment storage, when utilized in conjunction with approved construction or development of individual parcels, subdivision, utilities, or road improvements, subject to the following conditions:

- (1) A temporary structure utilized for construction support in conjunction with development of a new residential subdivision is permitted subject to the following:
  - a. Must be located within the boundary of the subdivision.
  - b. Shall be removed within 1 year from the date of issuance of the permit for the temporary structure. However, for good cause shown, the Zoning Manager may grant extensions to the duration.
- (2) A temporary structure utilized for construction support in conjunction with utility or road improvements is subject to the following:
  - a. Permitted in any zone, however any outdoor staging area, or outdoor storage of materials or equipment used in conjunction with the road or utility improvements shall only be permitted when approved by the Zoning Manager.
  - b. Shall be removed no later than 10 days after completion of the project.
  - c. Shall be located 10 feet from any property line.
- (3) A temporary structure utilized in conjunction with development of an individual parcel is subject to the following:
  - a. Only permitted in T4.2, T4.3, T5, T6, SZ, or CZ transects.
  - b. Must be located on the same parcel being developed.
  - c. Must be removed from the parcel after the Certificate of Occupancy or Certificate of Completion for the construction is completed.
  - d. Shall be located 10 feet from any property line.

#### ***SEC. 40-152 RESIDENTIAL SALES SUPPORT STRUCTURES AND USES.***

- (a) Temporary structures may be used as a sales center or sales office for residential subdivisions or developments, subject to the following:
  - (1) Must be located within the boundary of the residential subdivision or development.
  - (2) A sales office or center shall not include real estate outside of the subdivision or overall development.
  - (3) The subdivision plat must be recorded before the permit for the temporary structure is issued.
  - (4) Approval shall be for a period of 1 year.
- (b) Model Homes may be permitted to be constructed prior to the recording of a plat in accordance with the requirements of [Sec. 30-83 of the Orange County Code](#).
  - (1) A model home permitted under [Sec. 30-83](#) may be utilized as a sales center, provided that no more than 1 model home is used as a sales center.

#### ***SEC. 40-153 TEMPORARY HABITATION.***

- (a) A recreational vehicle (RV) may be occupied as a temporary shelter where a single-unit residence is located on-site but is uninhabitable and undergoing repairs, when approved by the Zoning Manager subject to the following:
  - (1) For the purposes of this section, the term "uninhabitable" means the on-site dwelling unit cannot be occupied because it has been damaged by a natural disaster or accident, such as a hurricane, storm or fire, but not because of neglect, renovations, expansions, etc.
  - (2) The Zoning Manager may impose appropriate conditions, such as a specific time period the RV may remain.
  - (3) To the extent this subsection may be inconsistent or conflict with Florida Law, relating to a temporary shelter placed on residential property following a natural emergency where the resident is making a good faith effort to rebuild or renovate a damaged permanent residential structure, Florida Law shall control.

## TEMPORARY STRUCTURES AND USES

- (b) A mobile home or recreational vehicle may be use as quarters for a night watchman or on-site security on parcels within the T5, T6, or SZ transects, or in association with approved seasonal sales ([Sec. 40-162\(o\) Temporary Retail.](#)), and may be allowed as a Special Exception in the T2 transect in association with permitted non-residential uses, subject to the following:
  - (1) Shall meet the setbacks of the subject transect.
  - (2) Shall not be permitted if any other dwelling unit exists on the parcel.

**SEC. 40-154 TEMPORARY EVENTS AND TENTS.**

- (a) Temporary Special Events may be permitted, subject to the following requirements:
  - (1) Special Event Parking must be provided at a ratio of 1 space per every 3 anticipated attendees and must be located on-site, unless otherwise approved by the Zoning Manager for parking off-site. Factors that will be considered when reviewing proposed off-site parking include, but shall not be limited to, distance from the special event, walkability from the parking area to the special event, or the provision of any shuttle services.
  - (2) An outdoor special event permit must be obtained from the Orange County Fire Marshal's Office, where applicable.
  - (3) A special event that would require use of rights-of-way requires:
    - a. A parking plan;
    - b. Shuttles, if directed by the County;
    - c. A right-of-way utilization permit; and
    - d. Maintenance of traffic consistent with [Section 21-236 of the Orange County Code.](#)
  - (4) Any tents or signage in association with a special event shall comply with and be permitted in accordance with Code.
  - (5) A special event in a PD shall be permitted on those portions of the PD designated for commercial or industrial uses and shall comply with [subsection \(8\)](#) below. A special event on land designated for other than commercial or industrial uses are not permitted, unless expressly allowed as a permitted use on the Land Use Plan.
  - (6) Special Events must maintain cleanliness by:
    - a. Providing marked and accessible receptacles for trash and recycling, emptied regularly; and
    - b. Removing any debris and materials related to the operation of the business, as well as those deposited by business patrons.
  - (7) A special event in T2, T3, T4, and T5.2 may be permitted in association with existing uses on developed sites that are permitted in the district, have approved Special Exceptions, or are recognized as legal non-conforming uses, and have obtained all required permits subject to the following standards:
    - a. Frequency and duration limitations. Limited to a maximum of 4 times per calendar year, with each event not to exceed a maximum of 4 days. Hours of operation shall be limited to between 9:00 a.m. and 9:00 p.m. However, for good cause shown, the Zoning Manager may grant extensions to the frequency and/or duration limitations.
    - b. Restrictions and prohibitions on special events:
      - 1. A special event that includes amusement rides or attractions (such as a carnival) or a farmer's market shall require a Special Exception.
      - 2. A special event that consists of the sale of vehicles, boats or RVs shall be prohibited.
      - 3. A maximum of 2 food trucks may be permitted in association with a special event.
  - (8) A special event in T2, T3, and T4 districts on vacant and undeveloped land shall be permitted only by Special Exception. However, the Zoning Manager may approve a single, one time only special event, and if approved, it shall be subject to the requirements set forth in [subsections \(1\)-\(4\)](#) above.
  - (9) A special event in T5, SZ-LI, and SZ-HI districts may be permitted, subject to the following standards:
    - a. Frequency and duration limitations: Special events in commercial and industrial districts may occur a maximum of twelve times per year, with each event limited to a maximum of 4 days. Hours of operation shall be limited to between 7:00 a.m. and 10:00 p.m. However, for good cause shown, the Zoning Manager may grant extensions to the frequency and/or duration limitations.
    - b. Restrictions and prohibitions on special events:
      - 1. A special event that includes amusement rides or attractions (such as a carnival) or a farmer's market shall require a Special Exception in T5.2 and T5.3.
      - 2. A special event that consists of the sale of vehicles, boats or RVs shall be prohibited in the T5.2 and T5.3.
      - 3. A maximum of 2 food trucks may be permitted in association with a special event, however, additional food trucks may be allowed when approved by the Zoning Manager.

## TEMPORARY STRUCTURES AND USES

- (b) Temporary Retail Events, including tent sales, seasonal sales, food trucks or other temporary and portable vendors on individual parcels are subject to the temporary retail standards in [Sec. 40-162\(o\) Temporary Retail](#).
- (c) Tents are permitted subject to the following:
  - (1) Tents, PVC pipe tents, and similar lightweight, temporary structures are prohibited except where explicitly permitted in this section. Similar structures include but are not limited to frames made of PVC, metal tubing, or comparable materials, and covers made of fabric, plastic, or tarpaulin material.
  - (2) Permitted Use.
    - a. Tents in public parks and on county lands in association with a public use or as permitted by the County are exempt from frequency and duration restrictions.
    - b. Tents may be utilized in association with any approved special event, subject to the duration and frequency limitations set forth in the special event code [subsection \(a\)](#).
    - c. Tents may be utilized in conjunction with any permitted temporary retail, subject to the duration and frequency limitations set forth in [Sec. 40-162\(o\) Temporary Retail](#).
    - d. Tents not in association with an approved special event or permitted temporary retail event may be permitted, subject to the following:
      - 1. In T4.3, T5, T6, and SZ, limited to a maximum of 12 times per year, with each tent not to exceed a maximum of 4 days.
      - 2. In T2, T3, T4.1 and T4.2, limited to a maximum of 4 times per calendar year, with each tent not to exceed a maximum of 4 days.
    - e. Tents may be utilized for construction activities, and must be removed upon completion of construction.
    - f. Tents may be utilized within campgrounds and recreational vehicle parks, subject to [Sec. 40-161\(b\) Campgrounds & Recreational Vehicle Parks](#).
    - g. For good cause shown, the Zoning Manager may grant extensions to the frequency or duration.
  - (3) Location Restrictions.
    - a. Must meet 5-foot setbacks from all property lines, or the principal structure setback of the transect, whichever is smaller.
    - b. Must not block or impede access to any required parking space, or any ADA parking space, for the principal use on site.
  - (4) Permit Requirements.
    - a. A permit is required for tents over 150 square feet.
    - b. Tents under 150 square feet are exempt from permits but are subject to the permitted use, duration, and location requirements of this section.
  - (5) Enforcement and Removal.
    - a. Tents must be removed at the end of the permitted duration.
    - b. Property owners must remove tents within 7 days of receiving written notice from Code Enforcement.
    - c. Failure to remove tents may result in fines and forced removal by the municipality, including associated removal costs.

**SEC. 40-155 TEMPORARY PORTABLE STORAGE CONTAINERS.**

- (a) Temporary portable storage containers (TPSC) are permitted in a manner that is safe and compatible with adjacent surrounding uses and activities and in compliance with this subsection.
- (b) Permits are required as follows:
  - (1) A TPSC to be placed on property for less than 180 days requires a zoning permit;
  - (2) A TPSC to be placed on property for 180 days or more requires a zoning permit and a building permit; and
  - (3) A TPSC used for seasonal sales requires a seasonal sales tent permit.
- (c) A TPSC may be permitted for the following periods of time:
  - (1) A TPSC placed in conjunction with moving, remodeling, or reconstruction activities may be permitted for a maximum of 90 days;
  - (2) A TPSC placed for new construction may be permitted for a maximum of 180 days. A building permit, when required for the associated work, must be issued prior to issuance of a zoning permit for a TPSC;
  - (3) A TPSC placed for seasonal sales may be permitted for the period specified in the seasonal sales tent permit;
  - (4) Once a permit for a TPSC has utilized its maximum duration, or has been removed from the site, no additional

## TEMPORARY STRUCTURES AND USES

permits for a TPSC may be issued until after a period of 180 days has transpired, except in conjunction with a Seasonal Sales Tent Permit as specified below;

- (5) The TPSC must be removed upon expiration of the zoning permit, within 7 days of completion of permitted work, or within 7 days of a seasonal sales tent permit, whichever occurs earlier; and
  - (6) The Zoning Manager may, for good cause shown, authorize a time extension if the property owner demonstrates that extenuating circumstances exist to justify the extension.
- (d) TPSC location and size are limited as follows:
- (1) A TPSC's location must not impair a motor vehicle operator's view of other vehicles, bicycles, or pedestrians utilizing, entering, or exiting a right-of-way, or in a manner that obstructs the flow of pedestrian or vehicular traffic;
  - (2) Unless the site is new construction, a TPSC must be placed on an improved surface;
  - (3) A TPSC must not be placed within a public right-of-way, required landscape or buffer area, wetland, surface water, or upland buffer; and
  - (4) TPSCs must be located a minimum of 5 feet from a side or rear property line and 15 feet from any right-of-way.
  - (5) In T2, T3, T4.1, and T4.2: The maximum allowable size is 160 square feet.
  - (6) In T4.3, T5, and T6: TPSCs may be located in required parking spaces for up to 30 days, except as extended by the Zoning Manager.
  - (7) TPSCs used for seasonal sales:
    - a. TPSCs may be located in a grassed area; and
    - b. TPSCs must not be placed in any required parking areas.



## ***DIVISION 4: USE OF PUBLIC RIGHT-OF-WAY***

### ***SEC. 40-156 GENERAL.***

- (a) Use of public rights-of-way must not obstruct the following:
  - (1) Vehicular and pedestrian traffic circulation within the right-of-way, except as otherwise permitted;
  - (2) On-site traffic circulation, parking or loading access, or stormwater drainage areas;
  - (3) ADA-compliant pedestrian access, 5 foot minimum clear, along all sidewalks, accessing all properties, parking areas, transit stops, and crosswalks;
  - (4) Bicycle access at bicycle facilities;
  - (5) Parking access for any parking spaces required for compliance with parking standards;
  - (6) Full access to transit stops for all transit vehicles and riders; or
  - (7) Sight distance and criteria specified in [Article 5, Division 2: Roads](#).
- (b) Use of public rights-of-way is generally limited as follows:
  - (1) Sidewalks and planting and furnishing areas for uses associated with the abutting property;
  - (2) On-street parking spaces;
  - (3) Shared use paths;
  - (4) Part or all of the right-of-way for special events or construction, if permitted by the County;
  - (5) Dumpsters are not permitted within public rights-of-way;
  - (6) Portable toilets are not permitted within public rights-of-way;
  - (7) The public right-of-way must be restored to its original condition, as it was prior to use, and the permittee must ensure the area is restored in a manner acceptable to County; and
  - (8) Additional requirements may apply, subject to [Section 21-236 of the Orange County Code](#).
- (c) Use of public rights-of-way, except legal operation and parking of vehicles, requires permits as follows:
  - (1) All permits are subject to approval by Public Works, for temporary, non-permanent use of the right-of-way, subject to the maximum duration specified on the permit;
  - (2) A right-of-way utilization permit is required;
  - (3) A maintenance of traffic permit may be required by Public Works, subject to approval from the Traffic Engineering Division in consultation with the Fire Rescue Department;
  - (4) Public Works may request a pre-application meeting and additional use or license agreements;
  - (5) Developments which include multiple buildings or properties which intend to utilize the public right-of-way must apply for permits and submit any necessary use or license agreements at the time of site plan review;
  - (6) HOAs and POAs seeking to place food trucks or vending carts on or adjacent to multiple HOA- or POA-controlled properties during the same period of time may submit one joint permit application in lieu of multiple permit applications; and
  - (7) Special event permits require approval of property owners that abut the area of the special event.

### ***SEC. 40-157 ITEMS PLACED WITHIN RIGHTS-OF-WAY.***

- (a) On a case-by-case basis, Public Works may allow businesses to provide outdoor seating, tables, benches, umbrellas, and movable planters within public-rights-of-way subject to the following:
  - (1) Items may only be placed within public rights-of-way during business hours;
  - (2) Lighting at outdoor seating areas must be directed away from residential building;
  - (3) Activity must comply with [Chapter 15, Article V \(Noise Pollution Control\) of the Orange County Code](#); and
  - (4) Dining decks are excluded from this provision and are subject to [Sec. 40-159 Parklets and Dining Decks](#).
- (b) Signage should not be located within public rights-of-way, except for a-frame signs placed on the roadway border.
- (c) Public rights-of-way must not be used for overnight storage of any items.

## USE OF PUBLIC RIGHT-OF-WAY

**SEC. 40-158 MOBILE SERVICE OPERATIONS.**

- (a) Mobile service operations, such as food trucks and vending carts, must obtain and display the following current licenses:
  - (1) State of Florida Business License;
  - (2) Orange County Business Tax Receipt; and
  - (3) Prepared foods: food safety permit from the Florida Department of Business and Professional Regulation; or
  - (4) Prepackaged, cottage, or fresh foods: food safety permit from the Florida Department of Agriculture and Consumer Services.
- (b) Mobile service operations must obtain and maintain a certificate of liability insurance which indemnifies Orange County and its officers and assigns, with a minimum coverage as determined by Orange County Risk Management Division.
- (c) Hours of operation are determined by Public Works. If within the right-of-way, hours of operation will be determined by conditions in the Maintenance Of Traffic and Right-of-Way Permits.
- (d) The following items are prohibited for sale:
  - (1) Alcohol, except where permitted as part of an open air market or special event;
  - (2) Tobacco products;
  - (3) Adult merchandise; and
  - (4) Lottery tickets.
- (e) Mobile service operations must maintain site cleanliness by:
  - (1) Providing marked and accessible receptacles for trash and recycling, emptied regularly; and
  - (2) Removing any debris and materials related to the operation of the business, as well as those deposited by business patrons.
  - (3) Mobile service operations are prohibited from setting up tables, chairs, or racks in the right-of-way.
- (f) Specific to food trucks:
  - (1) Food trucks may be permitted within parking lanes adjacent to properties zoned T5 and T6.
  - (2) Food trucks and any associated seating must be removed after business hours.
- (g) Vending carts may be permitted within public rights-of-way and are restricted to locations abutting properties zoned T5 and T6 in the following Place Types: Main Street Corridor, Urban Core, and Urban Center.
  - (1) Vending carts are subject to the engineering standards specified by Public Works.

**SEC. 40-159 PARKLETS AND DINING DECKS.**

- (a) Parklets and dining decks may be permitted within public rights-of-way and are restricted to the following Place Types: Main Street Corridor, Urban Core, and Urban Center.
- (b) Parklets and dining decks are subject to the design, public notification, and engineering standards specified by Public Works.

## ***DIVISION 5: REGULATIONS FOR SPECIFIC USES***

### ***SEC. 40-160 RESIDENTIAL.***

#### ***(a) Accessory Dwelling Units.***

- (1) The intent and purpose of this subsection is to allow for the development of accessory dwelling units (ADUs), as defined in this section, that support greater infill development and affordable housing opportunities while maintaining the character of existing neighborhoods.
- (2) General
  - a. Accessory Dwelling Units (ADU) are limited to 1 per lot in transects indicated in [Table 87: Permitted Uses By Zone](#) including Planned Development (PD), in conjunction with a single dwelling unit;
  - b. ADUs must be subordinate in size to the principal building;
  - c. ADUs must be built at the same time or after the principal building;
  - d. Mobile homes are permitted as ADUs in T2 only when the subject lot contains a minimum of 2 developed acres;
  - e. ADUs must be designed to be similar and compatible with the principal building, with the same exterior finish material, and similar architectural features such as roof form;
  - f. Short term rental or leasing (a period of 30 days or less) of an ADU is prohibited, except as provided in [Table 87: Permitted Uses By Zone](#);
  - g. Impact fees for an ADU are assessed at the rate set forth in [Chapter 23 of the Orange County Code](#);
  - h. Water and wastewater capital fees for the ADU are subject to all other applicable laws, ordinances, and regulations; and
  - i. Parking for ADUs is required as specified in [Article 3, Division 4: Parking and Loading](#).
- (3) Ownership and occupation is limited as follows:
  - a. The principal building and ADU must be under the same ownership;
  - b. In T2, T3, and T4, the primary dwelling unit on the same property or ADU must be occupied by the owner at all times; and must qualify and be maintained as a homestead property; and
  - c. Any request to divide the lot or parcel shall comply with and be subject to all applicable laws, ordinances and regulations, including zoning regulations and access requirements.
- (4) ADU size is limited as follows:
  - a. The maximum living area of an ADU is restricted to the lesser of 50% of the primary dwelling unit area, and 1,500 gross square feet in T2 or 1,000 gross square feet in all other zones; and
  - b. ADUs are permitted a maximum of 2 bedrooms.
- (5) ADUs may be attached or detached as follows:
  - a. Attached ADUs:
    1. Attached ADUs may be located within a principal structure, or connected to a principal structure by a fully enclosed or open sided passageway that does not exceed 20 feet in length;
    2. The ADU entrance may be shared with the principal building;
    3. ADU entrances separate from the principal building must be accessed along the side or rear of the principal building; and
    4. A separate power meter is prohibited for attached ADUs.
  - b. Detached ADUs:
    1. Detached ADUs are located within a detached accessory structure; and
    2. A separate power meter may be applied for and obtained for detached ADUs.

#### ***(b) Adult / Child Day Care Center.***

- (1) Hours of operation are limited as follows:
  - a. 24 hours per day in T4.3, T5, and T6; and
  - b. 6:00 am to 7:00 pm in T3, T4.1, and T4.2.
- (2) Indoor and outdoor recreation/play areas or outdoor use areas must be provided as required by the State of Florida.
  - a. The outdoor play or use areas must provide shade with a focus on play structures and seating areas. Shade can be provided by trees, buildings, or other structures.
  - b. A fence at least 4 feet in height must be provided around all outdoor recreational play or use areas.
- (3) Parking must be provided per [Article 3, Division 4: Parking and Loading](#), and as follows:
  - a. Adult or child day care center: where no pick-up or drop-off area is available on the property, 1 off-street parking space for each 5 occupants is required, in addition to the parking requirements specified in [Table](#)

## REGULATIONS FOR SPECIFIC USES

[48: Minimum Parking Requirements.](#)

- (4) Buffering is required where outdoor recreation areas are adjacent to T3, T4.1, and T4.2 as follows:
  - a. Adult or child day care center: a 10-foot vegetative buffer must be provided; and
  - b. Buffers must be configured in accordance with [Sec. 40-71\(b\) Side and Rear Buffers](#).
- (5) Child Day Care Centers must meet the requirements of [Chapter 9, Article XVII Vehicle Impact Protection Requirements and Standards for Child Care Centers of the Orange County Code](#).

**(c) Adult or Child Day Care Home.**

- (1) Indoor and outdoor recreation/play areas or outdoor use areas must be provided as required by the State of Florida.
  - a. The outdoor play or use areas must provide shade with a focus on play structures and seating areas. Shade can be provided by trees, buildings, or other structures.
  - b. A fence at least 4 feet in height must be provided around all outdoor recreational play or use areas.
- (2) Parking must be provided per [Article 3, Division 4: Parking and Loading](#), and as follows:
  - a. Adult or child day care home: no less than 3 parking spaces may be provided.
- (3) Buffering is required where outdoor recreation areas are adjacent to T3, T4.1, and T4.2 as follows:
  - a. Adult or child day care home: a 5-foot vegetative buffer must be provided.
- (4) Adult or child day care homes must be separated from each other as follows:
  - a. In T3, T4.1, and T4.2, must be a minimum of 700 feet from each other and 1,200 feet from an adult or child day care center;
  - b. Distance is measured along the shortest path of pedestrian travel along public thoroughfares; and
  - c. Separation distance must be specified and submitted to the Zoning Division with permit applications.

**(d) Boardinghouse.**

- (1) Location of the boardinghouse must be more than 1,000 feet from any other boardinghouse in any Transect Zone.
- (2) In T4.2, maximum occupancy is limited to 6 tenants.

**(e) Community Residential Homes.**

- (1) General
  - a. Distance requirements must be documented by the applicant and submitted to the Zoning Division with the application.
  - b. Distance requirements are measured from the nearest point of the existing home to the nearest point of the proposed home.
- (2) Community residential homes with 6 or less residents are subject to the following:
  - a. Must meet the following distance requirements:
    - 1. Minimum 1,000 feet of another community residential home with 6 or less residents.
    - 2. Minimum 1,200 feet of another community residential home with 7 or more residents.
- (3) Community residential homes with 7 to 14 residents are subject to the following:
  - a. Must meet the following distance requirements:
    - 1. Minimum 500 feet of T2 and T3; and
    - 2. Minimum 1,200 feet of another community residential home with 7 or more residents.

**(f) Dwelling, Townhouse.**

- (1) Each unit must have independent entrances.
- (2) Common stairwells are prohibited.
- (3) Deed covenants must be recorded to ensure the maintenance and upkeep of areas and facilities retained in common ownership.

**(g) Dwelling, Duplex.**

- (1) When on a shared lot:
  - a. Both dwellings may be located within a single structure, or 2 structures;
  - b. When in a single structure, individual driveways may be provided to either side of the dwelling structure; and
  - c. Garages cannot be paired in the center of the structure when facing towards a frontage, unless accessed by a single driveway.
- (2) When each unit is on a separate lot, a duplex must meet the standards specified in [\(f\) Dwelling, Townhouse](#).

**(h) Dwelling, Triplex.**

- (1) When on a shared lot:
  - a. Must be located within a single structure;
  - b. Garages cannot be paired in the center of the structure when facing towards a frontage, unless accessed by a single driveway.
- (2) When each unit is on a separate lot, a triplex must meet the standards specified in [\(f\) Dwelling, Townhouse](#).

**(i) Family Day Care Home.**

- (1) Must comply with state law.
- (2) Must provide a fence at least 4 feet in height around all outdoor recreational play or use areas.

**(j) Live-work.**

- (1) The non-residential use must be a use allowed within the district.
- (2) Building area is limited to a maximum 5,000 square feet of gross floor area, including both the live and work components.
- (3) Access to each unit must be clearly separated from other live-work units.
- (4) In T5 and T6, a minimum of 60% of the width of the primary frontage must be occupied by the non-residential use.
- (5) Both residential and non-residential parking requirements apply to live-work units, each standard is specified in [Table 48: Minimum Parking Requirements](#).

**(k) Mobile Homes.**

- (1) Mobile homes in SZ-MH are subject to additional requirements in [Sec. 40-61 Mobile Home Parks \(SZ-MH\)](#);
- (2) In T2.1:
  - a. Mobile homes are permitted only on existing lots 2 acres or greater.
  - b. Mobile homes are permitted as a principal building; and
  - c. Mobile are homes permitted as an accessory dwelling unit.
- (3) In T2.2, T2.3, and T3, :
  - a. Where indicated with an "-M" in addition to the T Zone on the Official Zoning Map, mobile homes are permitted as a principal building; and
  - b. Where permitted, mobile homes are limited to 1 per lot.
- (4) Mobile homes are subject to the setback requirements of principal building, except where a mobile home is used as an accessory dwelling in which case it is subject to the setback requirements of accessory buildings.

**(l) Home-based Businesses.**

A home-based business shall be a permitted use, provided it meets the criteria in [Section 559.955\(3\)\(a\)—\(f\), Florida Statutes](#), as may be amended from time to time, and it complies with any ordinances, regulations, or policies not contrary to Section 559.955.

**(m) Student Housing.**

- (1) 4 bedrooms count as 1 dwelling unit for the purposes of density calculations.
- (2) Site development plans must include a plan for crime prevention through environmental controls that is consistent with the Crime Prevention Through Environmental Design ("CPTED") Manual used by the International CPTED Association.
- (3) Must submit a mobility plan which describes and depicts pedestrian and bicycle systems and facility needs consistent with this section, transit service and facility needs, university and county coordination measures that will be implemented by the developer to manage transportation demand and promote pedestrian and bicycle safety, and designation of appropriate space within the development for car-sharing, bike-sharing, and electric car charging stations, as they may be implemented within the university area. The student housing mobility plan also shall describe and depict the pedestrian and bicycle safety features cross-sections, marked and stamped crosswalks, safety beacons, traffic signal modifications, pedestrian-scale lighting, and other pedestrian and bicycle safety features (with associated funding and maintenance responsibilities) that will be provided and are needed (and warranted, as applicable) to ensure safe pedestrian and bicycle access to adjacent land uses and across major roadways to commercial land uses and transit facilities. Improvements identified by the plans shall be constructed or implemented prior to issuance of a certificate of occupancy and shall be consistent with the most recent editions of Florida Department of Transportation standards.

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**SEC. 40-161 LODGING.****(a) Bed and Breakfast.**

May be permitted provided they meet the following requirements:

- a. The owner or operator must reside on site;
- b. Only one kitchen is permitted. No cooking facilities may be provided in the guest rooms; and
- c. The building complies with all Florida Building Code requirements for the building use and occupation.
- d. Parking complies with [Table 48: Minimum Parking Requirements](#).

**(b) Campgrounds & Recreational Vehicle Parks.**

- (1) The purpose of these provisions is provide an environment in which recreational vehicles and tents may be located to enhance the enjoyment of leisure time activities on a temporary basis, while being compatible with surrounding properties.
- (2) Campgrounds and recreational vehicle parks are limited as follows:
  - a. Must contain a minimum of 20 developable acres.
  - b. No part of any campsite may be placed within 75 feet of any accessory, sanitary, or service building.
  - c. Each space must be a minimum of 3,000 square feet in area.
  - d. Each space must abut 15 feet on a roadway which must have an unobstructed paved right-of-way of at least 20 feet in width.
  - e. Each site must be provided with a minimum of 1 and 0.5 parking spaces. 1 parking space must be located on the site while the remainder may be located in common parking areas.
  - f. A minimum of 600 square feet of recreational area per space must be provided. It must be made available, but not limited to, guests of the park.
  - g. Natural features, such as lakes, streams and unique geological formations must be preserved between each camp space. For sites with minimum vegetation, additional landscaping may be required.
  - h. Trash disposal facilities must be provided within easy access of each campsite.
  - i. Each camp site must be identified by a marker clearly visible at a minimum distance of 20 feet.
  - j. Each park must provide an adequate and safe water supply to each site. Each hookup must be approved by the County Health Department and Florida Department of Health and Rehabilitative Services.
  - k. Permanent additions to recreational vehicles are not permitted.
  - l. A registered vehicle occupancy shall be limited to a maximum of 6 months.
  - m. Recreation vehicles permitted in campgrounds and recreation vehicle parks include travel trailers, camping trailers, truck campers, park trailers, motor homes, and tents, as these terms are defined [ARTICLE VI—DEFINITIONS](#).
  - n. Recreational vehicles are limited in size as follows:
    1. A travel trailer has a maximum body width of 8.5 feet and an maximum overall body length of 40 feet when factory-equipped for the road. Setup mode shall not exceed 320 square feet. Fifth-wheel overhitch space would be excluded unless over 5 feet ceiling height; and
    2. A park trailer has a maximum body width of 12 feet. The length of a park trailer means the distance from the exterior of the front of the body to the exterior of the rear of the body (at the opposite end of the body), including any protrusions. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior walls at the level of maximum dimensions and including any bay window that extends to the floor line is limited as follows:
      - i. Maximum 400 square feet constructed to ANSI A119.5 code; or
      - ii. Maximum 500 square feet HUD standards.



**SEC. 40-162 COMMERCIAL.****(a) General.**

An “odor compliance and compatibility study”, “noise compliance and compatibility study” and/or a “dust and particulate matter compliance and compatibility study” may be required by the Environmental Protection Division prior to approval of Special Exception, Rezoning, and/or issuance of building permits.

**(b) Adult Entertainment.**

Subject to [Chapter 3 of the Orange County Code](#).

**(c) Animal Services.**

- (1) Uses that are completely contained in a soundproof building with no outdoor uses may be permitted.
- (2) Uses that have outdoor runs, outdoor compounds, or any other outdoor uses or components may be permitted as a Special Exception.

**(d) Auto-related Commercial.**

- (1) General
  - a. For any auto-related commercial use not listed in [Table 87: Permitted Uses By Zone](#), all work must be confined to an enclosed structure.
  - b. If priming, painting and other surface coating is proposed, a “dust and particulate matter compliance and compatibility study” and “odor compliance and compatibility study” may be required by the EPD prior to horizontal/vertical permitting.
  - c. Buildings subject to [Sec. 40-72 Building Design Standards](#).
- (2) Automobile Repair
  - a. All principal and accessory structures used for automobile service shall be located and constructed in accordance with the following requirements:
    1. Bay openings shall be located to the side or rear of the building.
    2. If located on a corner lot, bay openings may face the side-street but must be architecturally integrated into the building design.
    3. All bay openings shall be oriented away from adjacent single unit residential uses.
- (3) Automobile Sales
  - a. On-site vehicle service must be conducted indoors and is limited to maintenance.
  - b. A principal building containing a showroom is required.
- (4) Automobile Towing Service
  - a. Permitted if not used for vehicle storage.
  - b. Special Exception required for vehicle storage is subject to the following:
    1. Maximum on-site storage of 30 wrecked or inoperable vehicles, or 100 in SZ-HI.
    2. Maximum vehicles on-site duration is 60 consecutive calendar days, or 90 consecutive calendar days in SZ-HI.
    3. Vehicle stacking is prohibited.
- (5) Free-standing Car Wash
  - a. Car wash operations shall be contained within a permanent building with a roof and at least 2 sides. The orientation and design of the car wash building must be such that the car wash tunnel openings are not facing any public right-of-way.
  - b. No drive aisles, parking, or other business activity shall be located between a building and the right-of-way.
  - c. Hours of operation are limited from 7:00 am to 9:00 pm.
  - d. A 6-foot high wall or opaque fence must be constructed on all property lines abutting a residential use.
  - e. Equipment must be on timers and shut down during non-operating hours.
  - f. In T5 and T6:
    1. Must be an accessory use to a service or gas station, or;
    2. An active use, such as office or retail, must cover the entire width of the car wash building facing the primary street frontage. A customer waiting area/lounge may also be in this space. This can be in the form of a liner building or a separate building. Faux frontages are not permissible.
- (6) Gas Station
  - a. Gas stations are subject to additional sign code requirements as specified in [Article 3, Division 6: Signs](#).
  - b. The service station structure is considered the principal building and must comply with principal building

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setbacks.

- c. The service station fuel canopy does not contribute to the frontage occupation requirement.
- d. All pump islands must be set back at least 15 feet from the right-of-way line and do not count towards the frontage occupation requirement.
- e. The overhang of a pump island canopy attached to the service station structure is deemed part of the structure and subject to building setback requirements.
- f. The overhang of a pump island canopy not attached to the service station structure must be set back at least 5 feet from the right-of-way line.

**(e) Big Box Retail.**

- (1) Overnight, long-term parking is prohibited, and signs must be conspicuously displayed which state: "No overnight or long-term parking allowed. Violators subject to fines, towing, or both."
- (2) Where sites abut roads, a streetscreen is required, subject to [Sec. 40-74\(b\) Streetscreens.](#), and as follows:
  - a. Streetscreens must be masonry or precast;
  - b. Streetscreens must meet [Sec. 40-75\(f\) Masonry Walls Design Standards.](#);
  - c. Streetscreens must be 4 feet in height;
  - d. Streetscreens must be located within 10 feet of property lines; and
  - e. Streetscreen setbacks must be landscaped according to streetscreen landscaping standards.
- (3) Where sites abut T3 or T4, buffering is required according to one of the following options:
  - a. Big box developments must provide a minimum 100-foot buffer and 6-foot high masonry or precast wall from the nearest property line of any adjacent T3 or T4, configured in 2 tiers as follows:
    - 1. The first 50 feet of the buffer, located nearest to paving or structures, may incorporate stormwater retention ponds;
    - 2. Any areas within the 50-foot buffer not dedicated to stormwater retention must incorporate canopy trees;
    - 3. The remaining 50 feet of the buffer, at the property line, must only include continuous, uninterrupted, and opaque landscaping using canopy trees planted at 40 feet on-center, minimum. No stormwater retention or other uses may occur within this 50-foot buffer tier; and
    - 4. The 100-foot buffer may account for no more than 50% of the site's total open space requirements.
  - b. When site conditions preclude a 100-foot buffer, a Special Exception may be pursued. A 6-foot high masonry or precast wall is required along all property lines adjacent to T3 and T4, subject to the requirements of [Sec. 40-75 Fencing and Walls.](#)
- (4) Storefronts along frontages must comply with [Sec. 40-72\(h\) Minimum Transparency.](#)
- (5) Big Box Retail utilizing shopping carts or similar devices must install and maintain a system to retain all shopping carts within the real property boundaries of the business location, subject to the following:
  - a. The establishment shall provide signage in a conspicuous location notifying shopping cart users of the retention system in place and of how such system operates;
  - b. Location, type of device, and other pertinent information shall be shown on the approved site plan for the big box development;
  - c. Permitted methods of retention shall include any of the following methods:
    - 1. A toll-free shopping cart recovery service system;
    - 2. Shopping carts equipped with a protruding arm or similar device preventing the carts from being removed from the interior of the business;
    - 3. A system, which may be mechanical in nature, requiring a refundable deposit to use a shopping cart; such deposit should be of a reasonable amount that will not deter the use of the cart, but would encourage the return of the cart;
    - 4. Shopping carts equipped with a wheel locking mechanism and anti-tilting bar that is used in conjunction with an electronic barrier along the perimeter of the area where shopping carts are allowed. The wheel locking mechanism shall activate when the shopping cart crosses the electronic barrier; and
    - 5. Any other mechanism or system submitted to, and approved by, Orange County.
  - d. Any big box development failing to install or to properly maintain an approved on-site shopping cart retention system is in violation of this section of the Code. Any person, firm, or corporation violating the provisions of this subsection shall, upon conviction, be subject to the penalties provided in [Chapter 1, Section 1-9 of the Orange County Code](#), to the extent not inconsistent with Florida law. Each separate day of violation constitutes a separate offense.
  - e. Home improvement centers shall be exempt from this section.

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- (6) Garden centers for Big Box Retail are subject to the following when visible from the primary or secondary frontage:
- a. A decorative perimeter wall must be constructed, subject to the following:
    1. At least 2 façade treatments from the primary façade;
    2. Such garden center decorative wall systems shall be constructed of columns (posts) at least 36 inches wide (or 36 inches in diameter), and spaced no more than 25 feet on-center along the perimeter of the garden center;
    3. The columns shall be horizontally interconnected across each of their top portions with a substantial cross member. The columns or column cap component may extend above the horizontal cross members up to 24 inches. Such upper horizontal cross member shall feature colors, finish, dimensions, proportions, and trim details which are architecturally consistent with the adjacent supporting columns and with the big box principal structure. The upper cross members shall be the highest visual component of the wall system, and no other fencing materials, or store merchandise, may protrude above the horizontal cross members. Disproportionate, undersized, or otherwise architecturally incompatible columns or horizontal cross member designs are prohibited. Alternative designs for garden center decorative perimeter wall systems may be approved by Orange County on a case by case basis;
    4. The screening wall should be a minimum height of 6 feet intended to adequately shield outdoor store merchandise;
    5. Black fabric mesh, or similarly opaque and approved materials, must be installed on the interior side of the decorative metal fencing in order to visually screen any materials which may be stacked or stored on the inside of the garden center decorative wall system;
    6. Chain link fencing material, including vinyl-clad or other coated fencing, is prohibited. Instead, garden center decorative walls systems may infill the gaps between the columns and beams with decorative metal fencing materials (e.g., wrought iron-styled aluminum fencing); and
    7. Garden center wall exterior base perimeter shall adhere to primary and secondary building façade landscaping requirements.

**(f) Food and Beverage.**

- (1) Sale of alcohol must comply with distance requirements in [Sec. 40-170 Sale Of Alcoholic Beverages](#).
- (2) In T2, T3, T4.1, and T4.2, food and beverage is only permitted as an accessory use to an approved "Clubs (Fraternal/Civic Organizations)" in relation to a subdivision (such as a clubhouse), campground, RV park, Recreation / Athletic use or similar and related use, as approved by the Zoning Manager.
- (3) In T4.3, food and beverage establishments:
  - a. Are limited in size to 2,000 square feet per tenant and 8,000 square feet cumulative per lot for allowed food and beverage uses.
  - b. Must cease outdoor entertainment uses and close all outdoor seating areas at 10:00 p.m.
  - c. Drive-throughs are prohibited.
- (4) All drive-throughs must meet the additional standards specified in [Sec. 40-68\(b\) Drive-Throughs](#). In T6 zones, drive-throughs require a Special Exception.
- (5) Any outdoor seating associated with Food and Beverage shall meet the following additional standards:
  - a. All lighting at outdoor seating areas shall be directed away from all residential uses;
  - b. Activity at outdoor seating areas shall comply with Chapter 15, Article V (Noise Pollution Control) of County Code;
  - c. All outdoor seating shall be depicted on site plans; and
  - d. Any outdoor seating permitting dogs must comply with [Sec. 40-12\(b\) Miscellaneous Permits](#).

**(g) Health and Medical Office / Clinic.**

- (1) Within the T4.3 Transect Zone:
  - a. Limited to a maximum of 2,000 square feet per tenant, and 8,000 square feet cumulative per lot for all allowed health and medical office / clinic uses.
- (2) Pain Management Clinic
  - a. Building and use permit applications. Any application for a pain management clinic established after June 30, 2015, shall complete the appropriate building permit or use permit application(s) and submit these application(s) to the County division of building safety for review and approval prior to issuance of any permits.
  - b. Separation distances. A pain management clinic established after June 30, 2015, shall not co-locate on the same property as a preexisting pharmacy. Furthermore, such a pain management clinic shall not operate within 1,000 feet of any pre-existing pharmacy, school, as that term is defined in [F.S. § 1002.01](#) or [§ 1003.01](#), as it may be amended, day care center, day care home, or religious institution. Distance

## REGULATIONS FOR SPECIFIC USES

requirements shall be documented by the applicant and submitted to the Zoning Division with the application. All distance requirements shall be measured by drawing a straight line from the nearest property line of the pre-existing protected use to the nearest property line of the proposed pain management clinic. The applicant may request a Variance from the requirements of this paragraph as provided in [Section 30-43 of the Orange County Code](#).

- c. **Parking.** Any parking demand created by a pain management clinic established after June 30, 2015, shall not exceed the parking spaces located or allocated on site, as required by the County's parking regulations. An applicant shall be required to demonstrate to the appropriate county staff that on-site traffic and parking attributable to the pain management clinic will be sufficient to accommodate traffic and parking demands generated by the pain management clinic, based upon a current traffic and parking study prepared by a certified professional. Traffic and parking analyses shall be predicated in part upon traffic and parking impacts from other existing pain management clinics in Florida but shall in no case be less than 1 space per 200 square feet of gross square feet. The source of any such information shall be provided to the Zoning Division for purposes of verification. County staff shall be required to verify the information contained in traffic and parking study(ies) with the appropriate official(s) of the local government(s) where the comparable information is derived. The owner of the pain management clinic shall be responsible for ensuring that there is no queuing of vehicles in the public right-of-way.

**(h) Office.**

Within the T4.3 Transect Zone, office is limited to a maximum of 2,000 square feet per tenant, and 8,000 square feet cumulative per lot for all allowed office uses.

**(i) Open Air Markets.**

An open air market is permitted by-right in SZ-EN and by Special Exception in T5.2, T5.3, T6, SZ-LI, and SZ-HI, and shall be permitted only on a site improved subject to the standards of the underlying transect zone. In addition, the following standards shall apply:

- (1) Parking for the open air market shall be provided at a rate of 3 spaces per vendor.
- (2) Seating may be permitted as part of an open air market, provided that it is shown on the site plan for the open air market, and additional parking is provided on site at a ratio of 1 space per every 4 seats.
- (3) A permanent restroom facility, contained in a permanent structure, must be provided on site.
- (4) Any vendor booth, temporary structure, food truck, portable vending cart, merchandise, goods, etc. used in association with an open air market shall meet the principal structure setbacks of the transect zone it is located in, and the location shown on the site plan.
- (5) Goods, materials, or products associated with such use shall not be stored outdoors on the site outside of the hours of operation.

**(j) Place of Assembly.**

In the Rural Sector, as specified in the Comprehensive Plan, places of assembly shall not exceed any of the following criteria:

- (1) 35,000 square feet of gross area;
- (2) 400 seats; or
- (3) 180 parking spaces.

**(k) Recreational, Athletic.**

- (1) In T3 and T4, recreational, athletic uses are permitted as accessory subject to the following:
  - a. Recreational, athletic uses located in approved Civic Spaces are permitted in accordance with the requirements in association with [Article 5, Division 4: Civic and Open Space](#) of this Code.
  - b. Recreational, athletic areas, including parks, may be permitted when approved in conjunction with a preliminary Subdivision Plan, as permitted in Chapter 34 of County Code.

## REGULATIONS FOR SPECIFIC USES

- c. Recreational, athletic uses located within an existing platted residential subdivision may be permitted when accompanied by letters of no objection submitted by the homeowners association president (when applicable), and all abutting property owners. If these letters cannot be provided, the use is only permitted by Special Exception.
- (2) In T4.3, recreational, athletic uses are permitted as accessory subject to the following:
  - a. Must be indoors or within an interior courtyard; or
  - b. If located outdoors, must be distanced from existing residential uses by a minimum of 100 ft.
- (3) In T2, T3, and T4, private recreational, athletic uses not in association with a residential subdivision, whether indoor or outdoor, may be permitted by Special Exception.
- (4) In T5 and T6, indoor private recreational, athletic uses contained completely within a soundproof building are permitted. Outdoor recreational, athletic uses shall only be permitted by Special Exception.
- (5) In CZ-CF only publicly-owned and operated recreational, athletic uses are permitted.

**(l) Retail and Services, General.**

Within the T4.3 Transect Zone:

- (1) Limited to a maximum of 2,000 square feet per tenant, and 8,000 square feet cumulative per lot for all allowed Retail and Services, General uses;
- (2) Drive-throughs are prohibited;
- (3) Outdoor display of merchandise is prohibited.

**(m) Retail and Services, Specialized.**

- (1) Within the T4.3 Transect Zone:
  - a. Limited to a maximum of 2,000 square feet per tenant, and 8,000 square feet cumulative per lot for all allowed Retail and Services, Specialized uses.
- (2) Funeral Services
  - a. Refrigeration or long-term storage of dead human bodies is prohibited.
  - b. Overnight outdoor parking of commercial vehicles is prohibited.
- (3) Labor Pools and Labor Halls must be located a minimum of 500 feet from T2, T3, and T4.1 properties.
- (4) Medical Marijuana Dispensing Facility may be permitted subject to the following conditions:
  - a. Valid license. A valid license for both the MMTC of which the dispensing facility is a part and for the dispensing of marijuana shall be obtained from the State of Florida and remain in effect during the operation of the dispensing facility. All dispensing activities shall cease if a license has expired or been revoked by the state. Any dispensing facility not licensed by the State is hereby prohibited within unincorporated Orange County.
  - b. Building and use permit applications. Any applicant seeking to establish a dispensing facility shall complete the appropriate building or use permit application(s) and submit the application(s) to the County division of building safety for review and approval prior to issuance of any permits, along with the appropriate fee. Each application shall be accompanied by proof that the MMTC is authorized by the State of Florida to sell marijuana to persons authorized to purchase it for the treatment of 1 or more qualifying medical conditions. However, the issuance of a building permit pursuant to this section shall not be deemed to create an exception, defense, or immunity for any person in regard to any potential criminal liability the person may have under state or federal law for the acquisition, cultivation, possession, processing, transferring, transportation, selling, distribution, dispensing, or administration of marijuana or products containing marijuana.
  - c. Distance separation. A dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, regardless of whether such school lies within unincorporated Orange County or a surrounding municipality. Such distance shall be measured in a straight line between the property line of the subject dispensing facility and the property line of the subject school that are closest to each other.
  - d. Other activities; prohibition. Other than dispensing of marijuana and any authorized marijuana delivery device required for the medical use of marijuana (and which is specified in a physician certification), no dispensing facility shall sell, market, dispense, provide, exchange, or otherwise vend any other type of cannabis, alcohol, drug paraphernalia as defined by federal or state law, or illicit drug-related products, including, but not limited to, pipes, bongs, or wrapping papers. No dispensing facility shall dispense marijuana or marijuana delivery devices in the waiting area of such facility. Any dispensing of marijuana for other than medical uses (for example, recreational use) is hereby prohibited within unincorporated Orange County.



## REGULATIONS FOR SPECIFIC USES

- e. Violation of Code.
    - 1. It shall be a violation of this section for any person or entity to sell, market, dispense, provide, exchange, or otherwise vend marijuana or marijuana delivery devices without the requisite state license and approvals or to sell, market, dispense, provide, exchange, or otherwise vend any form or derivative of non-medical marijuana or marijuana delivery devices.
    - 2. Each violation of this section shall constitute a separate offense punishable as provided in section 1-9 of this Code by a fine not to exceed \$500.00 or by imprisonment in the County jail for a term not to exceed 60 days, or by both such fine and imprisonment. All law enforcement officials are hereby authorized to assist in the enforcement of this section to the extent that it is within their respective jurisdictions to do so.
    - 3. Nothing herein shall be construed to prohibit the County from enforcing this section by alternate means including, but not limited to: code compliance or code citations pursuant to [F.S. Ch. 162](#), part I or part II; by criminal action, by civil action, including petitions to enjoin persons violating this section; or by any other means available by law.
  - f. Parking and queuing. A dispensing facility shall be required to meet the parking standards in [Table 48: Minimum Parking Requirements](#), and shall be deemed a retail establishment for parking demand purposes. The owner of the dispensing facility shall be responsible for ensuring that there is no queuing of vehicles in the public right-of-way.
  - g. Loitering. A dispensing facility shall provide adequate seating for qualified patients, caregivers (as defined in [F.S. § 381.986\(1\)](#)), and invitees, and shall not allow qualified patients, caregivers, or invitees to stand, sit (including in a parked car), gather, or loiter outside the building where the dispensing facility operates, including in any parking areas, sidewalks, right-of-way, or neighboring property for any period of time longer than that reasonably required to arrive and depart.
  - h. Hours of operation. A dispensing facility shall only dispense marijuana or marijuana delivery devices from the premises between the hours of 7:00 a.m. to 9:00 p.m.
  - i. Signage, outdoor display. Dispensing facility signage shall be subject to the requirements and prohibitions in [Article 3, Division 6: Signs](#). Additionally, pursuant to [F.S. § 381.986\(8\)\(h\)](#), the dispensing facility may only have 1 sign that is affixed to the outside of or hanging in the window of the premises which identifies the dispensing facility by the licensee's business name, a Florida Department of Health-approved trade name, or a Florida Department of Health-approved logo; such trade name and logo may not contain wording or images commonly associated with marketing targeted toward children or which promote recreational use of marijuana. Indoor display of products, marijuana, or marijuana delivery devices shall be prohibited in the waiting area of the dispensing facility. Outdoor display of products, wares, or merchandise of any sort shall be in accordance with Orange County Code and any applicable development approvals.
  - j. Security. To ensure the safety and security of a dispensing facilities, and to maintain adequate controls against the diversion, theft, and loss of marijuana and marijuana delivery devices, each dispensing facility shall maintain security measures in accordance with [F.S. § 381.986\(8\)\(f\)](#), as may be amended from time to time; provided, however, that any such security measures are subject to the receipt of the appropriate local government permits. It is unlawful and a violation of this section to operate, own, or control a dispensing facility except in compliance with the applicable security plan approved by the Florida Department of Health.
  - k. Inspections. Any deputy sheriff employed by the Orange County Sheriff's Office may make searches of persons, places, and conveyances of any kind whatsoever associated with the dispensing facility in accordance with all applicable laws. Any code enforcement officer, or any other person authorized to enforce county ordinances, may enter the dispensing facility premises and conduct an inspection to determine compliance with this section at any time the dispensing facility is open or occupied. Refusal to provide proof of a valid license and dispensing authority from the state shall be considered a violation of this Code.
  - l. Compliance with other laws. All dispensing facilities shall at all times be in compliance with all applicable federal, state, and local laws and regulations.
- (5) Package Sale Vendors
    - a. Subject to distance requirements in [Sec. 40-170 Sale Of Alcoholic Beverages](#).
  - (6) Pawn Shops
    - a. Sales of boats or motor vehicles permitted only by Special Exception.

**(n) Rural Retail.**

Products may be sold on the site from which they are grown, produced, or raised.



**(o) Temporary Retail.**

Temporary retail includes sale of products on a property not contained within a building, including tent sales, seasonal sales, food trucks or other temporary and portable vendors. Temporary retail may be ancillary to principal uses, or in conjunction with an approved special event. Temporary retail is subject to the following:

- (1) Seasonal sales, which includes the sale of sparklers, Christmas trees, and pumpkins is permitted in Special Zones with the exception of SZ-MH, T6, T5, and in association with an approved non-residential use (such as a church or school) in the T4, T3, or T2 transect, subject to the following:
  - a. Seasonal sales may occur on a property a maximum of 2 times per calendar year, with each seasonal sale not to exceed 30 days.
  - b. Tents may be utilized in conjunction with [Sec. 40-154 Temporary Events and Tents](#).
- (2) Temporary retail that is not seasonal sales, and not a food truck or vending cart may be permitted in the T6, T5, T4.3, SZ-HI, SZ-LI, and SZ-EN transect where an existing licensed and approved business containing a principal building exists on site, subject to the following:
  - a. Temporary retail may occur on a property a maximum of 6 times per year, with each temporary retail event sale not to exceed 5 days.
  - b. Tents may be utilized in conjunction with temporary retail, subject to meeting compliance with [Sec. 40-154 Temporary Events and Tents](#).
- (3) Temporary retail is permitted in association with Special Events, subject to meeting requirements of [Sec. 40-154\(a\)](#).
- (4) A Portable Food Vendor or Vending Cart located within public rights-of-way are subject to [Sec. 40-158 Mobile Service Operations](#).
- (5) A single portable food vendor on private property is permitted subject to the following:
  - a. Is not permitted on any property not containing a licensed and approved business or on any vacant property.
  - b. Portable food vendors must be located on an improved surface.
  - c. Portable food vendors and any other equipment may be stored overnight, but must be placed in an area that is not visible from a public right-of-way. If this cannot be met, then any vehicles or equipment must be stored in a district that allows outdoor storage.
  - d. Portable food vendors shall be setback a minimum of 10 ft. from any public right-of-way, and a minimum of 5 ft from any other property line. Food trucks, vehicles, and vending carts abutting a public right-of-way must construct a driveway to provide access to the site, if none exists, as required by [Sec. 21-239](#) of the Orange County Code
  - e. The portable food vendor, or any temporary seating, shall not be located within any driveway, driving aisle or in any required parking spaces. Or anywhere else that would impede ingress/egress for existing businesses or pedestrians.
  - f. Hours of operation shall be limited to between 7 a.m. and 12 a.m.
  - g. The following shall be prohibited in association with a portable food vendor:
    - i. Signage, except as installed on the surface of the vehicle;
    - ii. Permanent outdoor seating;
    - iii. Audio equipment and video equipment.
  - h. A portable food vendor providing temporary seating shall also provide marked and accessible receptacles for trash and recycling, emptied regularly.

**SEC. 40-163 INDUSTRIAL.****(a) Agricultural Industrial.**

- (1) General
 

An “odor compliance and compatibility study”, “noise compliance and compatibility study” and/or a “dust and particulate matter compliance and compatibility study” may be required by the Environmental Protection Division prior to approval of a Special Exception, Rezoning, and/or issuance of building permits.
- (2) Firewood Sale or Storage
  - a. In T2 through T4 and SZ-LI and SZ-HI, the firewood and associated equipment must be located a minimum of 50 feet from any residential buildings and 25 feet from all property lines;
    1. Stacks of firewood shall not exceed a height of 4 feet.
    2. In T2, SZ-HI, and SZ-LI, sites where 2 or less cords of firewood are being stored, sold, or offered for sale are exempt from this requirement.
  - b. In T5 and T6, the sale and storage of firewood is permitted indoors only, or as an accessory use.
- (3) Medical Marijuana Cultivation Facility

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- a. Valid license. A valid license for both the MMTC of which the cultivation facility is a part and for cultivation of marijuana shall be obtained from the State of Florida and remain in effect during the operation of the cultivation facility. All cultivation activities shall cease if a license has expired or been revoked by the state. Any cultivation facility not licensed by the state is hereby prohibited within unincorporated Orange County.
  - b. Building and use permit applications. Any applicant seeking to establish a cultivation facility shall complete the appropriate building or use permit application(s) and submit the application(s) to the County division of building safety for review and approval prior to issuance of any permits, along with the appropriate fee. Each application shall be accompanied by proof that the MMTC is authorized by the State of Florida to cultivate marijuana. However, the issuance of a building permit pursuant to this section shall not be deemed to create an exception, defense, or immunity for any person in regard to any potential criminal liability the person may have under state or federal law for the acquisition, cultivation, possession, processing, transferring, transportation, selling, distribution, dispensing, or administration of marijuana or products containing marijuana.
  - c. Distance separation. A cultivation facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, regardless of whether such school lies within unincorporated Orange County or a surrounding municipality. Such distance shall be measured in a straight line between the property line of the subject cultivation facility and the property line of the subject school that are closest to each other.
  - d. Security. To ensure the safety and security of a cultivation facility and to maintain adequate controls against the diversion, theft, and loss of marijuana, each cultivation facility shall maintain security measures in accordance with [F.S. § 381.986\(8\)\(f\)](#), as may be amended from time to time; provided, however, that any such security measures are subject to the receipt of the appropriate local government permits. It is unlawful and a violation of this section to operate, own, or control a cultivation facility except in compliance with the applicable security plan approved by the Florida Department of Health.
  - e. Inspections. Any deputy sheriff employed by the Orange County Sheriff's Office may make searches of persons, places, and conveyances of any kind whatsoever associated with the cultivation facility in accordance with all applicable laws. Any code compliance inspector, or any other person authorized to enforce county ordinances, may enter the cultivation facility premises and conduct an inspection to determine compliance with this section at any time the cultivation facility is open or occupied. Refusal to provide proof of a valid license and cultivation authority from the state shall be considered a violation of this Code.
- (4) Medical Marijuana Processing Facility
- a. Valid license. A valid license for both the MMTC of which the processing facility is a part and for processing of marijuana shall be obtained from the State of Florida and remain in effect during the operation of the processing facility. All processing activities shall cease if a license has expired or been revoked by the state. Any processing facility not licensed by the state is hereby prohibited within unincorporated Orange County.
  - b. Building and use permit applications. Any applicant seeking to establish a processing facility shall complete the appropriate building or use permit application(s) and submit the application(s) to the County Division of Building Safety for review and approval prior to issuance of any permits, along with the appropriate fee. Each application shall be accompanied by proof that the MMTC is authorized by the State of Florida to process marijuana. However, the issuance of a building permit pursuant to this section shall not be deemed to create an exception, defense, or immunity for any person in regard to any potential criminal liability the person may have under state or federal law for the acquisition, cultivation, possession, processing, transferring, transportation, selling, distribution, dispensing, or administration of marijuana or products containing marijuana.
  - c. Distance separation. A processing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school, regardless of whether such school lies within unincorporated Orange County or a surrounding municipality. Such distance shall be measured in a straight line between the property line of the subject processing facility and the property line of the subject school that are closest to each other.
  - d. Security. To ensure the safety and security of a processing facility, and to maintain adequate controls against the diversion, theft, and loss of marijuana, each processing facility shall maintain security measures in accordance with [F.S. § 381.986\(8\)\(f\)](#), as may be amended from time to time; provided, however, that any for such security measures are subject to the receipt of the appropriate local government permits. It is unlawful and a violation of this section to operate, own, or control a processing facility except in compliance with the applicable security plan approved by the Florida Department of Health.
  - e. Inspections. Any deputy sheriff employed by the Orange County Sheriff's Office may make searches of persons, places, and conveyances of any kind whatsoever associated with the processing facility in

## REGULATIONS FOR SPECIFIC USES

- accordance with all applicable laws. Any code enforcement officer, or any other person authorized to enforce county ordinances, may enter the processing facility premises and conduct an inspection to determine compliance with this section at any time the processing facility is open or occupied. Refusal to provide proof of a valid license and processing authority from the state shall be considered a violation of this Code.
- f. Combined processing and cultivation facilities. In the event the cultivation and processing of marijuana is combined into one facility, such facility shall comply with the requirements of a processing facility.
- (5) Slaughterhouses and Rendering Plants
    - a. Animal slaughterhouses and the confinement of animals for finishing and preparation for slaughter, and all storage and processing activities must be enclosed within a structure constructed and maintained in a manner such that storage, slaughtering, or processing activity is not visible from any public or private street or any abutting properties.
    - b. An "odor compliance and compatibility study" may be required by the Environmental Protection Division prior to approval of a Special Exception, Rezoning, and/or issuance of building permits.
  - (6) Wood Chipping, Wood Mulching, and Composting
    - a. In T2 when used for commercial purposes is permitted by Special Exception.
    - b. When not operated for commercial purposes in T2, or any operations in SZ-LI and SZ-HI, wood chipping, wood mulching and composting is permitted provided that no machinery is operated within a 100-foot setback from all property lines and within a 200-foot setback from any T2, T3, T4 or T5 property.
    - c. Must comply with [Article 5, Division 1: Site Development](#) site plans requirements; and
    - d. Must comply with [Chapter 15, Article V](#) (Noise Pollution Control) of County Code.
    - e. Minimum requirements applicable to buildings, structures and materials stored outdoors as follows:
      1. 50 feet for primary and secondary frontages;
      2. 50 feet for side and rear yards; and
      3. 25 feet maximum height.
    - f. Operations that store over 200 cubic yards of a total combined volume of yard trash or yard trash derived materials are subject to requirements in [\(c\) Heavy Industrial, subsection \(6\)](#) related to Solid Waste Management Facilities.

**(b) Craft and Light Industrial.**

- (1) General
  - a. Must be confined within a structure on the property;
  - b. In T4.3, are limited in size to 2,000 square feet per tenant and 8,000 square feet cumulative per lot for all allowed Craft and Light Industrial uses; and
  - c. Outdoor storage of materials and equipment directly related to the site activities may be permitted by Special Exception.
- (2) Micro-breweries, Micro-wineries, Craft Distilleries, and Brewpubs.
  - a. Manufacturing operations that produce alcoholic beverages for on-site consumption and off-site sales, and related uses, may be allowed as an accessory use via a determination by the planning and Zoning Managers subject to the following criteria:
    1. Up to 49% of the floor area may be used for a micro-brewery, micro-winery, or craft distillery (or any combination thereof), with the remaining floor area used for restaurant, tasting room or retail operations; and
    2. The maximum production allowed per calendar year for micro-breweries, micro-wineries, craft distilleries, and brew-pubs is as follows:
      - i. As allowed by applicable licenses from the Florida Department of Business and - Professional Regulation, Division of Alcoholic Beverages and Tobacco;
      - ii. Brewpubs-not to exceed 15,000 barrels;
      - iii. Micro-breweries-up to 15,000 barrels;
      - iv. Micro-wineries-up to 100,000 gallons; and
      - v. Craft distilleries-up to 15,000 gallons.
  - b. Required parking shall be determined by the square footage for restaurant, retail, and manufacturing portions of the establishment pursuant to [Division 4: Parking and Loading](#).

**(c) Heavy Industrial.**

- (1) General
  - a. An "odor compliance and compatibility study", "noise compliance and compatibility study" and a "dust and particulate matter compliance and compatibility study" may be required by the Environmental Protection

## REGULATIONS FOR SPECIFIC USES

- Division prior to approval of Special Exceptions, Rezoning, and issuance of building permits.
- (2) Biosolids Treatment Facilities, Septage Management Facilities, and Biosolids Storage Facilities:
    - a. Treatment, processing, and storage areas for biosolids and septage, and their derived materials including Class AA biosolids distributed and marketed as a fertilizer, shall:
      1. Be at least 1,320 feet from all offsite structures that are the subject of a certificate of occupancy. This distance may be reduced if such biosolids and septage areas are within an enclosed building, tank and/or pipeline, with a system designed to capture, filter and/or treat odors to prevent the release of any odorants that would result in objectionable odors at the above referenced locations; odor masking agents are not considered filtration or treatment but may be part of an overall odor management plan; and
      2. Be within an enclosed tank and/or pipeline, on an impervious surface with a system designed to collect, contain, and treat any liquids and stormwater runoff generated from the biosolids and septage, and their derived materials.
    - b. Within the T2 districts, the hours of operation for receiving and shipping of biosolids and septage shall be limited to between 7:00 a.m. and 7:00 p.m.
    - c. Outdoor storage of biosolids and their derived materials, including Class AA biosolids distributed and marketed as a fertilizer, shall not exceed 15 feet height, and shall provide vertical markers for verification.
    - d. Facilities shall be designed and operated with a track-out control system that prevents the deposit of any biosolids and septage, their derived materials, and mud, onto adjacent roadways.
    - e. Applications for a Special Exception shall include:
      1. A map showing the zoning of all properties within one mile of the facility boundary.
      2. A wind rose chart showing the annual distribution of prevailing wind directions and speed.
      3. An initial current topographical survey if the facility is proposing any outdoor storage areas.
      4. The maximum storage volume proposed, including approximate locations and dimensions.
      5. A traffic study, previously reviewed by Orange County Public Works Division, that assesses the need for paved access improvements, and potential impacts to traffic and roads along probable haul routes.
    - f. At any time during the operation of the facility, the County may require additional odor control measures be implemented to address objectionable odors for which County staff determines the facility is a probable contributing source.
  - (3) Borrow Pits and Excavation and Fill
    - a. Subject to all applicable laws, ordinances, rules, and regulations, including [Chapter 16 \(Excavation and Fill\) of the Orange County Code](#).
    - b. Any crushing activity or crushing equipment at an excavation pit must comply with the 1,000 foot distance separation requirement described in this subsection.
    - c. A “noise compliance and compatibility study” is required, and must comply with the noise control ordinance codified at [Chapter 15, Article V of the Orange County Code](#).
    - d. A “dust and particulate matter compliance and compatibility study” may be required and must comply with the air quality rules codified at Chapter 15, Article III of the Orange County Code.
  - (4) Concrete, Cement, Asphalt Plants, and Crushing
 

This use is allowed only in districts marked with an S\* or P\* in Table 87, except for temporary crushing operations as described in (i) below.

    - a. Must be a minimum distance of 1,000 feet from any T3, T4, SZ-EN, SZ-ED district, or any residential use;
    - b. The use or operation shall be subject to an approved commercial site plan, and shall comply with all applicable laws, ordinances, rules, and regulations.
    - c. Maximum stockpile height, measured above the finished grade elevation, is 50 feet.
    - d. Building height is limited as follows:
      1. 50 feet, or
      2. 35 feet when located within 100 feet of T3 - T6.
    - e. Hours of operation are limited as follows:
      1. 7:00 a.m. to 7:00 p.m. Monday through Friday;
      2. 8:00 a.m. to 3:00 p.m. on Saturday; and
      3. No such plant or facility may operate on Sunday.
    - f. A “noise compliance and compatibility study” is required, and must comply with the noise control ordinance codified at [Chapter 15, Article V of the Orange County Code](#).
    - g. A “dust and particulate matter compliance and compatibility study” may be required and must comply with the air quality rules codified at Chapter 15, Article III of the Orange County Code.
    - h. Unconfined or uncontrolled emissions of particulate matter from any crushing activity, screening activity, conveying activity, stockpiling, loading and unloading activity, or vehicular traffic shall be controlled using



## REGULATIONS FOR SPECIFIC USES

- water suppression systems, dust suppressants, or other engineering controls acceptable to the County.
  - i. Crushing of concrete generated onsite from an active Demolition Permit or EPD environmental cleanup approval, for a duration of crushing not to exceed a single 30-day period, and intended for recycling reuse onsite within 180 days, is permitted in any Transect or Special Zone, subject to criteria [c. through h. above](#).
- (5) Fuel Terminal
  - a. The Zoning Manager will make a determination based on compliance with Florida Statutes.
- (6) Hazardous Waste Treatment and Storage Facility
  - a. Must comply with the requirements of [Chapter 15 and Chapter 32 of the Orange County Code](#).
  - b. Consistent with Florida Statute 403.7222, new hazardous waste disposal facilities are prohibited within Orange County and Florida.
  - c. Except as provided for in [Chapter 32, Article V](#) of County Code, hazardous waste treatment, storage and disposal facilities are prohibited within the Primary and Secondary Floridan Aquifer Vulnerability Zones located within the Wekiva Study Area, as those zones are defined within [Chapter 32, Article V of the Orange County Code](#), and also prohibited in the Priority Focus Area for Wekiva and Rock Springs as defined in the Florida Statute Chapter 373, Florida Springs And Aquifer Protection Act.
  - d. A hazardous waste facility permit requires approval by the Development Review Committee prior to consideration of the Special Exception by the Board of Zoning Adjustment.
- (7) Incinerators
  - a. Subject to compliance with the requirements of [Chapter 15 of the Orange County Code](#).
- (8) Solid Waste Management Facility
  - a. Solid waste management facilities including a landfill, transfer station, incinerator, materials recovery facility, waste tire processing facility, facility storing more than 1,500 used or waste tires, or used oil processing facility.
  - b. A solid waste management facility is subject to compliance with the requirements of [Chapter 32 of the Orange County Code](#) and must meet the following conditions:
    - 1. Applicant requires a determination, by EPD, of any required permits and a recommendation by the Development Review Committee prior to consideration of the Special Exception by the Board of Zoning Adjustment.
    - 2. Applicant must receive a solid waste management permit approval by the Board of County Commissioners prior to or at the same public hearing at which the Special Exception is considered.
- (9) Yard Waste Processing Activities
  - a. All activities associated with on-site permitted land clearing, or with on-site normal farming operations that meet the permit exemption requirements in [Sec. 32-214\(c\)\(9\)ii. of the Orange County Code](#), are exempt from the requirements of this subsection.
  - b. A Yard Trash Processing Facility that stores greater than 12,000 cubic yards of a total combined volume of yard trash and yard trash derived materials shall be considered a solid waste management facility subject to the standards in [subsection \(7\) of \(c\) Heavy Industrial](#).
  - c. Wood chipping, wood mulching, and wood composting operations that store no more than 200 cubic yards of a total combined volume of yard trash or yard trash derived materials are subject to the requirements set forth for wood chipping, wood mulching, and wood composting operations in [Sec. 40.-163\(a\) Agricultural Industrial](#) and not the requirements set forth in this subsection.
  - d. Yard trash processing facilities that store no more than 12,000 cubic yards of a total combined volume of yard trash and yard trash derived materials, are subject to all of the following requirements:
    - 1. The site must meet the permit exemption requirements in [Sec. 32-214\(c\)\(9\)iii. or iv](#);
    - 2. The site must meet the requirements of [Chapter 30, Article VIII of the Orange County Code](#) (pertaining to site plans);
    - 3. Landscaping, including screening of open storage areas of yard trash and yard trash derived materials, must be installed in accordance with [Sec. 40-74\(c\) Service Area and Open Storage Area Screening.](#);
    - 4. Powered machinery, including but not limited to tub grinders, chippers, and shredders, when used for yard trash processing related activities, must not be operated within 100 feet of any property boundary or within 200 feet from any T2, T3, or T4, and any residential use in T5 or T6. In addition, processing equipment must be set back from property boundaries a sufficient distance to prevent potential thrown/ falling objects from leaving the site;
    - 5. Must meet the noise and sound requirements of [Chapter 15, Article V \(Noise Pollution Control\) of the Orange County Code](#);
    - 6. Pile height must not exceed 25 feet in overall height from grade, and vertical markers or other measurement system shall be installed to verify;

## REGULATIONS FOR SPECIFIC USES

7. Burning is prohibited;
8. Firewood sales and storage as an accessory use to a yard trash processing facility must be subject to the requirements of this subsection, and not the conditions for permitted uses and Special Exceptions for the sale and storage of firewood;
9. The processing and open storage of yard trash and yard trash derived materials requires a minimum setback of 50 feet from any property line abutting SZ-LI or SZ-HI, and 150 feet abutting any other zones;
10. A Special Exception shall be required for yard trash processing related activities located on sites within the SZ-LI and SZ-HI transect, if any abutting properties are transects other than SZ-LI or SZ-HI; and
11. Commercial parking must not be located within 25 feet of any property line.
12. The hours of operation are limited to between 7:00 a.m. and 7:00 p.m.

**(d) Storage and Distribution.**

- (1) General
  - a. An “odor compliance and compatibility study”, “noise compliance and compatibility study” and/or a “dust and particulate matter compliance and compatibility study” may be required by the Environmental Protection Division prior to approval of Special Exception, Rezoning, and/or issuance of building permits.
- (2) Building Material Storage and Sales
  - a. Building material sold must be new. Used materials such as architectural salvage may be sold if enclosed within a building.
- (3) Outdoor Storage and Display of Equipment, Products, Materials, and Merchandise, Vehicles and Similar Items
  - a. Must not be located within any public right-of-way, except as specified in [Division 4: Use Of Public Right-Of-Way](#).
  - b. Must not be located within any driveway, driving aisle or on any required parking spaces.
  - c. Not permitted on properties without a licensed and approved business, or on vacant properties.
  - d. Outdoor storage of indoor-type equipment, such as indoor furnishings and appliances, is prohibited.
  - e. Must be screened from public rights-of-way with a street screen, and from T2, T3, and T4 transect zones with a minimum 10-foot wide vegetative buffer.
  - f. Paved parking is required and all parking requirements must be met.
  - g. Items stored or parked outdoors shall be kept on an improved surface, as outlined in [Sec. 40-83\(e\) General Parking Lot Requirements](#).
  - h. Screening is required as specified in [Sec. 40-74\(c\) Service Area and Open Storage Area Screening](#).
- (4) Oil and Propane Gas Dealers
  - a. Permitted as an accessory use when connected to retail operations or permitted when the industrial operation is in an industrial area.
- (5) Recreational Vehicles, Boats, and Similar Items
- (6) Junk Yards
  - a. All required permits must be obtained as applicable, including site work, building, and/or fence or wall permits.
  - b. All junkyards are required to have an 8-foot high masonry wall, 8-foot high maintained fence, or other screening approved by the Zoning Manager.
  - c. All facilities must provide and use an incoming material receiving pad that is impervious and designed to contain any inadvertently accepted regulated liquids that may drain from incoming material, and to prevent any discharges including as stormwater runoff, and is subject to review by the Environmental Protection Division.
- (6) Self-Storage Facilities
  - a. A self-storage facility must be located a minimum of 2,500 feet from any existing self-storage facility. Such distance must be measured in a straight line between the property line of the proposed facility to the property line of the existing facility.
  - b. Units must be limited to dead storage use only. No other commercial or industrial use is permitted, and no business tax receipt will be issued from individual self-storage spaces.
  - c. Plumbing and plumbing fixtures such as sinks, and toilets shall not be installed to or within individual self-storage spaces.
  - d. In T5.2, T5.3, T6.2 and T6.3:
    1. Self-storage is only be permitted as part of a mixed-use development. A minimum of 50% of ground floor uses in T5 transects and 75% in T6 transects shall be functional space unrelated (and not accessory) to the self-storage facility (such as retail, restaurants or office uses) along the primary street frontage.
    2. All building façades facing the primary and secondary frontages must have the appearance of a commercial or residential building through the use of doors, windows, awnings and other appropriate



building elements, as described below:

- a. Building modulation must be employed to break up long façades, including horizontal and vertical projections or recesses and architectural features. Color and textural changes that diminish the perceived horizontal scale and massing of buildings, particularly on building corners and primary entrances, may also be used.
  - b. Self-storage facilities must have a maximum building length of 325 feet.
  - c. All primary building façades must have a minimum transparency of 50% on the ground floor, and a minimum transparency of 25% on all remaining floors. All secondary building façades must have a minimum combined transparency of 25% for all floors.
  - d. Access to storage units must be from the interior of the building.
  - e. Outdoor storage is prohibited.
  - f. Storage of recreational vehicles, boats or similar items shall only be permitted in a fully enclosed building.
- e. In SZ-LI and SZ-HI:
1. Outdoor storage for boats, vehicles, etc. must be located to the rear of the principal structure.
  2. Outdoor storage areas must be screened from view, either by the principal structure or by a minimum 6-foot high decorative masonry wall, and shall not be visible from any public right-of-way.
  3. Landscape buffers must be provided per [Sec. 40-71\(b\) Side and Rear Buffers](#).
- (7) Truck Parking and Parking of Dual Rear Wheel Vehicles
- a. In T2 transects, dual rear wheel vehicles are permitted only as an accessory use in conjunction with a bona fide active agricultural use on site.

## **SEC. 40-164 GOVERNMENT SERVICES AND FACILITIES.**

### **(a) Drug Correctional Facility.**

A drug correctional facility which provides drug treatment as an alternative to jail sentencing for drug offenders may be permitted provided that it is a lock-up facility surrounded by fencing, including barbed wire. This facility must serve more as a correctional institution for adjudicated drug offenders as opposed to a typical voluntary residential rehabilitation facility.

### **(b) National Defense.**

National defense related uses may be permitted as a Special Exception which, either because of (i) the activities to be performed or carried out on the land, (ii) the improvements then existing or thereafter to be placed on the land, (iii) the products and/or materials necessarily or incidentally associated with the use of the land or improvements then existing or thereafter to be placed thereon, or (iv) the testing or other development of fabrication activities occurring or to occur on the land or in the improvements then or thereafter to be located thereon:

- (1) Constitutes a potential security or safety concern which, in the interest of public health, safety and welfare, is more appropriately carried out in remote rural locations away from population centers;
- (2) Is the subject of and are required to comply with national security regulations and classifications promulgated by the United States government or any division or department thereof;
- (3) Is directly related to, is the subject and a part of the national defense program of the United States of America.
- (4) Application for such use shall include a site plan including the following:
  - a. Title and date of plan;
  - b. Name, address and telephone numbers of owner/developer/surveyor, engineer and other consultants;
  - c. Scale of plan (preferably 1 inch equals 100 feet) and north arrow;
  - d. Location map showing the site in relation to existing roads and development;
  - e. Legal description and approximate acreage;
  - f. Boundary of tract shown by a heavy line;
  - g. Zoning of adjacent property;
  - h. Building location with dimensions from property line;
  - i. Egress and ingress point to primary access roads;
  - j. Off-street parking requirements and location;
  - k. Height of building;
  - l. Exterior lighting plan;
  - m. Landscape/buffer plan;

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- n. Potential traffic generation (based on Institute of Transportation Engineers Standards);
- o. Security plan;
- p. Method of wastewater management;
- q. Method of potable and non-potable water supply;
- r. Generation and disposal of hazardous waste (type and amount);
- s. Existing natural features; and
- t. Typographical survey (at one-foot intervals).

**SEC. 40-165 EDUCATIONAL.****(a) Public K-12.**

- (1) See [Division 7: Public School Siting Regulations](#)

**(b) Charter Schools.**

- (1) Permanent student capacity of 550 or less must comply with [Sec. 40-187 School Site Criteria](#).
- (2) Permanent student capacity over 550 must comply with [Sec. 40-187 School Site Criteria](#) and [Sec. 40-188 School Site Standards](#).

**(c) Private K-12.**

- (1) In T2 rural settlements, Private K-12 schools shall not exceed any of the following criteria:
  - a. 35,000 square feet of gross area; and
  - b. 150 students.

**SEC. 40-166 AGRICULTURE.****(a) Exemptions.**

A bona fide agricultural business or use that is exempt from local government zoning regulations under the Florida Statutes is not subject to the requirements of this section.

**(b) Agricultural Storage and Distribution.****Outdoor Display of Agricultural Equipment**

- (1) The equipment may be stored outdoors on lots adjacent to the lots containing the agricultural uses provided they are commonly owned or leased.
- (2) The equipment must be used in conjunction with active agricultural operations/uses on-site.

**(c) Fruit and Vegetable Gardens.**

- (1) Permitted as an accessory use in T3 through T6 and SZ-MH, subject to the following:
  - a. All plots must be kept disease-free, weeded, planted, harvested, and maintained during the growing season.
  - b. Invasive plants are prohibited.
  - c. Any selling of produce or plants should follow Home Based Business standards, as specified in [Sec. 40-160\(l\) Home-based Businesses](#).
- (2) Permitted as a principal use on any lot owned and maintained by an HOA or non-profit, subject to (1)a. and (1)b. above.

**(d) Livestock Farming & Husbandry.**

- (1) The keeping of animals for an approved 4H or Future Farmers of America (FFA) educational program is exempt from the requirements of this section, provided the number of animals does not exceed 6 and the duration of the program does not exceed 6 months.
- (2) Raising and Keeping of Poultry
  - a. A chicken coop and pen area is required, except in T2 and T3.1, subject to the following:
    - 1. Must be fully enclosed with welded wire mesh, hardware cloth, or other material of similar strength;
    - 2. Chicken wire fencing is not permitted as an enclosing material;
    - 3. The enclosing material must be buried at least 12 inches to obstruct digging;
    - 4. The coop and pen area must be tied down to the ground for wind resistance;

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5. Coop and pen areas are limited in size and location, as follows:
  - a. The minimum size of the coop is 4 square feet per chicken.
  - b. The minimum size of the pen area is 10 square feet per chicken.
  - c. The maximum size of the coop and pen area is 100 square feet.
  - d. The maximum height of the coop and pen area is 6 feet, measured from existing grade to the highest point.
- b. The coop and pen area must meet the following minimum setback requirements:
  - a. 10 feet from rear lot lines, upland buffers, berms, and swales;
  - b. 15 feet from side and side street lot line; and
  - c. 50 feet from any wetland and/or normal high-water elevations of surface waters.
  - d. The coop and pen area may only be located in the rear yard.
  1. The coop and pen area must be visually screened from neighboring properties by 6-foot high opaque fencing or landscape screen;
  2. The coop and pen area must be cleaned regularly to foster healthy chickens, to prevent attracting insects and other vermin, to avoid objectionable odors, and to comply with the requirements of Section 5-42 of County Code; and
  3. The coop and pen area must be maintained in good repair to ensure the safety of chickens and caretakers.
- c. The maximum number of chickens permitted is as follows:
  1. T2.1 and T2.2: properties 10 acres or greater: no maximum;
  2. T2.1 and T2.2: Properties up to 5 acres: 30 maximum, in excess of this limit a Special Exception is required;
  3. T2.1 and T2.2: Properties 5 acres and less than 10 acres: 100 maximum, in excess of this limit a Special Exception is required;
  4. T2.3 and T3.1: 12 maximum;
  5. All other zones: 4 maximum;
  6. Roosters are only permitted in T2.1 and T2.2; and
  7. In the T2 Rural Zones and T3.1, the keeping of poultry for an approved 4-H or FFA educational program shall be permitted, provided the number of poultry does not exceed 12 and it does not exceed the duration of the approved program.
- d. Chickens must be cared for as follows:
  1. Chickens must have access to food and water at all times;
  2. Feed must be distributed in a rodent-proof feeder;
  3. Feed must be stored in a covered metal or plastic rodent and wildlife-proof container;
  4. Chickens must be housed at all times within the chicken coop or pen area, except in T2 and T3.1, and when temporarily removed by a property resident and kept under supervision;
  5. In T2.1 and T2.2, excrement and waste must not be piled or stored within 100 feet of any T2.3, T3, T4, T5, or T6 Zones, and from the NHWE;
  6. In all other zones, composting of chicken manure, including soiled bedding materials, is allowed in an enclosed bin, subject to Section 28-35 of County Code. Any such compost bin must be kept at least 20 feet from property boundaries; and
  7. Waste materials not composted must be discarded in a sealed bag and placed in a garbage container for pickup.
- e. The keeping of chickens is limited to the following purposes, except in T2 and T3.1:
  1. Chickens must be kept for the purpose of producing eggs for consumption on the property;
  2. Chickens, their eggs, feathers, and manure must not be sold;
  3. Chickens must not be bred;
  4. Chickens must not be consumed; and
  5. Chickens must not be slaughtered, except as provided in Section 828.05, Florida Statutes, and any other applicable laws for the humane and proficient destruction of injured or diseased animals.
- f. The transfer of chickens, typically upon a decision to cease keeping chickens, is limited as follows, except in T2 and T3.1:
  1. Chickens may be relocated to a farm or agribusiness that is permitted to accept chickens;
  2. Chickens may be transferred to another Orange County resident who has a valid permit in good standing; and
  3. Chickens must not be taken to the Orange County Animal Services Division or released into the wild.
- g. Owners must dispose of deceased chickens in compliance with the requirements of [Section 823.041, Florida](#)

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[Statutes](#), and [Section 62-701.520\(5\)\(a\) and \(c\), Florida Administrative Code](#).

- h. Commercial on-site slaughtering shall be considered a slaughterhouse and be subject to the standards and permitted districts for that use.
- i. Permits are required as follows, except in T2 and T3.1:
  - 1. Chickens, the female of a type of domesticated fowl of the species *gallus gallus domesticus*, shall be permitted to be raised or kept only on a lot or parcel with an owner-occupied single dwelling detached residence or owner-occupied mobile home, upon the issuance of a single permit per parcel by the Zoning Division and payment of an administrative fee as established by the Board of County Commissioners;
  - 2. A maximum number of permits may be established by the Board of County Commissioners, issued on a first-come, first-served basis;
  - 3. Permits are not transferable;
  - 4. Private covenants and restrictions may further restrict the keeping of chickens;
  - 5. Applicants must submit a site plan to the Zoning Division for the chicken coop and pen area;
  - 6. Applicants must successfully complete the University of Florida Institute of Food and Agricultural Sciences Extension Orange County Backyard Chicken Training Class and present a signed Certificate of Completion of that class to the Zoning Division.
  - 7. By applying for a permit, the applicant grants authorized County employees and agents, upon reasonable notice, a right of entry upon the exterior of the property to determine whether these conditions are being satisfied;
  - 8. Upon issuance of a permit, the permittee shall post a sign provided by the Zoning Division on his or her property for a period of at least 7 days informing neighboring property owners of the permit.
  - 9. Failure to comply with any of the standards of this section may result in the revocation of a permit;
  - 10. Upon revocation of a permit, chickens must be transferred within 15 days; and the permittee is not eligible to apply for another permit for a period of 2 years.
- (3) Raising and Keeping of Cattle
  - a. Raising and keeping of cattle only permitted on parcels or lots that are entirely located within the Rural Service Area.
- (4) Raising and Keeping of Horses, Ponies, Donkeys, and Mules
  - a. Commercial boarding of animals requires a Special Exception in T2 Districts.
  - b. Maximum of 4 animals per acre. More than that requires a Special Exception.
  - c. Any barn, paddock, stall, or corral shall be setback at least 15 feet from all property lines and at least 50 feet from the Normal High Water Elevation (NHWE) of any lakes or natural water bodies.
  - d. Manure and compost must not be piled or stored within 30 feet of any property line, or within 100 feet from the NHWE.
  - e. Animals must not be slaughtered, except as provided in [Section 828.22, F.S.](#), and any other applicable laws for the humane and proficient destruction of injured or diseased animals.
  - f. Commercial on-site slaughtering shall be considered a slaughterhouse and be subject to the standards and permitted districts for that use.
- (5) Raising and Keeping of Goats, Sheep, Lambs, and Pigs
  - a. Maximum 8 animals per acre. More than that requires a Special Exception.
  - b. Any barn, paddock, stall, or corral shall be setback at least 15 feet from all property lines and at least 50 feet from the Normal High Water Elevation of any lakes or natural water bodies.
  - c. Manure and compost must not be piled or stored within 30 feet of any property line, or within 100 feet from the NHWE.
  - d. Any occupied pig enclosure shall not be located less than 100 feet from any property line.
  - e. Animals must not be slaughtered, except as provided in [Section 828.22, F.S.](#), and any other applicable laws for the humane and proficient destruction of injured or diseased animals.
  - f. Commercial on-site slaughtering shall be considered a slaughterhouse and be subject to the standards and permitted districts for that use.
  - g. The keeping of animals for an approved 4-H or FFA educational program shall be permitted, provided the number of animals does not exceed 6 and it does not exceed the duration of the approved program.
  - h. For parcels zoned T2.3 and T3.1, or that have multiple zones that include either T2.3 or T3.1, the keeping of animals shall only be permitted for approved 4-H or FFA educational programs and shall be limited to the same of the number of animals and program duration as other districts.

**(e) Commercial Nurseries and Greenhouses.**

- (1) No retailing of products on site, unless conducted with an approved rural retail use on site.

- (2) Seedlings may be transported to the site, however, the majority of plant materials must be grown on site.

## **SEC. 40-167 TRANSPORTATION AND INFRASTRUCTURE.**

### **(a) Communication Tower.**

(see [Division 6: Communication Towers](#))

### **(b) Public Parking as a Principal Use.**

- (1) Public parking garages and lots as a principal use are subject to the following:
  - a. A public parking garage is only permitted in T6 and is subject to frontage occupation requirements, frontage yard requirements, and parking setback requirements specified in [ARTICLE III—ZONE STANDARDS](#);
  - b. A public parking garage is subject to design standards, as specified in [Sec. 40-83 Off-street Parking Design Standards.](#);
  - c. A public parking lot must be set back a minimum of:
    1. 8 feet from primary frontages; and
    2. 6 feet from all other property lines.
  - d. Parking lots must be lined with streetscreens along primary and secondary frontages, as specified in [Sec. 40-74 \(b\) Streetscreens.](#)
- (2) Electric vehicle charging and mobility hubs offering various transportation services and amenities are permitted in public parking.

### **(c) Transit Facility.**

Must be a public transportation facility or managed by a Homeowners Association or Property Owners Association.

### **(d) Renewable Energy.**

- (1) General
  - a. To the extent this section, or any portion thereof, may not be consistent or conflict with an applicable federal or state law, the federal or state law controls, including [F.S. § 163.04](#) and [F.S. § 163.32051](#).
- (2) Wind turbines
  - a. Are limited to:
    1. 15 feet in height, with the height being measured from the base to the tip of the rotor blade at its highest point;
    2. 1 per property, except vertical-axis turbines attached to a structure in T5, and T6;
    3. A maximum rotor swept area of 50 square feet; and
    4. An AWEA-rated sound level of 45dBA or less.
  - b. Must not be located within frontages.
  - c. Must be set back a minimum of 5 feet from side and rear property lines, and 15 feet from the secondary frontage property line.
  - d. Must be set back from any object within the path of blade rotation at the following minimum distances:
    1. 5 times the Hub Height measured from the center for a horizontal wind turbine; and
    2. 1.1 times the Turbine height for a vertical axis turbine.
  - e. Must comply with [Chapter 7, Division 3 \(Zoning and Heights Requiring Permit, Airport Surfaces, and Permit Procedures\) of the Orange County Code](#).
- (3) Free-standing or Ground-mounted Solar Panels
  - a. Limited to 8 feet in height; expanded to 15 feet in height if part of a carport solar system within a parking lot.
  - b. Shall be screened from right-of-way view and from any adjacent property line view within 50 feet by an opaque fence, landscaping, or a wall equal to or greater than the solar panel height.
    1. Where applicable, landscape screening shall include a continuous evergreen shrub or hedge a minimum of 4 feet in height at time of planting, capable of reaching the height of the solar panel, and spaced 30 inches on-center.
      - i. Exceptions: where the side, side street and rear setbacks of solar panels exceed 30 feet, or when part of a carport solar system within a parking lot, the screening requirements shall not apply.
  - c. Must not be located within frontages.
  - d. Must be set back a minimum of 5 feet from side and rear property lines, and 15 feet from the side street property line.



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- e. The square footage of any ground mounted solar panel system shall not count towards the allowed square footage for other accessory structures.
- (4) Floating Solar Facility
  - a. Not allowed in T1.
  - b. Are an allowable use in T2-T6 in accordance with [FS § 163.32051](#) and may require a permit from the applicable department, such as Public Works for a floating solar facility on a stormwater treatment pond.
- (5) Large Scale Installations
  - a. To the extent not inconsistent or in conflict with any applicable federal or state law, including [F.S. § 163.04](#), solar panels, wind turbines, and other energy devices based on renewable resources may be permitted, provided they comply with the following requirements:
    - 1. Solar panels, wind turbines and other energy devices shall be located at least 200 feet from any residential use or district or PD with residential land use approval; and
    - 2. Solar panels, wind turbines and other energy devices shall comply with all other applicable laws and regulations.

**(e) Utilities.**

- (1) General
  - a. Gas substations, telephone dial exchange buildings, and radio and television substations and towers are permitted as a Special Exception. Substations must have a minimum 6-foot high security fence.
- (2) Distribution electric substations, as defined in [F.S. § 163.3208\(2\)](#), are permitted in all districts subject to the following:
  - a. Minimum 6 foot high security fencing is required around the substation;
  - b. Vegetated buffers or screening is required per [Sec. 40-74\(c\) Service Area and Open Storage Area Screening](#); and
  - c. Unless and until the County adopts reasonable standards for substation siting in accordance with [F.S. § 163.3208\(3\)](#), the standards set forth in [F.S. § 163.3208\(4\)](#) apply.

**(f) Vertiports.**

- (1) Prior to submittal of any application or permit for a vertiport, a prospective applicant shall request a pre-application conference with the Zoning Division.
- (2) Vertiports shall be common use and public facilities per Federal Aviation Administration (FAA) guidelines and meet all requirements of the FAA's vertiport site development standards.
- (3) Vertiport applications shall document the specific aircraft that would be hosted at the facility, the utility infrastructure needed to charge the aircraft, and location and type of all fire safety equipment in a plan that is consistent with National Fire Protection Association standards for vertiports and energy storage and that shall be reviewed by the Orange County Fire Rescue Department.
- (4) Pursuant to [Section 125.022, Florida Statutes](#), issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

**SEC. 40-168 GENERAL SUPPLEMENTAL REGULATIONS.****(a) Accessory Structures And Pools.**

- (1) General
  - a. A principal building must exist on site prior to an accessory structure.
  - b. Decorative water fountains are permitted, provided they are not within 5 feet of property lines.
  - c. Non-residential farm buildings under [F.S. \(2018\) § 604.50](#) are not subject to any of the accessory structure regulations herein.
  - d. Accessory structures used for living space must be heated and ventilated pursuant to all applicable building codes.
  - e. Kitchen facilities are prohibited in accessory structures, except as permitted in [Sec. 40-160\(a\) Accessory Dwelling Units](#).
  - f. Accessory dwelling units are subject to [Sec. 40-160\(a\) Accessory Dwelling Units](#).



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- g. All flagpoles shall be located so that the flag shall not extend over a right-of-way at a height of less than 15 feet. A flagpole in T5, T6, and Special Zones shall not exceed 50 feet in height. A flagpole in any other district shall not exceed 35 feet in height.
  - 1. Flags are subject to [Sec. 40-106 Exempted Signs](#).
  - 2. Flagpoles must maintain a minimum 5-foot setback from any property line.
  - 3. Flagpoles and other structural requirements may require building permits.
- (2) Attached Accessory Structures
  - a. A breezeway may connect an accessory structure to the principal building.
  - b. Breezeways are limited to 20 feet in length. If a breezeway is greater than 20 feet in length, then the accessory structure will be considered a detached accessory structure;
  - c. Breezeways must have access into the principal and accessory structures and shall not exceed 10 feet in width;
  - d. The breezeway height must not exceed that of the accessory structure; and
  - e. The cumulative square footage of all attached accessory structures must be less than the that of the principal building.
  - f. In all transect zones, except T2 and T3.1, the exterior and roof of any accessory structure greater than 150 square feet, or greater than 10 feet in height (as measured from the finished grade to the top of the structure) shall be comprised of materials commonly used throughout Orange County for single family residential construction, such as, but not limited to, stucco, brick, vinyl, aluminum or wood, or materials consistent with the principal structure for the siding or walls; and shingles, tiles or corrugated metal for the roof
- (3) Detached Accessory Structures
  - a. A detached accessory structure may not be located in front of the principal structure unless the entire principal structure is located in the rear half of the lot/parcel, or when located on a lot/parcel with 5 or more developable acres. In these situations, the detached accessory structure shall comply with all principal structure setbacks.
  - b. The cumulative square feet of all detached accessory structures shall be as follows:
    - 1. For parcels less than 1 acre, limited to 10% of the net land area, or 500 square feet, whichever is greater, and the cumulative total may not exceed 3,000 square feet;
    - 2. For parcels between 1 acre and 10 acres of net land area, the cumulative total may not exceed 5,000 square feet;
    - 3. For parcels greater than 10 acres of net land area, the cumulative total may not exceed 15,000 square feet; however, no detached accessory structure shall exceed 5,000 square feet in gross floor area, and
    - 4. Detached accessory structures located within parcels with greater than 1 developable acre may exceed the maximum cumulative square feet established above, subject to obtaining a Special Exception and complying with all of the following setbacks:
      - i. Primary frontage: 50 feet.
      - ii. Side/secondary frontage: 25 feet.
      - iii. Rear: 35 feet.
      - iv. Normal high-water elevation: 50 feet.
  - c. In all transect zones, except T2 and T3.1, the exterior and roof of any accessory structure greater than 150 square feet, or greater than 10 feet in height (as measured from the finished grade to the top of the structure) shall be comprised of materials commonly used throughout Orange County for single dwelling residential construction, such as, but not limited to, shingles, tiles or corrugated metal for the roof; and stucco, brick, vinyl, aluminum or wood for the siding or walls. Galvanized metal siding may be permitted with the following standards:
    - i. Must have a preinstalled finish (paint);
    - ii. Must utilize horizontal lap siding; and
    - iii. Must have a corner trim.
- (4) Swimming pool, wading pool, spa or hot tubs, basketball court, pickleball court, tennis court, or other similar sports courts are permitted as accessory uses and are subject to the following:
  - a. The principal building must be constructed in conjunction with or prior to the pool;
  - b. Must not be located in frontage yards;
  - c. Must not be located closer than 5 feet from any side or rear property line, and a minimum secondary frontage setback of 15 feet;
  - d. Are subject to the setback requirements from the Normal High Water Elevation contour for water bodies; and
  - e. Must comply with all applicable requirements in the Florida Building Code.
  - f. A basketball court, pickleball court, tennis court or other similar sports courts (including all appurtenances

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- thereto), must have a minimum 10 feet side and rear setback, or 15 feet from any secondary frontage property line.
- g. No fence enclosing a basketball court, pickleball court, tennis court, or other similar sports courts shall exceed 10 feet in height above finished grade level, unless the sports court maintains a minimum 10 foot side yard setback and the minimum front, secondary frontage and rear yard setbacks for the principal structure. However, in no instance shall such fencing exceed 20 feet in height.
- (5) A screen enclosure located in conjunction with a residential use, or a residential area within a planned development, shall comply with the following requirements:
- a. Aluminum posts shall only support the screen mesh and solid aluminum kick panels up to 24 inches in height above the floor of the enclosure;
  - b. The maximum height of a screen enclosure shall be 35 feet;
  - c. Setbacks for a screen enclosure on a detached single dwelling or multi-unit dwelling:
    - 1. Primary frontage setback: Same as the principal structure for the respective transect zone;
    - 2. Secondary frontage setback: 15 feet;
    - 3. Side yard setback: 5 feet;
    - 4. Rear yard setback: 5 feet; and
    - 5. Normal High Water Elevation (NHWE) setback.
  - d. Setbacks for a screen enclosure on an attached single dwelling unit (townhouse unit) or attached duplex:
    - 1. Primary frontage setback: Same as the principal structure for the respective zone;
    - 2. Secondary frontage setback: 15 feet;
    - 3. Side yard setback: 0 feet internal/ 5 feet end unit;
    - 4. Rear yard setback: A screen enclosure may extend up to 50% into the required rear yard setback for the principal structure. Notwithstanding the foregoing, where an alley is present, the screen enclosure shall not be located closer than 5 feet to the edge of the alley easement; and
    - 5. Normal High Water Elevation (NHWE) setback.

**(b) Collection Bins.**

- (1) A collection bin may only be located in association with a commercial or industrial use, and only as an accessory use.
- (2) The following are not considered collection bins:
  - a. A bin used for the collection of donated items associated with a special event, provided the bin is removed within 48 hours after the special event ends;
  - b. A mobile trailer used for the collection of donated items, provided it complies with all applicable ordinances and regulations, including those relating to special events; and
  - c. A container, for the collection of trash or recyclable materials associated with the Orange County Solid Waste Division.
- (3) No person shall place, use or operate a collection bin without obtaining a permit pursuant to this Article.
- (4) Permit application requirements, permit conditions, revocations or suspension of permits, appeals and penalties are as specified in [Sec. 40-12\(b\) Miscellaneous Permits](#).
- (5) Standards and criteria for collection bins are as follows:
  - a. A collection bin is limited to a maximum floor area of 25 square feet and a maximum of 7 feet in height;
  - b. A collection bin is limited to one bin per lot;
  - c. A collection bin is not permitted on a vacant or unimproved lot;
  - d. A collection bin must be located on an improved impervious surface and must be anchored to such surface;
  - e. Collection bins are only permitted in T5, T6, SZ-LI, and SZ-HI;
  - f. A collection bin must meet all required setbacks of the zone it is located in. Additionally, a collection bin must not be located in any of the following areas:
    - 1. Required parking spaces;
    - 2. Public or private right-of-way;
    - 3. Drive aisles;
    - 4. Required landscaped areas or bufferyards;
    - 5. Intersection and driveway sight visibility triangles;
    - 6. Pedestrian circulation areas; and
    - 7. Within 100 feet from a residential use.
  - g. A collection bin must not be placed on a site in a manner that impede vehicular or pedestrian traffic flow or safety;
  - h. A collection bin must be maintained in good condition and appearance with no structural damage, holes,

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- or visible rust, and must be repaired or repainted in the event it is damaged or vandalized;
- i. Signage is permitted as follows:
    1. On a maximum of 2 sides of a collection bin, provided that at least 1 sign is located on the front or depositing side of the receptacle, and the total copy area of all signage does not exceed 32 square feet.
    2. Signage may include: (1) applicant, and (2) if applicable, benefiting foundation or organization.
    3. A collection bin operated by a person or entity other than a non-profit permittee must include the following statement on the depositing side of the bin: "[Permittee name] is not a charitable organization. The materials deposited in this bin are recycled and sold for profit, and are not tax deductible contributions." The sign must be located not less than 2 inches below the bin chute with the conspicuous and clear lettering that is not less than 3 inches high and 0.5 inches in width with an ink color that contrasts with the color of the collection bin.
    4. A collection bin operated by a person or entity other than a non-profit permittee with a benefiting foundation or organization may also state: "A portion of the proceeds of the sale of the materials deposited in this bin benefits [name of benefiting foundation or organization]."
  - j. The permittee must maintain or cause to be maintained the area surrounding a collection bin free of junk, garbage, trash, debris or other refuse material;
  - k. A collection bin must have a security or safety chute and tamper proof lock to prevent or deter intrusion and vandalism;
  - l. The permittee and property owner are jointly responsible for abating and removing all junk, garbage, trash, debris and other refuse material in the area surrounding a collection bin within 72 hours of written or verbal notice from the County;
  - m. The permittee and property owner are jointly responsible for all costs related to abating and removing any junk, garbage, trash, debris and other refuse materials from the area surrounding a collection bin;
  - n. A collection bin should be emptied at least every 72 hours; and
  - o. The following information must be clearly and prominently displayed on the exterior of the collection bin:
    1. The approved permit tag, must be placed on the front or depositing side of the receptacle; and
    2. On each side of the receptacle, the name of the permittee, the permittee's logo, trademark or service mark, local physical address, telephone number, e-mail address (if any), and for-profit or non-profit status.

**(c) Docks and Vessels.**

- (1) Docks must comply with [Article IX, Chapter 15 of the Orange County Code](#) and the following requirements:
  - a. Any part of the dock that is landward of the Normal High Water Elevation or wetlands, whichever is most landward, must have a minimum side yard setback of 5 feet;
  - b. The dock must be located on the lot with the dock owner's residence or business or may cross an abutting lot, subject to a recorded access easement agreement with the owner of the abutting lot, as approved by the County; and
  - c. An uncovered boardwalk may connect the dock to a principal or accessory structure on the lot, subject to the following:
    1. Any part of a boat dock structure landward of the Normal High Water Elevation shall be no wider than the width of the boat dock walkway;
    2. Any accessory structure attached to an uncovered boardwalk must meet the required setback from the Normal High Water Elevation; and
    3. A covered boardwalk constitutes an accessory structure that is subject to all applicable laws and regulations, including setback requirements of the transect zone in which it is located.
- (2) Boat Storage
  - a. Boats and boat trailers are permitted accessory to a single dwelling unit, subject to the following:
    1. A "boat" does not include a canoe 16 feet or less in length, a sailboat 16 feet or less in length with the mast down, a jon boat 16 feet or less in length, or a personal watercraft (e.g., a jet ski). The length of a boat is measured from the front of the bow to the back of the stern, excluding the motor or propeller.
    2. The maximum number of boats and boat trailers permitted to be parked, stored or kept on a residential lot is calculated as follows:
      - i. For a lot less than or equal to 0.25 acre, a maximum 2 boats or boat trailers;
      - ii. For a lot greater than 0.25 acre and less than or equal to 0.5 acre, a maximum 3 boats or boat trailers; and
      - iii. For a lot greater than 0.5 acre, a maximum 4 boats or boat trailers.
      - iv. A maximum of 1 boat may be parked in the driveway.
    3. The registered owner of the boat or boat trailer must be the owner or lessee of the principal structure

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- at the lot.
4. No boat or boat trailer may be parked, stored, or kept wholly or partially within the right-of-way, including the sidewalk.
  5. A boat or boat trailer less than or equal to 24 feet in length may be parked, stored, or kept as follows:
    - i. Inside a garage or under a carport;
    - ii. In the driveway or in the front or side yard on an approved surface situated in the front half of the lot and only placed immediately contiguous to the driveway. An "approved surface" shall mean a surface consisting of asphalt, gravel, pavers, or concrete; and
    - iii. In the rear half of the lot where it is screened from view from the right-of-way when it is parked or stored behind the principal structure and must be a minimum of 10 feet from the side lot lines and at least 5 feet from the rear lot line. Setbacks may be reduced to 0 feet if a 6-foot high fence, wall, or vegetative buffer, exists along the lot line.
  6. A boat or boat trailer greater than 24 feet in length may be parked, stored or kept as follows:
    - i. Inside a garage or under a carport or in the rear half of the lot, but not in the driveway or in the front yard;
    - ii. Such a boat or boat trailer on the rear half of the lot must be screened from view from the right-of-way when it is parked or stored behind the principal structure, and must be a minimum of 10 feet from the side lot lines and at least 5 feet from the rear lot line. Setbacks may be reduced to zero feet if a 6-foot high fence, wall, or vegetative buffer, exists along the lot line;
    - iii. A permit from the Zoning Division is required; and
    - iv. Boats and boat trailers are prohibited within any frontage yard.

**(d) Dog-Friendly Dining.**

- (1) Local exemption authorized.
  - a. There is hereby established a local exemption procedure to certain provisions of the Food and Drug Administration Food Code, as currently adopted by the Florida Division of Hotels and Restaurants, in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments.
- (2) Limitations on exemption.
  - a. This exemption only provides a Variance to those portions of the currently adopted Food and Drug Administration Food Code in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments.
  - b. Without exception, any dog that has been classified or designated as a "dangerous dog" as defined by [F.S. § 767.11](#), or for which Orange County's Animal Services Division has record of its propensity toward aggressive behavior, is not permitted within any portion of a public food service establishment.
- (3) Permit requirements.
  - a. In order to protect the health, safety, and general welfare of the public, participating public food service establishments must annually apply for and receive a permit from Orange County before allowing patrons' dogs on their premises. Application for the permit must be made to the County, on a form provided for such purpose, and must include, along with any other such information deemed reasonably necessary by the County in order to implement and enforce the provisions of this part, the following information:
    1. The name, location, and mailing address of the public food service establishment;
    2. The name, mailing address, and telephone contact information of the permit applicant;
    3. Notarized written authorization from the owner of the property on which the public food service establishment is located if the applicant is not the owner;
    4. A diagram and description of the outdoor dining area to be designated as available to patrons' dogs, including dimensions of the designated area; a depiction of the number and placement of tables, chairs, and restaurant equipment, if any; the entryways and exits to the designated area and of other areas of outdoor dining not available for patrons' dogs; any fences or other barriers; surrounding property lines and public rights-of-way, including sidewalks and common pathways; and such other information reasonably required by the County. The diagram or plan must be accurate and to scale but need not be prepared by a licensed design professional;
    5. A description of the days of the week and hours of operation which patrons' dogs will be permitted in the designated outdoor dining area;
    6. A written certification of commercial general liability insurance and an instrument in which the applicant and the property owner (if not the applicant) agree to indemnify and hold harmless Orange County and its Board of County Commissioners, officers, and employees against liability, including court costs and reasonable attorneys' fees, through all appellate proceedings, for any and all claims for damage

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- to property, or injury to, or death of, persons arising out of or resulting from the issuance of the permit;
  - 7. All application materials must contain the appropriate DHR-issued license number for the subject public food service establishment; and
  - 8. Payment of a non-refundable application fee of an amount set by the Orange County Board of County Commissioners.
- (4) Regulations.
- a. In order to protect the health, safety, and general welfare of the public, and pursuant to [F.S. § 509.233](#), the regulations of this section apply to establishments which obtain a permit.
  - b. All public food service establishments must report to Orange County's Animal Services Division any and all incidents in which, while on the premises of the public food service establishment, a dog bites, attacks, endangers, or inflicts injury upon:
    - c. Any patron or employee of the public food establishment; or
    - d. Any other live animal, whether domestic in nature or not.
  - e. Employees must wash their hands promptly after touching, petting, or otherwise handling patrons' dogs.
  - f. Employees must be prohibited from touching, petting, or otherwise handling patrons' dogs while serving food or beverages or handling tableware or before entering other parts of the public food service establishment.
  - g. Patrons in the designated outdoor dining area must be advised that they should wash their hands before eating. Waterless hand sanitizer must be provided at all tables in the designated outdoor dining area.
  - h. Employees and patrons must be instructed that they must not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations. That notwithstanding, dishes specifically dedicated for use by dogs are permitted.
  - i. Patrons shall not leave their dogs unattended for any period of time. Patrons at all times must keep their dogs on the ground, on a leash, and under control.
  - j. Employees and patrons must not allow any part of a dog to be on the chairs, tables, or other furnishings.
  - k. All table and chair surfaces must be cleaned and sanitized with an approved product between seating of patrons. Spilled food and drink must be promptly removed from the floor or ground.
  - l. All dog waste must be cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose must be kept near the designated outdoor area. Dog waste must not be carried in or through indoor portions of the public food service establishment.
  - m. At least 1 sign reminding employees of the applicable rules, including those contained in this section, and those additional rules and regulations, if any, included as further conditions of the permit by Orange County, must be posted on the premises in a conspicuous location frequented by employees within the public food service establishment. The mandatory sign must be at least 8½ inches in width and 11 inches in height (8½" x 11") and printed in easily legible typeface of not less than 20 point font size.
  - n. At least 1 sign reminding patrons of the applicable rules, including those contained in this section, and those additional rules and regulations, if any, included as further conditions of the permit by Orange County, must be posted on the premises in a conspicuous location within the designated outdoor dining area of the public food service establishment. This notice must include notice to the patrons that dogs that have been classified or designated as "dangerous dogs" as defined by [F.S. § 767.11](#), or for which Orange County's Animal Services Division has record of its propensity toward aggressive behavior, is not permitted within any portion of the public food service establishment. The mandatory sign must not be less than 8½ inches in width and 11 inches in height (8½" x 11") and printed in easily legible typeface of not less than 20 point font size.
  - o. At all times while the designated outdoor dining area of the public food service establishment is available to patrons and their dogs, at least 1 sign must be posted in a conspicuous and public location near the entrance to the designated outdoor dining area, placing patrons on notice that the designated outdoor dining area of the public food service establishment is currently available to patrons accompanied by their dog or dogs. The mandatory sign must not be less than 8½ inches in width and 11 inches in height (8½" x 11") and printed in easily legible typeface of not less than 20 point font size.
  - p. The permit issued by the County to the public food service establishment pursuant to this section, and the diagram that was submitted with the permit application, must both be conspicuously displayed in the public food service establishment at all times.
  - q. Dogs are not permitted to travel through indoor or non-designated outdoor portions of the public food service establishment, and ingress and egress to the designated outdoor dining area of the public food service establishment must not require entrance into or passage through any indoor area of the public food service establishment.
  - r. The public food service establishment and designated outdoor dining area must comply with all permit



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- conditions and the approved diagram.
- (5) Permit expiration and renewal.
    - a. A permit issued pursuant to this section expires on January 1st following the date of issuance and a new permit must be obtained annually. Failure to obtain a current permit within 5 days of a previous permit's expiration will require a late fee payment in an amount set by the Orange County Board of County Commissioners for the new permit in addition to the permit fee.
    - b. A permit granted pursuant to this section does not transfer to a subsequent owner upon the sale of a public food service establishment but instead expires automatically upon the sale of the establishment. The subsequent owner is required to apply for a permit pursuant to this section if the subsequent owner wishes to continue to accommodate patrons' dogs.
  - (6) Complaints and reporting.
    - a. In accordance with [F.S. § 509.233\(5\)](#), the County will accept and document complaints related to this program within Orange County, Florida, and will report quarterly to the DHR all such complaints and the County's enforcement response to such complaints.
    - b. The County will also provide the DHR with a copy of all approved applications and permits issued.
  - (7) Enforcement.
    - a. The ultimate responsibility for enforcement of this section falls upon the permitted public food service establishment, however, any person who violates any provisions of this section may, upon code enforcement action, be punished according to [Chapter 11 \(Code Compliance\) Articles I, II, and III of the Orange County Code](#), as may be amended.
    - b. Any alleged violation of any of the provisions in this section may also be pursued by appropriate remedy, whether by injunctive, declaratory, or other civil remedy, at the County's option. The provisions of this section may also be enforced by the sheriff, deputy sheriffs, and any other authorized code compliance inspector.
  - (8) Revocation of permit.
    - a. A permit may be revoked by the Zoning Manager should the public food service establishment:
      1. Have its business or health permit, and any other state or local license required by law, be suspended, revoked, or canceled;
      2. Fail to obtain, or maintain, the requisite insurance required by this section;
      3. Fail to comply with approved diagram and requirements of this section;
      4. Receive 3 notices of violation of the dog-friendly restaurants ordinance within the permitted year;
      5. Fail to correct a violation of the dog-friendly restaurants ordinance, or condition(s) of the permit issued pursuant to this section, within 3 days of receipt of the correction notice; or
      6. Be found to have provided false or misleading information on the application which was material to the approval of the permit.
    - b. Upon revocation, the Zoning Manager must give notice of such action to the public food service establishment in writing stating the action taken and the reason for that action. If the reason for revocation is a failure to maintain any required state or local license, the revocation may take effect immediately upon receipt of the notice of revocation by the public food service establishment. Otherwise, such notice becomes effective within 5 days.
  - (9) If a dog-friendly restaurant permit is revoked, no new permit may be approved for the public food service establishment until the expiration of 180 days following the date of revocation.

**SEC. 40-169 RECREATIONAL VEHICLES.**

- (a) Recreational vehicles may be used as follows:
  - (1) Quarters for a night watchman or on-site security within Special Districts;
  - (2) Parked or stored on a parcel with a single dwelling unit;
  - (3) Temporary habitation, subject to the requirements of [Sec. 40-153 Temporary Habitation.](#); and
  - (4) In a recreational vehicle park, subject to the requirements of [Sec. 40-161\(b\) Campgrounds & Recreational Vehicle Parks.](#)
- (b) Recreational vehicles parked or stored on a parcel with a single dwelling unit are restricted as follows:
  - (1) The owner of the recreational vehicle must be the owner or lessee of the principal structure at the lot;
  - (2) Not more than 1 recreational vehicle may be parked, stored or kept on the lot;
  - (3) No recreation vehicle may be occupied while it is parked, stored or kept on the lot; and
  - (4) A recreational vehicle may be parked, stored or kept as follows:



- a. Only on an approved surface in the front half of the lot and behind the primary frontage or on an unimproved surface in the rear half of the lot;
- b. The recreational vehicle must not obscure the view of the principal structure from the right-of-way, and shall be at least 10 feet from the side lot lines and at least 5 feet from the rear lot line. Setbacks may be reduced to 0 feet if a 6 foot high fence, wall, or vegetative buffer, exists along the lot line; and
- c. A permit from the Zoning Division is required.

#### **SEC. 40-170 SALE OF ALCOHOLIC BEVERAGES.**

(Package Sale Vendors and other places of business)

- (a) In this section, a "package sale vendor" means a person or entity licensed pursuant to The Beverage Law [F.S. Chs. 561-568] to sell alcoholic beverages regardless of alcoholic content; however, a package sale vendor does not include: (i) a business operation, in regards to beer and malt beverages (as defined by F.S. § 563.01) and wine (as defined by F.S. § 564.01) for consumption off premises; or (ii) any bona fide hotel or motor court in possession of a special license issued in accordance with F.S. § 561.20(2)(a)1.
- (b) In this section, distance measurements shall be taken by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the proposed place of business to the main entrance door of the religious institution, the main entrance door of the school (except as may be otherwise provided by applicable state law), the main entrance of any other package sale vendor, or the main entrance door of the adult entertainment establishment.
  - (1) Notwithstanding the foregoing, the distance from a package sale vendor's location to a school shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the place of business to a public right-of-way entrance to the property that is used by students, with "property" being defined as the property owned or leased by the school
- (c) Distance requirements not applied to renewal, change in name or ownership, or change in certain licenses. The distance requirements set forth in this section shall not be applied to the location of an existing vendor when there is:
  - (1) A renewal of an existing license;
  - (2) A transfer of ownership of an existing license;
  - (3) A change in business name; or
  - (4) A change in a state issued 4COP license for an existing package and lounge business that did not choose to forego package sales, to a 3PS license, and any decrease in the numerical designation of a state issued license which is of the same series (type); provided that the physical location of the vendor establishment does not change. No increase in the numerical designation of a series (type) of state issued license which is of the same series (type) shall be permitted at or for a location (new or existing) except in compliance with the provisions of sections.
- (d) The location of all existing places of business subject to this section shall not in any manner be impaired by this section, and the distance limitation provided in this section shall not impair any existing licensed location heretofore issued to and held by any such vendor nor shall such vendor's right of renewal be impaired by this section; provided, however, that the location of any such existing license shall not be transferred to a new location in violation of this section.
- (e) For the subsequent establishment of a religious institution or school, the following conditions apply:
  - (1) The new establishment is not a cause for the discontinuance or classification of a non-conforming use of the business as a vendor of alcoholic beverages. However an existing vendor for on-site consumption may only increase a 1 COP license to a 2 COP license; and
  - (2) If an existing vendor ceases to operate, a new vendor with an equal or lesser series license for on-site consumption only may be established at the same location within 5 years when the previous vendor ceased to operate at that location.
- (f) For proposed location prior to building permit/construction, the following conditions apply:
 

Once site plan under County review, the applicant must stake the location of the main entrance and submit a certified survey demonstrating distances to all established religious institutions, schools and adult entertainment establishments; and

## REGULATIONS FOR SPECIFIC USES

- (g) A construction sign that includes reference to the sale and consumption of alcoholic beverages must be erected on the site within 30 days of Zoning approval and must remain until permanent on-site signage is erected.
- (h) Places of business for the sale of alcoholic beverages containing more than 3.2% of alcohol by weight for consumption on or off the premises may be located in the unincorporated areas of the County in accordance with and subject to this chapter and specifically those zoning regulations regulating the location of places of business selling alcoholic beverages containing 14% or more alcohol by weight. No such place of business shall be established within 1,000 feet of an established religious institution or school; except as follows:
  - (1) Such a place of business that is licensed as a restaurant and derives at least 51% of its gross revenues from the sale of food and nonalcoholic beverages, pursuant to [F.S., Ch. 509](#), and the sale of alcoholic beverages is for on-premises consumption only, may be established no closer than 500 feet of the school, except that such a place of business that is located on property designated as New Tourist Activity Center in the County's Comprehensive Plan may be established no closer than 300 feet of the school; or
  - (2) Such a place of business that is located on property designated as New Tourist Activity Center, does not derive at least 51% of its gross revenues from the sale of food and nonalcoholic beverages, and is licensed for the sale of alcoholic beverages for on-premises consumption only, may be established no closer than 500 feet from the school, except that such a place of business may be established no closer than 300 feet from the school, provided that the County, pursuant to [F.S. § 562.45\(2\)\(a\)](#), approves the location as promoting the public health, safety, and general welfare of the community under proceedings as provided in [F.S. § 125.66\(4\)](#).
  - (3) These distance separations shall not apply to vendors of beer and wine containing alcohol of more than 1% by weight for consumption off the premises only.
  - (4) No place of business that in any manner sells or dispenses alcohol for on-premises consumption shall be established within 200 feet of an adult entertainment establishment, as defined in [ARTICLE VI—DEFINITIONS](#).
- (i) The following criteria must also be met for a package sale vendor to obtain Zoning approval:
  - (1) Minimum distance requirements for a package sale vendor is 5,000 feet from another established licensed package sale vendor within the unincorporated area of the County, and no closer than 750 feet of any preexisting package sale vendor's place of business within a municipality in the County, except as set forth in [Section 38-865.d\(10\) of the Orange County Code](#) relating to the I-Drive District Code;
  - (2) The zoning of the proposed location must allow the use; and
  - (3) Failure to commence the package sale business is not a basis for termination or revoking Zoning approval, provided the applicant makes good-faith efforts to construct or open the new location.
  - (4) The County shall be satisfied that the package sale vendor's location meets the applicable distance separation requirements set forth above. However, if all preexisting package sale vendors within the applicable distance relinquish or commit to relinquish, in writing with a notarized statement, the right to carry out package sales at their respective location(s), the County may issue Zoning approval contingent upon such other location(s) ceasing package sales prior to the commencement of package sales at the location, provided the land use and zoning of the location otherwise permits package sales. Once Zoning Division approval to allow package sales at the location is issued, failure to commence the package sales business shall not be a basis for the County to terminate or revoke Zoning approval for package sales, provided the applicant undertakes and continues to make good-faith efforts necessary to construct and/or open the applicant's location for package sales
- (j) Exemptions for package sale vendor, for on-premise consumption only:
  - (1) Where holder of an alcoholic beverage license pursuant to the Beverage Law [[F.S., Chapters 561—568](#)] has the ability to use the license for both on-premises and off-premises consumption sales, such licensee may choose to forego off-premises consumption sales for the location of business requested; such licensee will not be deemed a package sale vendor and will not be subject to the distance requirements cited in above. Any licensee choosing to forego package sales for off-premises consumption, and not be deemed a package sale vendor, must agree in writing with a notarized statement, as a condition of obtaining Zoning approval, to prominently display at all times within the establishment in the vicinity of the main cash register a sign with letters no smaller than 3 inches and printed in a legible style, stating "No Package Sales"; and
  - (2) Such licensee may resume package sales for off-premises consumption at such location if it relocates its business to a site that satisfies the distance requirements in [subsection \(g\) and \(h\)](#) or, it rescinds in writing its earlier decision to forego package sales for off-premises consumption and satisfies the distance separation requirements in [subsection \(g\) and \(h\)](#).

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**SEC. 40-171    RESERVED.**

**SEC. 40-172    RESERVED.**

**SEC. 40-173    RESERVED.**

**SEC. 40-174    RESERVED.**

## COMMUNICATION TOWERS

***DIVISION 6: COMMUNICATION TOWERS******SEC. 40-175 RESTRICTIONS BY ZONE.***

- (a) In SZ-HI and SZ-LI, permitted when locating on an existing pole-type structure consistent with [Sec. 40-183 Utilization of Existing Pole-type Structures](#). For guyed or lattice towers, a Special Exception is required.
- (b) In T2-T4 and SZ-MH transects:
  - (1) Special Exception is required for lands located in a Rural Settlement (RS) designated on the CP Future Land Use Element Map.
  - (2) A monopole communication tower one hundred seventy (170) feet in height or less is a permitted use provided:
    - a. A recorded memorandum of lease evidencing co-location is submitted with the application; and
    - b. The distance separation from offsite uses/designated areas as contained in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#). is met; and
    - c. The distance separation between communication towers contained in [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#). is met.
  - (3) A monopole communication tower replacing an existing pole-type structure consistent with [Sec. 40-183 Utilization of Existing Pole-type Structures](#). is a permitted use.
    - a. All other monopole communication towers and those towers not meeting all of the criteria to be permitted uses as set forth above require special exceptions.
- (c) In T5 and T6, SZ-ED, SZ-EN transects:
  - (1) Permitted when within maximum building height of the transect.
  - (2) A monopole communication tower one hundred seventy (170) feet in height or less is a permitted use provided:
    - a. A recorded memorandum of lease evidencing co-location is submitted with the application; and
    - b. The distance separation from offsite uses/designated areas as contained in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#). is met; and
    - c. The distance separation between communication towers contained in [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#). is met.
  - (3) A monopole communication tower replacing an existing pole-type structure consistent with [Sec. 40-183 Utilization of Existing Pole-type Structures](#). is a permitted use.
    - a. All other monopole communication towers and those towers not meeting all of the criteria to be permitted uses as set forth above require special exceptions.

***SEC. 40-176 LEGISLATIVE FINDINGS, INTENT AND PURPOSE.***

- (a) The Board of County Commissioners has on numerous occasions and with increasing frequency been confronted with requests to site communications towers. Prior to the adoption of this section, no specific procedures existed to address recurrent issues related to siting communication towers. Accordingly, the Board of County Commissioners finds that the promulgation of this section is warranted and necessary:
  - (1) To direct the location of communication towers in unincorporated Orange County;
  - (2) To protect residential areas and land uses, natural assets, and wildlife from potential adverse impacts of communication towers;
  - (3) To minimize adverse visual impacts of communication towers through careful design, siting, landscape screening, and innovative camouflaging techniques;
  - (4) To accommodate the growing need for communication towers;
  - (5) To promote and encourage shared use/co-location of existing and new communication towers as a primary option rather than construction of additional single-use towers;
  - (6) To consider the public health and safety of communication towers; and
  - (7) To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

***SEC. 40-177 APPLICABILITY.***

- (a) All new communication towers in unincorporated Orange County are subject to these regulations and all other

## COMMUNICATION TOWERS

applicable regulations. For purposes of measurement, communication tower setbacks as listed in [Sec. 40-178\(a\) Setbacks](#), and separation distances as listed in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), are calculated and applied to facilities located in the County irrespective of municipal and county jurisdictional boundaries.

- (b) Those facilities which would be considered communications towers but for the fact that they are in excess of 300 feet are required to obtain a Special Exception and comply with the setback, separation distances from other uses, separation distances from other communication towers and notice requirements as set forth in [Sec. 40-178 Performance Standards](#). For purposes of implementing [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), to towers in excess of 300 feet in height the separation distance required is limited to a maximum of 1,500 feet.
- (c) All new communication antennas which are not attached to communication towers must comply with [Sec. 40-179 Communication antennas](#).
- (d) All communication towers existing on September 8, 1995 is allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) is permitted on such existing towers. New construction other than routine maintenance on an existing communication tower must comply with the requirements of this section and any applicable Federal legislation.
- (e) For purposes of implementing this section, a communication tower that has received county approval in the form of either a Special Exception or building permit, but has not yet been constructed, is considered an existing tower so long as such approval is current and not expired.
- (f) For purposes of implementing this section, an AM array, consisting of 1 or more tower units and supporting ground system which functions as one AM broadcasting antenna, is considered 1 communication tower. Measurements for setbacks and separation distances are measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.
- (g) For purposes of implementing this section, the term “co-location” means proof of the ability and right of 2 or more different service providers (carriers) to place communication antennas on 1 communication tower.
- (h) For purposes of implementing this section, the term “service provider” shall mean any individual or entity which locates a communication antenna on a communication tower.
- (i) Variances. Except as provided otherwise for communication towers in planned developments, a deviation from any of the requirements of this section shall require Variance review and approval by the Board of Zoning Adjustment and the Board of County Commissioners.

#### **SEC. 40-178 PERFORMANCE STANDARDS.**

##### **(a) Setbacks.**

- (1) Communication tower setbacks are measured from the base of the tower to the property line of the parcel on which it is located. Communication towers must comply with the minimum setback requirements of the district in which they are located.
- (2) For towers located in planned developments, the setback requirements for the parcel upon which the tower is located as required by the PD applies.

##### **(b) Separation From Off-property Uses/Designated Areas.**

- (1) Communication tower separation is measured from the base of the tower to the closest point of off-site uses and/or designated areas as specified in [Table 84: Communication Tower Separation from Off-property Uses/Designated Areas](#).
- (2) Separation requirements for communication towers must comply with the minimum standards established in [Table 84: Communication Tower Separation from Off-property Uses/Designated Areas](#).
- (3) Communication tower must be separated from off-site uses/designated areas as specified in [Table 84: Communication Tower Separation from Off-property Uses/Designated Areas](#).
- (4) Separation distances may be reduced via determination letter by the Zoning Manager when notarized written

## COMMUNICATION TOWERS

consent is obtained from those affected property owners within the applicable separation distance.

**(c) Separation Distances Between Communication Towers.**

- (1) Separation distances between communication towers shall be applicable for and measured between the proposed tower and those towers that are existing and/or have received county land use or building permit approval after September 8, 1995. The separation distances is measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) is as specified in [Table 83: Separation Between Communication Towers](#).
- (2) The separation distances listed in [Table 83: Separation Between Communication Towers](#) for proposed monopole towers shall be decreased by 500 feet for proposed towers 80 feet and higher in height and decreased by 100 feet for proposed towers less than 80 feet in height provided such proposed monopole towers provide a permit for an up-front, co-located facility (2 communication antennas detailed on the permit application and erected prior to certificate of completion).
- (3) The separation distances between communication towers as set forth in [Table 83: Separation Between Communication Towers](#) are not applicable to communication towers located within the Communication Tower Broadcast Exemption Zones where towers in excess of 300 feet in height presently exist and within which it is deemed appropriate and desirable for future communications towers to locate:
  - a. As per [Figure 82: Broadcast Exemption Zones](#)
  - b. The proximity of other existing communications towers is a factor considered and addressed during the Special Exception hearing for any proposed communication tower located within the boundaries of a designated broadcast area. Those communications towers located within a broadcast area must be considered existing towers for purposes of distance separation measurement by proposed towers located outside the above-designated broadcast areas.

**(d) Method of Determining Communication Tower Height.**

Measurement of communication tower height must include antenna, base pad, and other appurtenances and must be measured from the finished grade of the parcel.

**(e) Illumination.**

Communication towers must not be artificially lighted except to assure human safety or as required by the Federal Aviation Administration (FAA). At time of construction of the communication tower in cases where there are residential uses located within a distance which is 300% of the height of the tower from the tower, dual mode lighting must be requested from the FAA.

**(f) Finished Color.**

Communication towers not requiring FAA painting/markings must have either a galvanized finish or painted a non-contrasting blue, gray, or black finish.

**(g) Structural Design.**

- (1) Communication towers must be constructed to the EIA/TIA 222-E Standards, as published by the Electronic Industries Association, which may be amended from time to time, and all county construction/building codes. Further, any improvements and/or additions (i.e., antenna, satellite dishes, etc.) to existing communication towers requires submission of site plans sealed and verified by a professional engineer which demonstrate compliance with the EIT/TIA 222-E Standards in effect at the time of such improvement or addition. Such plans must be submitted to and reviewed and approved by the County Building Division at the time building permits are requested.
- (2) All communication towers shall be designed to accommodate co-location.

**(h) Public Notice.**

Any Special Exception request or appeal of the Zoning Manager's decision regarding communication towers, must require public notice of all property owners of properties that are located within 1,500 feet of the perimeter of the parent parcel upon which the proposed communication tower is located. Further, authorized representatives of homeowners' and property owners' associations registered with or known to the Neighborhood Services Division within 1,500 feet of the perimeter of the parent parcel upon which the proposed communication tower is located will be provided public notice on a courtesy basis; however, inadvertent failure to supply such courtesy notice shall not invalidate the hearing procedure. For purposes of this section, any Variance request requires public notice to all



**(i) Fencing.**

A chain link fence or wall not less than 8 feet and no greater than 10 feet in height from finished grade must be provided around each communication tower. In non-residential zones, barbed wire must be used along the top of the fence or wall. Access to the tower must be through a locked gate.

**(j) Landscaping.**

The visual impacts of a communication tower must be mitigated for nearby viewers through landscaping or other screening materials at the base of the tower and ancillary structures. The following landscaping and buffering of communication tower must be required around the perimeter of the tower and accessory structures, except that the standards may be waived by the Zoning Manager for those sides of the proposed tower that are located adjacent to undeveloped lands and lands not in public view. Landscaping must be installed on the outside of fences. Further, the use of existing vegetation must be preserved to the maximum extent practicable and may be used as a substitute of or in supplement toward meeting landscaping requirements.

- (1) A row of shade trees a minimum of 8 feet tall with at least a 2-inch caliper, and a maximum of 10 feet on center must be planted around the perimeter of the fence;
- (2) A continuous hedge at least 30 inches high and spaced 30 inches on center at planting, capable of growing to at least 36 inches in height within 18 months must be planted in front of the tree line referenced above;
- (3) All landscaping must be of the evergreen variety; and
- (4) All landscaping must be native or Florida Friendly Landscaping.

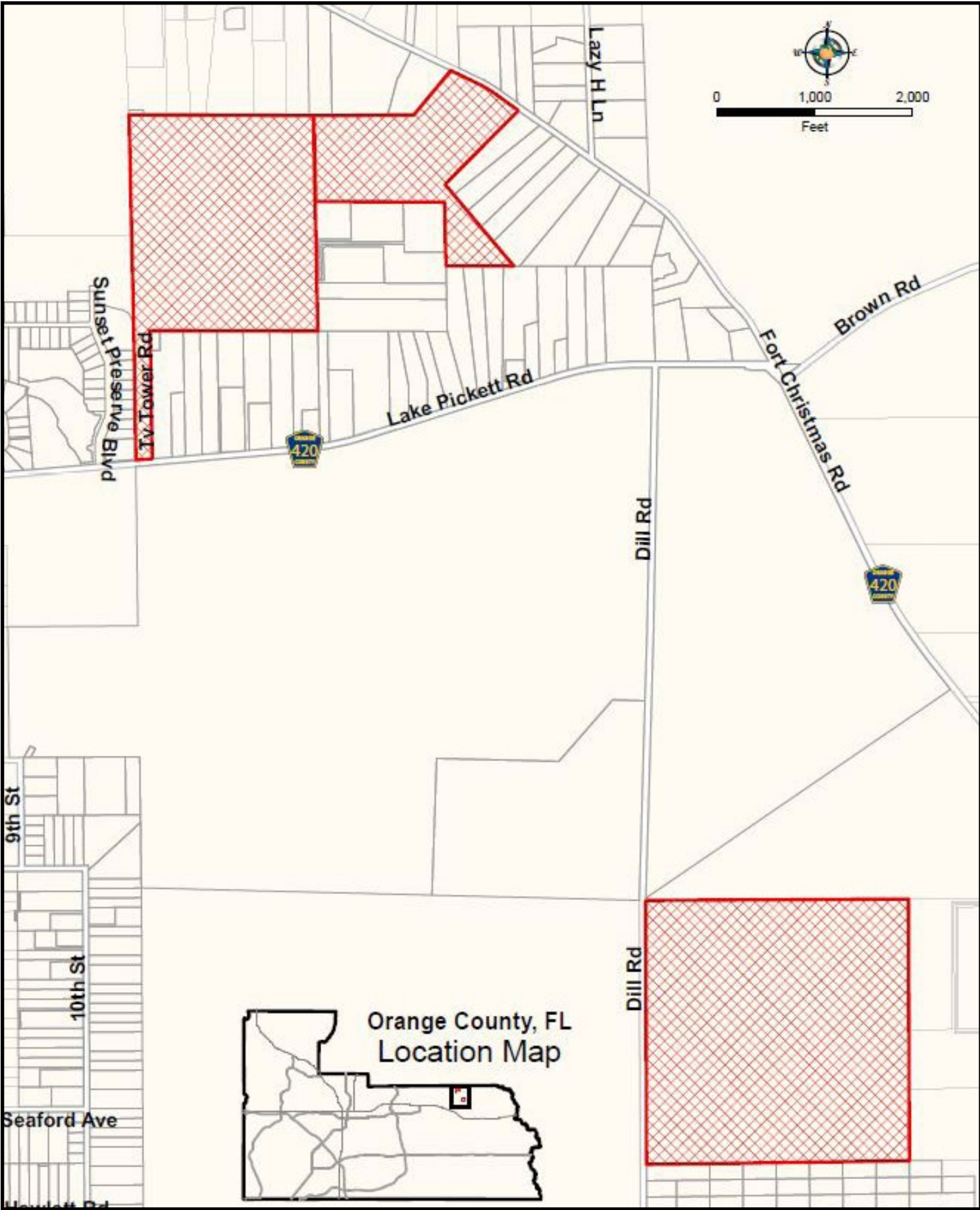
**(k) Documentation, Performance Bond or Deposit for Removal.**

Prior to receiving a building permit for construction of the communication tower if the applicant does not provide a recorded memorandum of lease of co-location then the applicant must provide either:

- (1) Documentation supplied to the Zoning Manager sufficient to demonstrate that an adequate methodology and/or sufficient funds are dedicated to and available for removal of the tower structure upon abandonment (by way of example and not limitation, sufficient documentation would include evidence that the tower owner has the obligation under the governing lease to dismantle and remove the tower upon abandonment); or
- (2) A 20-year performance bond which must be posted with the County in an amount sufficient to remove the tower structure upon abandonment. Upon construction of multiple towers under the control of 1 service provider, the service provider may provide the County with 1 20-year performance bond in an amount not to exceed \$60,000.00 applicable to all of the service provider's towers for removal upon each tower's abandonment; or
- (3) For placement into a communication tower removal account established with the County Comptroller's office, the adequate amount of an irrevocable cash deposit to cover the cost of removal of the tower. The county shall be entitled to use the funds deposited into such account for the necessary removal of any communication tower within unincorporated Orange County. The adequate amount shall be \$30.00 per foot of height for monopole towers and \$100.00 per foot of height for lattice or guyed towers. In no event must any one service provider be
- (4) required to place more than \$30,000.00 into the account for the cumulative number of towers under its control and located within unincorporated Orange County.

**Figure 82: Broadcast Exemption Zones**

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**Table 83: Separation Between Communication Towers**

| Proposed Tower Types                    | Lattice | Guyed | Monopole greater than 170 ft. in height | Monopole 80 ft. to 170 ft. in height | Monopole less than 80 ft. in height |
|-----------------------------------------|---------|-------|-----------------------------------------|--------------------------------------|-------------------------------------|
| Lattice                                 | 5,000   | 5,000 | 3,500                                   | 2,500                                | 500                                 |
| Guyed                                   | 5,000   | 5,000 | 3,500                                   | 2,500                                | 500                                 |
| Monopole greater than 170 ft. in height | 3,500   | 3,500 | 3,500                                   | 2,500                                | 500                                 |
| Monopole 80 ft. to 170 ft. in height    | 2,500   | 2,500 | 2,500                                   | 1,500                                | 500                                 |
| Monopole less than 80 ft. in height     | 500     | 500   | 500                                     | 500                                  | 500                                 |

**Table 84: Communication Tower Separation from Off-property Uses/Designated Areas**

| Proposed Tower Types                | Single-unit or Duplex Residential Units <sup>1,3</sup>                                            | Vacant T2, T3, T4, CZ, and SZ-MH Platted Lands <sup>2</sup>                                       | Vacant Unplatted T2, T3, T4, CZ, and SZ-MH Lands <sup>2</sup>                                   | Existing Multi-unit Residential                                                                 | Special Zones (excluding SZ-MH) or Non-Residential Uses or Vacant Lands in T5 and T6 |
|-------------------------------------|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Lattice tower                       | 1,250 ft. or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | 1,250 ft. or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | 825 ft. or 200% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | 825 ft. or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | None; only district setbacks apply                                                   |
| Guyed tower                         | 1,000 ft. or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | 1,000 ft. or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | 625 ft. or 200% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | 625 ft. or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 ft. | None; only district setbacks apply                                                   |
| Monopole higher than 140 ft.        | 980 ft. or 700% of height of tower, whichever is greater                                          | 980 ft. or 700% of height of tower, whichever is greater                                          | 280 ft. or 200% of height of tower, whichever is greater                                        | 980 ft. or 700% of height of tower, whichever is greater                                        | None; only district setbacks apply                                                   |
| Monopole between 80 ft. and 140 ft. | 400 ft. or 500% of height of tower, whichever is greater                                          | 400 ft. or 500% of height of tower, whichever is greater                                          | 160 ft. or 200% of height of tower, whichever is greater                                        | 400 ft. or 500% of height of tower, whichever is greater                                        | None; only district setbacks apply                                                   |
| Monopole lower than 80 ft.          | 175 ft. or 500% of height of tower, whichever is greater                                          | 175 ft. or 500% of height of tower, whichever is greater                                          | 70 ft. or 200% of height of tower, whichever is greater                                         | 175 ft. or 500% of height of tower, whichever is greater                                        | None; only district setbacks apply                                                   |

## Notes:

1. Includes modular homes and mobile homes used for living purposes, except when the applicable residential uses are classified as 3 or fewer non-conforming residential uses.
2. Separation measured from base of tower to closest building setback line.
3. For purposes of implementation of this subsection only, single-unit or duplex residential units are considered to include hotel units located in the I-Drive District Regional Center or the Tourist Activity Center Place Type. However, if each of the following criteria are met—(1) the affected hotel facility is approached by the service provider to place a communication antenna on top of the hotel facility in a manner consistent with (a); (2) the placement of such antenna is technically feasible; and (3) the service provider and hotel facility deal with each other in good faith to provide lease rental compensation consistent with reasonable market rates comparable for such usage—and the hotel facility refuses to allow the service provider to locate the communication antenna on such facility, then the Zoning Manager shall determine that the hotel facility is to be treated as non-residentially zoned lands for the purpose of implementation of this subsection. The Zoning Manager's determination under this subsection is appealable to a hearing officer, generally following the procedures set forth in [Section 4-6.8](#) with the term “co-location” interpreted to mean “request for placement of a communication antenna on top of a hotel facility.”

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**ABANDONMENT OF COMMUNICATION TOWERS.****(l) Compelling Public Interest.**

The Board of County Commissioners finds and declares that, because of the national public policy of ensuring that the wireless communications industry and its evolving new technologies are accommodated notwithstanding the undesirable effects that communication towers may have on the aesthetics of communities and neighborhoods, there is a compelling public interest in ensuring that communication towers are promptly disassembled, dismantled, and removed once they are no longer being used. Further, the board finds that there is substantial risk that towers may cease being used in large numbers if there is a concentration or consolidation of competitors within the industry or if even newer technologies arise, obviating the need for towers.

**(m) Abandonment.**

In the event the use of any communication tower has been discontinued for a period of 180 consecutive days, the tower is deemed to be abandoned. Determination of the date of abandonment must be made by the Zoning Manager who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Failure or refusal for any reason by the owner/operator to respond within 20 days to such a request constitutes prima facie evidence that the communication tower has been abandoned. Upon a determination of abandonment and notice thereof to the owner/operator, the owner/operator of the tower shall have an additional 180 days within which to: (i) reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower within the 180-day period, or (ii) dismantle and remove the tower. At the earlier of 181 days from the date of abandonment without reactivation or upon completion of dismantling and removal, any Special Exception and/or Variance approval for the tower must automatically expire.

**(n) Duty to Remove Abandoned Towers.**

- (1) Notwithstanding the provisions of (m) *Abandonment*., upon abandonment of a communication tower as determined under (m) *Abandonment*. by the Zoning Manager and the failure or refusal by the owner/operator of the tower to either reactivate the tower or dismantle and remove it within 180 days as required by (m) *Abandonment*., the following persons or entities (the "responsible parties") have the duty jointly and severally to remove the abandoned tower:
  - a. The owner of the abandoned tower (and, if different, the operator of the abandoned tower);
  - b. The owner of the land upon which the abandoned tower is located;
  - c. The lessee, if any, of the land upon which the tower is located;
  - d. The sub-lessee or sub-lessees, if any, of the land upon which the tower is located;
  - e. Any communication service provider who or which by ceasing to utilize the tower or otherwise failing to operate any of its transmitters or antennas on the tower for which it leased space or purchased the right to space on the tower for its transmitters or antennas and such ceasing or failure to utilize the tower in fact caused the tower to become abandoned;
  - f. Any person to whom or entity to which there has been transferred or assigned any license issued by the Federal Communications Commission and under which the tower owner/operator operated the tower;
  - g. Any person or entity which has purchased all or a substantial portion of the assets of the tower owner or operator;
  - h. Any entity which has merged with, or which has arisen or resulted from a merger with, the tower owner or operator;
  - i. Any person or entity which has acquired the owner or the operator of the abandoned tower;
  - j. Any parent or subsidiary of any of the foregoing which happens to be a corporation;
  - k. Any managing partner of any of the foregoing which happens to be a limited partnership; and
  - l. Any partner of any of the foregoing which happens to be a general partnership.
- (2) The abandoned tower shall be removed on or before the 19th day after receipt by the responsible party or parties of a notice from the Zoning Manager ordering its removal. The duty imposed by this subsection supersedes and otherwise overrides any conflicting provision of any contract, agreement, lease, sublease, license, franchise or other instrument entered into or issued on and after June 10, 1997.



**(o) Enforcement.**

The County Mayor shall take such actions from time to time as are necessary or useful to enforce the duty and requirements imposed by this subsection, and in the course of enforcement the County Mayor may avail himself/herself of any one or more of the following:

- (1) Proceedings to enforce this subsection may be brought before the Code Enforcement Board and Special Magistrate in the manner allowed by general law and this County code.
- (2) Proceedings to enforce this subsection may be brought before the circuit court in the Ninth Judicial Circuit of Florida, and in such proceedings the County is entitled to all remedies at law and in equity, including (but not limited to) injunctive relief. Further, upon a determination that a defendant has violated a duty or requirement of this subsection, the court shall award reasonable attorneys' fees and costs to the County, including fees and costs incurred by the County on appeal.
- (3) Upon directive by the County Mayor, the County may withhold from any person or entity in violation of this subsection all future development permits (as that term is defined by [F.S. § 163.3164\(8\)](#)) and otherwise may refrain from processing any applications by the violator for approval of any zoning changes, Special Exceptions, Variances, site plans, Subdivision Plans, plats, developments of regional impact, substantial deviations from DRI development orders, substantial modifications to planned developments, right-of-way utilization permits, building permits, cable television franchises (or renewals thereof or amendments thereto), or any other County regulatory permits or approvals.
- (4) The County may remove the tower using the funds or surety bonds, if any, deposited under [Sec. 40-178\(k\) Documentation, Performance Bond or Deposit for Removal](#), by the responsible parties and thereafter initiate judicial proceedings against the responsible parties for any portion of the cost not covered by the deposited funds or surety bonds. If the responsible parties include the owner of the land on which the abandoned tower is or was located, such portion of the cost shall be assessed against the land, and the County may file a lien thereon. The lien of the assessment shall bear interest and shall have priority and be collectible at the same rate and in like manner as provided under state law and this Code for special assessments.

**SEC. 40-179 COMMUNICATION ANTENNAS.**

- (a) Any communication antenna which is not attached to a communication tower, is a permitted ancillary use to any structure of at least 3 stories in height provided:

- (1) The communication antenna and its ancillary supporting apparatus does not extend above the highest point of the structure the greater of 30 feet or 50% of height of building, not to exceed maximum combined height of 60 feet for the antenna and its ancillary supporting apparatus, and further provided that the antenna and its ancillary supporting apparatus are not attached to the ground;
- (2) The communication antenna complies with all applicable FCC and FAA regulations; and
- (3) The communication antenna complies with all applicable building codes.

**(b) Co-location of Communication Antennas.**

- (1) To minimize adverse visual impacts associated with the proliferation and clustering of communication towers, co-location of communication antennas by more than one carrier on existing or new communication towers takes precedent over the construction of new single-use communication towers as follows:
  - a. Proposed communication antennas may, and are encouraged to, co-locate onto existing communication towers. Provided such co-location is accomplished in a manner consistent with [Sec. 40-181 Co-location Condition for Towers](#), then such co-locations are permitted by right and new or additional Special Exception approval is not required.
  - b. Type of construction. A communication tower which is modified or reconstructed to accommodate the co-location of an additional communication antenna must be either of the same tower type as the existing communication tower or a monopole tower that is replacing an existing lattice or guyed tower.
  - c. Height.
    1. Additional height which does not comply with distance separation requirements.
      - a. An existing communication tower which meets or as of September 8, 1995, is in nonconformity with the separation requirements set forth in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), or [\(c\) Separation Distances Between Communication Towers](#), may be modified or rebuilt to a taller height, not to exceed 10% of the tower's existing height, up to a maximum of 20 feet over the tower's existing height, to accommodate the co-location of additional communication antennas when the resulting taller height will not comply with the separation requirements set forth in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#).

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- or (c) [Separation Distances Between Communication Towers](#).
  - b. The height change referred to in a. above may only occur one time per communication tower.
  - c. The additional height referred to in a. above does not require an additional distance separation as set forth in either [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), or (c) [Separation Distances Between Communication Towers](#). The communication tower's pre-modification height is used to calculate such distance separations.
- 2. Additional height which does comply with the distance separation requirements.
  - a. An existing communication tower may be modified or rebuilt to a taller height, not to exceed 300 feet to accommodate the co-location of additional communication antennas.
  - b. Subject to [Sec. 40-181 Co-location Condition for Towers](#)., the height change referred to in [Sec. 40-180\(b\) Co-location of Communication Antennas](#), may occur provided the resulting height of the modified or rebuilt tower complies with the distance separation requirements set forth in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), or (c) [Separation Distances Between Communication Towers](#).
- (2) On-site Location
  - a. A communication tower which is being rebuilt which accommodates the co-location of 1 or more additional communication antennas consistent with the height requirements of [Sec. 40-180\(b\) Co-location of Communication Antennas](#), may be moved on-site within 75 feet of its existing location. A communication tower which is being consistent with the height requirements of [Sec. 40-180\(b\) Co-location of Communication Antennas](#), may be moved on site within 250 feet of its existing location provided the separation distances to residential units or T2, T3 or T4 lands as established in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), are maintained. Notwithstanding the foregoing, nothing shall prevent a new tower which replaces an existing tower provided: (1) the new tower is co-located; (2) the new tower meets the [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#), tower-to-residential separation requirements; and (3)(i) if the new tower is on residentially used property it meets the [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#), tower-to-tower separation requirements, or (3)(ii) if the new tower is on T5, T6, SZ-LI or SZ-HI zoned property it meets the tower-to-tower separation requirements as set forth in [Sec. 40-181 Co-location Condition for Towers](#).
  - b. After the communication tower is rebuilt to accommodate co-location, only one tower may remain on the site.
  - c. A relocated on-site communication tower shall continue to be measured from the original tower location for purposes of calculating separation distances between communication towers pursuant to [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#). The relocation of a tower hereunder shall in no way be deemed to cause a violation of [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#).
- (3) Commercial or Industrial zones, Limited Exemption from Separation Requirements.
  - a. A communication tower which co-locates 2 or more communication antennas and which is located in a T5, T6, SZ-LI or SZ-HI transect zone as a permitted use pursuant to [Table 87: Permitted Uses By Zone](#) is exempted from the separation distances between communication towers as set forth in [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#), from only those other towers that are located in either a T5, T6, SZ-LI or SZ-HI zone. A communication tower permitted under this subsection is still required to comply with the separation distances set forth in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#).

**(c) Certification of Compliance with Federal Communication Commission (FCC) NIER Standards.**

Prior to receiving final inspection by the County Building Department, documented certification must be submitted to the FCC, with copy to the County Zoning Department, certifying that the communications facility complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER).



**SEC. 40-180 NON-CONFORMING TOWERS.**

Existing Non-conforming Towers. Notwithstanding [Sec. 40-179\(m\) Abandonment.](#), bona fide non-conforming communications towers or antennas that are damaged or destroyed may be rebuilt without having to meet the separation requirements specified in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas.](#) and [\(c\) Separation Distances Between Communication Towers.](#) The type, height, and location of the tower on-site must be of the same type and intensity as the original facility approval. The rebuilt facility must comply with the then applicable building codes, and the required building permits must be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the communications facility is deemed abandoned as specified in [Sec. 40-179\(m\) Abandonment.](#)

**SEC. 40-181 CO-LOCATION CONDITION FOR TOWERS.**

Every Special Exception for a communication tower must include the following conditions:

- (1) All new communication towers must be designed and constructed to accommodate at least 1 other service provider.
- (2) All service providers must cooperate in good faith with other service providers to accomplish co-location of additional antennas on communication towers which are existing, permitted, or otherwise authorized by Orange County, where feasible.

**SEC. 40-182 STANDARDS AND CRITERIA FOR REVIEW OF SPECIAL EXCEPTION REQUESTS ON COMMUNICATION TOWER FACILITIES.****(a) Intent and Purpose.**

- (1) To address and balance the concern that communication towers may not be appropriate uses in residential areas because of the aesthetic and compatibility conflicts that arise when these facilities are located in close proximity to residential uses and the recognized need of the services the communication towers provide to the public. These issues are reviewed on a case-by-case basis for each Special Exception request in accordance with the standards set forth in [Sec. 40-23 Special Exceptions.](#) and the provisions of this subsection. The Board of Zoning Adjustment (BZA) shall consider and weigh the aesthetic impact and compatibility issues with the public benefit derived from having an efficient and reliable wireless communications systems when determining whether or not to grant Special Exception approval. To assist the BZA in reaching such determination, the application must provide the following information set forth in [\(b\)](#) below and may optionally supply that information set forth in [Section \(c\)](#) through [\(f\)](#) below and comply with the procedures and requirements set forth in this subsection, including production of documentation to verify the completion of these requirements.

**(b) Application Submission Requirements.**

- (1) For Special Exception, Variance, appeal of Zoning Manager decision, and building permit requests:
  - a. The following information shall be submitted concurrent with Special Exception, Variance, appeal of Zoning Manager decision, or building permit applications. The application may utilize any combination of site plans, surveys, maps, technical reports or written narratives necessary to convey the following information:
    1. A scaled survey/site plan with dimensions drawn by a Florida Professional Surveyor and Mapper, architect or engineer clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), adjacent roadways, wetlands, surface waters, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.
    2. Legal description of the parent tract and leased parcel (if applicable).
    3. If not within the [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas.](#) separation distance from residential areas, approximate distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties. If within the [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas.](#) separation distance requirements, then exact distances, locations and identifications of said properties shall be shown on a map.

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4. If within the [Sec. 40-178\(c\) Separation Distances Between Communication Towers](#), separation distance from another tower, then the exact distance, location, and identification of other towers shall be shown on a map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.
5. A landscape plan showing specific landscape materials.
6. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.
7. A notarized letter signed by the applicant stating the tower will comply with all EIT/TIA 222-E Standards and all applicable County codes.
8. A statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.
9. An inventory of all communication towers located in Orange County which are under the applicant's control and/or are being used by the applicant. Information on each tower listed shall include:
  - i. The type of tower or structure;
  - ii. The height of the tower including antennas;
  - iii. Latitude and longitude location;
  - iv. Street address; and
  - v. Indication whether the site is co-located and, if so, with whom.
10. A copy of the recorded memorandum of lease evidencing co-location, if such memorandum exists.
11. When there is no memorandum of lease filed with the permit application, the application shall be held by the Zoning Manager for 45 days, and:
  - i. Within 15 days of permit application being submitted to the County the applicant shall send by registered mail notice to each FCC-licensed service provider in the applicant's search ring and each FCC-licensed service provider who has registered for notice under this provision with Orange County. The notice shall include the location of the proposed tower (by street address and longitude and latitude), the height of the proposed tower, and a statement identifying the fair market value of leasing space on the tower for a second antenna by another service provider;
  - ii. After notice, if another service provider desires to locate on the proposed tower, but 128 cannot reach agreement with the tower applicant then, prior to expiration of the forty-5-day period, the service provider may request a hearing under [section Sec. 40-181 Co-location Condition for Towers.](#);
  - iii. The Zoning Manager shall take action on the permit application either after the 45 period has run or upon final resolution of a matter forwarded to the hearing officer pursuant to [subsection Sec. 40-181 Co-location Condition for Towers.](#), whichever is later;
  - iv. The applicant may provide registered mail notice to those service providers as required in [Subsection \(i.\)](#) above any time 30 days before application is made to the County. Upon documentation of registered mail being sent, the 45-day period shall be reduced by the amount of days notice was sent prior to the application being filed.
12. If deemed necessary by the County, the Zoning Manager may require the applicant to hold a community meeting prior to the Board of Zoning Adjustment hearing meeting in addition to the other requisite notice requirements.
13. For all Special Exception and Variance requests the applicant shall provide the RF search ring used to determine the location of the applicant's request. In addition, the applicant shall supply a report that other parcels within the applicant's search ring have been reviewed and, where appropriate, contacted. The applicant shall provide adequate documentation to substantiate the applicant's determination of feasibility of the selected site.
14. In addition to the above, all communication towers / antennas shall comply with the commercial site plan review requirements set forth in [Chapter 30, Article VIII, of the County Code](#).

**(c) Visual Aides.**

The applicant shall submit for BZA review photo simulations, renderings, and a video of the subject site depicting the proposed communication tower on the site and its proximity to neighboring residential lands and uses. The visual aides may be accompanied by a corresponding written visual impact analysis prepared by the applicant.

**(d) Balloon Test.**

The purpose of this test is to assist the BZA in determining aesthetic impact with respect to height and closeness of a communication tower in proximity to nearby residential uses and zoning. If a balloon test is deemed necessary or requested by the County, the following criteria must be met:

- (1) Balloon specifications:
  - a. Balloon diameter no less than 4 feet;
  - b. Balloon color restricted to red, orange, or yellow;
  - c. Balloon is anchored to the ground;
  - d. The height at which the balloon is flown must be the same as the combined height of the tower and its antennas up to 199 feet; balloons for towers taller than 199 feet must be flown at 199 feet;
- (2) The balloon must be flown after the public hearing poster is required to be erected on-site. Balloons must be flown at a minimum, continuously between the hours of 7:00 a.m. and 10:00 a.m. each day it is required to be flown. The balloon must be flown for a minimum of 2 days. Failure to maintain the balloon as specified above may result in a delay of the public hearing in order to achieve compliance with same.
- (3) Each notice required pursuant to [Section 30-44 of the Orange County Code](#) must include a statement that the balloon will be flown at least 2 days during the morning hours prior to the public hearing date.

**(e) Additional Information.**

The applicant may submit any other bona fide documentation or evidence that he or she feels may assist the BZA in determining visual impact. Any person or party opposing the applicant's Special Exception request should submit bona fide evidence or documentation that a proposed tower will have a substantial adverse aesthetic impact on his/her property.

**(f) Camouflaged Facilities.**

The purpose of this subsection is to assist the BZA in determining whether or not a tower as a camouflaged facility is appropriate in a given area. The applicant may use a camouflage agent in order to achieve compatibility with the nature and character of the surrounding area. Camouflaging shall be determined on a case-by-case basis. Any proposed camouflaging must be submitted in conjunction with the Special Exception application. It shall include the following documentation:

- (1) Colorized pictorial representation, artist's rendering, or the like;
- (2) Design specifications as follows: total height, diameter, and colorations;
- (3) A corresponding statement accompanying the graphic representation explaining the following:
  - a. What is the nature and character of the area within which the camouflaged tower is proposed, with respect to: land use, surrounding environment, building heights and designs, and building/environment density;
  - b. How will the proposed camouflaged agent blend in and harmonize with the nature and character of the area.

**(g) Separation Distance Reduction for Camouflaged Facilities.**

In the event the BZA, or the BCC if the property is zoned PD, using the standards set forth in [\(f\) Camouflaged Facilities](#). above, determines the camouflaging agent is compatible with the surrounding area, then the distance separation requirements set forth in [Sec. 40-178\(b\) Separation From Off-property Uses/Designated Areas](#). and [\(c\) Separation Distances Between Communication Towers](#). for the proposed communication tower as a camouflaged facility must be reduced by half of the applicable monopole height requirement. The reduction should only be applicable to the placement of the camouflaged tower and the measurement of distance separation from other towers to the camouflaged tower must not be reduced.

**(h) BZA Special Exception Criteria.**

In determining a Special Exception request for a communication tower in addition to those criteria set forth in [Section 30-43\(2\) of the Orange County Code](#) and [Sec. 40-23 Special Exceptions](#)., the BZA must take into consideration whether or not the proposed tower will have substantial adverse aesthetic impact on neighboring residential lands and compatibility of a camouflaged tower in a given area. The BZA's determination must be based on relevant and competent evidence, documentation, and testimony received at the public hearing from the staff, the applicant and any party in support or opposition, or their respective representatives. The BZA must utilize the following criteria in determining if a Special Exception is deemed approvable:

## COMMUNICATION TOWERS

- (1) Aesthetic impact. This means view of a tower that is not camouflaged. Aesthetic impact must take into consideration, but not be limited to, the amount of the tower that can be viewed from surrounding residential zones in conjunction with its proximity (distance) to the residential zone, mitigation landscaping, existing character of surrounding area, or other visual options proposed by the applicant.
- (2) Compatibility. This means the degree to which a tower is designed and located to be compatible with the nature and character of other land uses and/or with the environment within which the tower proposes to locate. The tower may be placed, designed or camouflaged to assist with mitigating the overall aesthetic impact of a tower. A camouflage agent must be designed to be compatible with the surrounding land uses and the environment.

**(i) *Minimum Standards.***

In addition to the above, the minimum performance standards with respect to separation between towers, separation between residences and towers, etc., as referenced herein, must be met. These standards, however, are minimum standards; the BZA is empowered to impose more restrictive conditions to a Special Exception in order to recommend approval so as to achieve the desired protection with respect to aesthetic impact and harmony and compatibility with the surrounding community. The determination by the BZA to impose more restrictive conditions shall be based on substantial competent evidence that supports the modification and the consistency of the modification with the purpose and intent of this section.

**SEC. 40-183 UTILIZATION OF EXISTING POLE-TYPE STRUCTURES.**

A communication antenna which is attached to an existing pole-type structure or the existing pole-type structure or tower located outside the Public Rights-of-Way may be replaced to accommodate both its prior function as a permitted ancillary use, provided each of the following criteria are met:

- (1) The communication antenna attached to the existing pole-type structure or replacement tower shall not extend above the height of one additional antenna array or the existing height of the tower by more than 10% or not to exceed twenty feet, whichever is greater. In no case there shall not be a substantial change in the physical dimensions of wireless infrastructure, consistent with Section 6409(a) of the Federal Spectrum Act of 2012.
- (2) The communication antenna and support structure comply with all applicable FCC and FAA regulations.
- (3) The communication antenna, pole-type structure, and/or replacement tower comply with all applicable building codes.
- (4) In the event that the utility pole-type structure or tower is abandoned for its initial/primary use for other than communication antenna equipment, the secondary use as a communication tower shall also cease to operate and the structure and communication antenna removed, unless the pole-type structure or tower meets all of the applicable performance standards of this section.

## ***DIVISION 7: PUBLIC SCHOOL SITING REGULATIONS***

### ***SEC. 40-184 SCOPE AND APPLICATION; ZONING CATEGORIES IN WHICH SCHOOLS ARE ALLOWED.***

- (a) These public school siting regulations apply to traditional public schools with a permanent student capacity of 550 or more, except that only [Sec. 40-184 Scope and Application; Zoning Categories in Which Schools Are Allowed.](#), [Sec. 40-185 Applicability of School Site Guidelines, Criteria and Standards.](#), [Sec. 40-187 School Site Criteria.](#), (b), (c), (d), (e), and (o) of [Sec. 40-188 School Site Standards.](#) and [Sec. 40-191 Review of Public School Sites.](#) of these regulations apply to traditional public schools with a permanent student capacity of less than 550. Also, to the extent provided under [Table 86: Minimum Net Lot Area](#), these public school siting regulations apply to public charter schools.
- (b) Public schools are permitted by right or may be permitted by Special Exception in the zoning categories according to [Table 85: Public School Permitting](#), subject to the site and development standards set forth in [Sec. 40-186 School Site Guidelines.](#) through [Sec. 40-188 School Site Standards.](#) and, with respect to a Special Exception application, the Special Exception criteria in [Sec. 40-23 Special Exceptions.](#)
- (c) School administrative and support functions are permitted at high school sites in conjunction with school uses, provided that those uses not directly related to the instructional and student activities programs of the school campus may not occupy more than 15% of the property outside of instructional buildings. At high school sites, where non-instructional uses outside of instructional buildings occupy more than 15% of the school property, such uses must, unless the use is permitted in the zoning category applicable to the property, be subject to the Special Exception processes. At middle, K-8, free-standing ninth grade centers, or elementary school sites, a Special Exception is required for all independent administrative and support functions located outside of instructional buildings. Parks and recreational joint use areas must be considered part of the instructional and student activities program.
- (d) School buses may be stored at public school sites based on the following:
  - (1) High school sites: Maximum of 75 buses permitted by right.
  - (2) Middle school sites, free-standing ninth grade centers, and K-8 sites: Maximum of 30 buses permitted by right. Additional buses may be permitted by Special Exception; the maximum number of permitted buses is determined during the Special Exception process.
  - (3) Elementary school sites: No buses permitted.
- (e) Bus depots are permitted by right in SZ-LI and SZ-HI or in the industrial portion of an approved PD and may be permitted by Special Exception in T6 zones. Fueling pumps for buses are permitted at high school sites.
- (f) School facilities and programs may be located in any leased facility in T5 or T6 zones and Special Districts, provided that the leased facility conforms with all requirements applicable to the zoning for the leased site.
- (g) A school that comprises a portion of an approved PD must be platted. A PD that is comprised of a school is not required to be platted as a condition of development or otherwise but may be platted at the option of the School Board.

## PUBLIC SCHOOL SITING REGULATIONS

**Table 85: Public School Permitting**

| School Type                                                                                          | Location           | Permitted By Right                                             | Permitted By Special Exception         |
|------------------------------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------|----------------------------------------|
| Elementary                                                                                           | Urban Service Area | T3.2, T3.3, T4, T5, T6<br>SZ-CS, SZ-CF, SZ-ED                  | T3.1                                   |
|                                                                                                      | Rural Service Area | SZ-ED                                                          | T2.1, T2.2, T2.3, T3.1<br>SZ-CS, SZ-CF |
| K-8                                                                                                  | Urban Service Area | T3.2, T3.3, T4, T5, T6<br>SZ-CS, SZ-CF, SZ-ED                  | T3.1                                   |
|                                                                                                      | Rural Service Area | SZ-ED                                                          | T2.1, T2.2, T2.3, T3.1<br>SZ-CS, SZ-CF |
| Middle and Free-Standing<br>Ninth Grade Centers, Free<br>Standing Magnet, and<br>Alternative Schools | Urban Service Area | T3.2, T3.3, T4, T5, T6<br>SZ-CS, SZ-CF, SZ-ED                  | T3.1                                   |
|                                                                                                      | Rural Service Area | SZ-ED                                                          | T2.1, T2.2, T2.3, T3.1<br>SZ-CS, SZ-CF |
| High*                                                                                                | Urban Service Area | T3.2, T3.3, T4, T5, T6<br>SZ-CS, SZ-CF, SZ-ED, SZ-HI,<br>SZ-LI | n/a                                    |
|                                                                                                      | Rural Service Area | SZ-ED                                                          | n/a                                    |
| Technical Colleges                                                                                   | Urban Service Area | T3.2, T3.3, T4, T5, T6<br>SZ-CS, SZ-CF, SZ-ED, SZ-HI,<br>SZ-LI | n/a                                    |
|                                                                                                      | Rural Service Area | SZ-ED                                                          | n/a                                    |

\* Note: Public High Schools are prohibited in Rural Settlements as defined in the Comprehensive Plan

**SEC. 40-185 APPLICABILITY OF SCHOOL SITE GUIDELINES, CRITERIA AND STANDARDS.**

- (a) The following are presumed to meet all requirements for consistency with the County's Comprehensive Plan, and with the school site guidelines, criteria and standards set forth in these regulations:
- (1) School sites owned, under option or reserved in approved plans prior to October 14, 1996.
  - (2) Placement of temporary classrooms or portables or relocatables at existing school sites.
  - (3) Renovation or construction on existing school sites, except for:
    - a. Changes in the primary use (for example, a renovation changing a middle school to a high school) and
    - b.
    - c. Construction that increases permanent student capacity by an amount that exceeds 15% of the highest enrollment at the school during the 10-year period prior to commencement of construction, unless such construction consolidates or merges 2 or more elementary schools or special needs programs that, prior to consolidation, would have less than 550 permanent student capacity and the resulting school would otherwise (i) meet the acreage requirements set forth in [Table 86: Minimum Net Lot Area](#) for the resulting permanent student capacity of the consolidated school, and (ii) not change the primary use of any of the consolidated schools.
- (b) For purposes of coordination, the School Board must submit information to the County on sites, renovation or construction described in [Subsection \(a\)](#), but such submission must not be subject to conditions unless voluntarily agreed to by the School Board.
- (c) Renovation or construction on a sites that is not presumed to be consistent as described in [Subsection \(a\)](#) and construction of a stadiums on a site, including a site identified in [Subsection \(a\)](#), is subject to the County's Comprehensive Plan and the school site guidelines, criteria and standards.



**SEC. 40-186 SCHOOL SITE GUIDELINES.**

The following school site guidelines are not mandatory but must be considered whenever waivers to school site criteria and standards are requested and necessary:

- (a) Schools should be located where adequate public facilities and infrastructure exist or are programmed and where environmental impacts are minimized.
- (b) Schools should be located to minimize average home-to-school travel distances based on both current and projected student enrollments.
- (c) Middle schools, K-8 schools and free-standing ninth grade centers should be located on residential collector roads within or as close as practical to existing or planned residential neighborhoods, and should be located adjacent to residential neighborhoods where secondary pedestrian access is available on local streets.
- (d) Elementary schools and K-8 schools should be located adjacent to residential neighborhoods where secondary pedestrian access is available on local streets.
- (e) K-8 schools and free-standing ninth grade centers shall be treated as middle schools. Non-free standing ninth grade centers operated and constructed in conjunction with high school campuses shall be treated as part of the high school campuses.
- (f) Free-standing magnet and alternative schools with any mixture of elementary, middle, and high school aged students shall be treated as middle schools. Free-standing magnet and alternative schools shall not have athletic facilities above and beyond the normal athletic facilities provided by the school board at middle schools.
- (g) High schools should be located on roadways with adequate capacity to carry student and parent traffic and suitable for high volume traffic, including during evening and special events based on a traffic operational analysis approved by the Public Works Department that addresses on-site vehicle stacking. High schools may also be located on collector or local roads with adequate capacity for motor vehicles on normal school days where the site has access to multiple adjacent streets to distribute traffic.
- (h) School sites should be discouraged adjacent to overhead high voltage transmission lines unless classrooms and programmed play areas for elementary schools can be located not closer than 300 feet from the nearest transmission line.
- (i) Where pedestrian access from a residential neighborhood or adjacent transit stop to a school site exists, the School Board should provide cross-connection to promote safety and walkability in accordance with the educational specifications adopted by the School Board consistent with applicable state standards for public schools. However, the School Board shall not be required to provide additional off-site improvements to residential neighborhoods to enhance safety or walkability.

**SEC. 40-187 SCHOOL SITE CRITERIA.**

The following school site criteria applies to school sites, unless a request is made for review and approval by the Board of County Commissioners:

- (a) Elementary schools must not be located on arterials but must be located on local streets or on residential collector streets situated within residential neighborhoods and as close as practical to existing or planned residential neighborhoods.
- (b) In the event the County Engineer determines that a road adjacent to the frontage of a school site is hazardous for pedestrians, the School Board must mitigate the hazardous condition to the reasonable satisfaction of the County Engineer.
- (c) Except as may be approved by the Board of County Commissioners prior to acquisition by the School Board, school sites must not be acquired, reserved or accepted by donation in the following locations:

## PUBLIC SCHOOL SITING REGULATIONS

- (1) On a site within 100 feet of gas transmission lines unless such areas are fenced and separated from the campus and buildings.
- (2) Adjacent to wastewater treatment plants.
- (3) Within one-quarter mile of active landfills or hazardous waste facilities.
- (4) Within the 100-year floodplain unless compensating storage is provided on site.
- (5) Adjacent to or in the vicinity of any non-residential property from which noise exceeds 60 decibels at the common property line.
- (6) Adjacent to hazardous industrial uses or industrial uses that may create hazardous risks or conditions, such as chemical plants.

**SEC. 40-188 SCHOOL SITE STANDARDS.**

- (a) Plans for elementary, middle, K-8, free-standing ninth grade centers, and high schools must comply with the following development standards, which relate to the design and layout of facilities, sites and other improvements, and must apply to all school sites unless the Board of County Commissioners reviews and approves the site with changes or modifications.
  - (1) Minimum net lot areas, which excludes wetlands and surface waters but may include off site areas used for retention/detention of site runoff, must be as follows:

**Table 86: Minimum Net Lot Area**

| School Type*                                                                               | Urban Service Area & Special Land Use                                                                                               | Rural Service Area |
|--------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Elementary                                                                                 | 7 acres for 550 permanent student capacity, 9 acres for 650 permanent student capacity, 10 acres for 830 permanent student capacity | 11 acres           |
| Middle/K8/Free-Standing Ninth Grade Centers / Free-Standing Magnet and Alternative Schools | 12 acres                                                                                                                            | 16 acres           |
| High**                                                                                     | 40 acres                                                                                                                            | 50 acres           |

\* Determination of the school type must be made based on the highest grade level in the proposed school except for free-standing magnet / alternative schools which shall be treated as middle schools.

\*\* High schools in rural settlements are prohibited

- (2) If the School Board does not use one or more of the following techniques for the design of the proposed school, the minimum net lot areas outlined in the table immediately above shall be increased by 100%:
      - a. Parking structures;
      - b. Joint use facilities;
      - c. Co-location of schools;
      - d. Off-site stormwater; or
      - e. Multi-story schools (not including for auditoriums and gymnasiums).
  - (b) Maximum building heights (excluding parapets) :
    - (1) For elementary schools, 3 stories, not to exceed 45 feet, except 2 stories, not to exceed 35 feet, for elementary schools in the rural service area.
    - (2) For middle schools, K-8 schools and free-standing ninth grade centers, 3 stories, not to exceed 50 feet, except 2 stories, not to exceed 35 feet, for middle schools, K-8 schools and free-standing ninth grade centers in the rural service area.
    - (3) For high schools, 6 stories, not to exceed 90 feet, except:
      - a. For any buildings constructed within 200 feet of single-unit residential zoned property, 4 stories, not to exceed 65 feet; and
      - b. In the rural service area, 2 stories, not to exceed 35 feet, and 50 feet for gymnasiums and auditoriums.
- (c) Building setbacks from property lines must be a minimum of 25 feet and as established for major street setbacks.
- (d) All driveways and parking areas must adhere to the minimum setback requirements established for the zone.
- (e) Parking spaces must be provided in accordance with the educational specifications adopted by the School Board consistent with applicable state standards for public schools, and may include spaces incorporated into joint use

facilities with other parties.

- (f) Unless otherwise provided in the educational specifications adopted by the School Board consistent with applicable state standards for public schools, the School Board must comply with the following landscaping requirements:
  - (1) The planting of trees and shrubs must be prioritized along the road frontage and property lines to create buffers.
  - (2) Trees and shrubs must not be planted in locations adjacent to doors or windows or under parking lot lights or security cameras, where at maturity the trees or shrubs could potentially obstruct views.
  - (3) Trees must not be planted within 10 feet of back-flow preventer devices, fences, or other utility infrastructure.
  - (4) The planting of canopy trees within 25 feet of buildings must be minimized.
  - (5) The planting of hedges must be minimized.
  - (6) Any landscaping requirements imposed on school facilities should be in accordance with the crime prevention through environmental design approach.
- (g) Access requirements
  - (1) Vehicular access to elementary schools, middle schools, K-8 schools, and free-standing ninth grade centers must be provided by at least 1 paved local road at least 24 feet in width. The County may allow a width of less than 24 feet, if a street Master Plan or complete street study recommending a lesser width on the roads associated with the school has been approved by the County.
  - (2) Primary access to free-standing ninth grade centers located adjacent to high schools and to all high schools must be provided from a collector or arterial roadway and such primary access to the free-standing ninth grade center may share access with the adjacent high school. High schools may also be located on collector or local roads consistent with [Section 38-1753\(6\) of County Code](#).
  - (3) Site plans for renovations to existing schools (where practicable) and for new schools must provide adequate capacity for on-site vehicle stacking to facilitate safe and efficient pick-up and drop-off of students on-site.
  - (4) A minimum 5-foot wide sidewalk must be provided by the School Board along that portion of the school site frontage that is adjacent to a public roadways. For purposes of this subsection, "adjacent" means where the school site is contiguous to a public right-of-way. The County will not require any other off-site sidewalk or pedestrian structure in conjunction with a school site. Where necessary to provide continuous pedestrian access to adjacent residential areas, the County must prioritize the completion of construction of the sidewalk system to eliminate gaps leading to the school site. Additionally, pursuant to F.S. § 1006.23, ("Gabby's Law for Student Safety"), whenever a hazardous walking condition affecting any public elementary school student whose grade level does not exceed grade 6 is determined to exist along a road over which the county has jurisdiction, and the district school superintendent or his or her designee requests a position statement from the county with respect to correction of such condition, the county shall timely inform the school board whether the county will include correction of the hazardous walking condition in its next annual five-year transportation work program and, if so, when correction of the condition will be completed. If the correction of such condition will not be included in the county's next annual five-year transportation work program, the factors justifying such conclusion must be stated in writing to the district school superintendent and the department of education. The county or the school board shall notify the department of transportation and the department of education to allocate state funds for the transportation of students subjected to the hazardous walking condition until the condition can be corrected or the projected completion date, whichever occurs first.
  - (5) When a proposed school sites abuts a County public recreation areas, interconnecting pedestrian access must be provided to the property line, at the time of site development, by both the School Board on its property and the County on the public recreation area, provided that the School Board reserves the right to impose reasonable restrictions on interconnectivity to ensure the safety and security of students and school facilities.
  - (6) The School Board must submit a traffic and operational impact study in conjunction with submittal of the appropriate development permit application for the development of a school site. When the traffic impact study warrants an official traffic control signal, as defined in [F.S. § 316.003\(24\)](#) at the main entrance to the school, the School Board shall install the official traffic control signal at its expense, and convey such traffic signal to the County at no cost for the County to maintain and operate.
  - (7) When the traffic and operational impact study warrants turn lanes at the entrances and/or exits to a school, turn lanes of sufficient length, as determined by the traffic impact study, must be installed at the School Board's expense. The County shall not require turn lanes anywhere other than the entrances and exits of school sites unless they are warranted by traffic generated by the school.
  - (8) The School Board must pay its proportionate share of the cost of other on-site system improvements necessitated by the school, may pay its proportionate share of off-site system improvements, but shall not be responsible for addressing existing facility or service backlogs or deficits.

## PUBLIC SCHOOL SITING REGULATIONS

- (9) When circumstances permit, the School Board or the County may consider traffic calming measures such as a roundabout, raised intersection, left turn restriction, and others in proximity to schools.
- (h) Ancillary facilities must be located and buffered on the site to minimize adverse impacts on adjacent residential properties. Also, landscape buffers must be provided along that portion of the school property line where the school property contains vehicular use areas, including but not limited to parking, driveways, or other similar uses. Landscape buffers shall not be required by the County for any other non-vehicular use area except as provided in [Subsection \(9\)](#) and must specifically exclude crosswalks and landscape islands in parking lots. In addition to [Subsection \(8\)](#) above, a landscape buffer must be provided when ancillary uses not related to an on campus school instruction programs are located within 70 feet of the perimeter of the school property, including but not limited to, maintenance shops, bus storage, and other similar uses. The landscape buffer must consist of:
- (1) A vegetative buffer at least 10 feet in width and 6 feet in height that incorporates existing plants and trees and is at least 50% opaque at the time of planting, or
  - (2) A chain link fence at least 6 feet in height and landscaped so as to incorporate existing plants and trees and achieve 6 feet in height and 50% opacity within 18 months of planting.
- (i) The dimensions and configurations of the school site must not subdivide or assemble parcels to create or leave adjacent parcels that are not suitable in size, shape and location for the uses depicted on the County's future land use element map and permitted by the existing transect zone designation.
- (j) Pursuant to [F.S. § 333.03](#), no school or portion thereof used as an "educational facility," as defined in [F.S. Ch. 1013](#) must be constructed at either end of a runway of a publicly-owned, public-used airport within an area that extends 5 miles in a direct line along the centerline of the runway, and that has a width measuring half the length of the runway. Exceptions approving construction of an educational facility within the delineated area must only be granted when the Board of County Commissioners adopts a resolution making specific findings detailing how the public policy reasons for allowing the construction outweigh health and safety concerns prohibiting such a location.
- (k) The location and arrangement of exterior lighting must be designed and installed to minimize adverse impacts to adjacent residential property.
- (l) The School Board is responsible for obtaining environmental permits from the appropriate state and federal agencies for each proposed school site. Additionally, the School Board must submit to the County's Environmental Protection Division (EPD) the documentation and applications required by the permitting agencies with jurisdiction over the proposed school site. The School Board must submit a National Resource Impact Permit (NRIP) application to the EPD only when the affected wetlands on the site do not require mitigation under state regulations, such as isolated wetlands less than half an acre in size. In those situations, mitigation to offset the environmental impacts are required, as mutually agreed upon by the EPD and the School Board. Examples of mitigation by the School Board may include or be similar to one or more of the following:
- (1) Mitigation options pursuant to Chap. 62-345 FAC; or, at the discretion of EPD:
    - a. Participation in the "Green School Recognition Program";
    - b. Compliance with the Leadership in Energy and Environmental Design (LEED), Green Globes, or Florida Green Building Coalition (FGBC);
    - c. Installation of permanent storm drain label markers on all storm drain inlets on the school site, reading "Only Rain Down the Drain." Marker lettering must be at least 0.5 inches high; and
    - d. Painting of all storm drain inlet aprons on the school site with text reading, "Only Rain Down the Drain."
- (m) The School Board shall be exempt from the tree mitigation requirements set forth in the County's tree protection and removal ordinance codified in [Article VIII of Chapter 15 of the Orange County Code](#). Prior to developing a school site, the school board shall submit a tree survey and, to the extent practicable, preserve and protect mature canopy trees having a diameter at breast height (DBH) measurement of six (6) inches or greater.
- (n) Signage must comply with the County's sign ordinance codified at [Article 3, Division 6: Signs](#), including [Sec. 40-104 Permitted Signs](#). (f) related to electronic message centers (EMC), except that the following standards shall apply to an EMC to the extent these standards conflict or are inconsistent with [Article 3, Division 6: Signs](#) and [Sec. 40-104 Permitted Signs](#):
- (1) An EMC is prohibited on a wall sign and a pole sign:
  - (2) An EMC is permitted on a ground sign, provided:

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- a. The maximum height of the ground sign shall be 8 feet;
  - b. The minimum setback for the ground sign shall be 5 feet from all property lines;
  - c. A maximum of one such ground sign may be permitted;
  - d. The maximum allowable copy area for such a ground sign shall be 32 square feet;
  - e. The EMC must be used only to advertise school related functions or events;
  - f. Such a ground sign must be separated from a pole sign by a distance of at least 100 feet;
  - g. The EMC must be turned off or placed in "sleep mode" from 9:00 p.m. to 6:00 a.m. of the next day.
- (3) The zoning manager or his or her designee is authorized to grant an administrative waiver from this section where the school board shows that application of this subsection to a specific site would result in a practical difficulty or physical hardship affecting the use or operation of the property. If an administrative waiver is sought but not granted, the school board may request a modification pursuant to section 38-1758(c).

**SEC. 40-189 JOINT DEVELOPMENT OF SCHOOLS, PARKS AND RELATED USES.**

- (a) The School Board and the County agree to promote and support community development and design by encouraging joint development of property adjoining proposed school sites for parks, recreation and appropriate related facilities including libraries and children's services, consistent with the requirements of [Sec. 40-188 School Site Standards](#).
- (g) regarding interconnecting pedestrian access where the School Board reserves the right to impose reasonable restrictions on interconnectivity to ensure the safety and security of students and school facilities.
- (b) The School Board and the County agree to the following mechanisms to investigate and implement options for joint design and development of related facilities.
  - (1) As early as possible, but not later than prior to the acquisition of real property for each new public school facility, the School Board must meet with the County's Parks and Recreation Division to discuss the opportunity for joint utilization and/or development of public school and park sites.
  - (2) The County must evaluate alternatives for acquiring additional property adjacent to the school and the Board of County Commissioners must formally consider recommendations for acquisition and/or joint development of related facilities.
  - (3) The School Board must, in negotiating for the purchase of school sites, use its best efforts to reserve or obtain options to additional lands for use by the County for related uses.
  - (4) For sites recommended by the Board of County Commissioners, the County must coordinate preparation of joint development plans with the School Board.

**SEC. 40-190 COORDINATION OF PLANNING.**

- (a) Joint County and School Board planning and design of neighborhoods and communities served by existing and proposed neighborhood schools are encouraged.
  - (1) The County's Planning Division and Parks and Recreation Division staff are authorized to participate as ex-officio members of School Board review committees charged with reviewing and recommending school site acquisition to the School Board.
  - (2) School Board planning staff, local school advisory committees and neighborhood associations must be joint participants in County programs for developing neighborhood and community based plans.
  - (3) School Board planning staff is authorized to participate as non-voting members of the development review committee (DRC) and, consistent with [Section 30-34\(a\)\(4\) of the Orange County Code](#), the County's Planning and Zoning Commission.
  - (4) County staff is authorized to participate as non-voting members of the OCPS advance planning committee.
- (b) The County and the School Board must share information on a routine basis to facilitate planning and design of schools pursuant to the terms of the First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency, by and among the County, the School Board and the various municipalities within the County, executed by the County on August 6, 2011, and by the School Board on March 11, 2011, and as it may be further amended from time to time (the "Interlocal Agreement").
- (c) For purposes of coordinating planning efforts, the County must periodically provide the School Board with an updated bikeway/pedestrian plan for student access for each school in the County that shows all improvements needed to serve students within 2 miles of all existing and proposed school sites and a schedule for construction of such



## PUBLIC SCHOOL SITING REGULATIONS

projects.

**SEC. 40-191 REVIEW OF PUBLIC SCHOOL SITES.**

- (a) The School Board must provide written notice to the County's Planning Division Manager at least 60 days prior to acquiring or leasing property that may be used for a new public school. To be considered sufficient for review, the notice must include the type of school being proposed and the property appraiser's parcel identification number. The Planning Division Manager, upon receipt of this notice, must notify the School Board within 30 days whether the Planning Division Manager finds the site proposed for acquisition or lease is consistent with the land use categories and policies of the County's Comprehensive Plan, and such notice. Such notice must serve as the County's preliminary notice under [F.S. § 1013.33\(5\)](#). In the event the planning division manager determines the proposed school is inconsistent with the Comprehensive Plan or applicable portions of the land development code, the notice must include recommended action to resolve the inconsistency. A determination under this subsection may be appealed within 30 days to the DRC, and the DRC's decision may be appealed within 30 days to the Board of County Commissioners. Prior to DRC review, the School Board must comply with the neighborhood meeting requirement in [Sec. 40-192 Neighborhood Meeting Requirement](#).
- (b) As early in the design phase as feasible, but not later than 90 days before commencing construction, the School Board must in writing request from the Board of County Commissioners a determination of consistency with the Comprehensive Plan and land development regulations. See [F.S. §§ 1013.33\(6\)](#) and [163.3194](#), and Attorney General Opinion 2004-42. The School Board may, at its option, request a determination of consistency with the Comprehensive Plan separately or concurrently with review of plans for consistency with land development regulations. To be considered sufficient for review, the School Board must submit with its request a location map depicting the proposed school site, the property appraiser's parcel identification number, and evidence that a neighborhood meeting has taken place pursuant to [Sec. 40-192 Neighborhood Meeting Requirement](#). In addition, for a consistency determination with the land development regulations, the School Board must submit a detailed site plan. The determination of consistency with the Comprehensive Plan and land development regulations must be provided in writing by the Board of County Commissioners within 90 days after receiving both the necessary information, as determined by the planning division manager to be sufficient for review, and the request for consistency determination from the School Board. Except as may be otherwise required for a Comprehensive Plan amendment, the submission of an application by the School Board requesting a future land use map amendment, zoning change, planned development approval, Special Exception, Variance, waiver, or development plan approval must be deemed a request for a determination of consistency in accordance with this subsection, and the Planning and Zoning Commission, the Board of Zoning Adjustment, and the Board of County Commissioners, as applicable, must conduct a public hearing approving or denying the School Board's application within 120 days of receipt of a sufficient application, unless a continuance is requested or accepted by OCPS.
- (c) Any request by the School Board to modify the school site location criteria and site standards identified in [Sec. 40-187 School Site Criteria](#). and [Sec. 40-188 School Site Standards](#). must be reviewed and may be approved by the Board of County Commissioners at a public hearing. The Board of County Commissioners has the right to impose reasonable additional conditions of approval to mitigate the off-site impacts and effects on adjacent property owners and natural assets directly and proportionately arising from the proposed modification to the adopted site criteria and standards.

**SEC. 40-192 NEIGHBORHOOD MEETING REQUIREMENT.**

- (a) Prior to submitting a school site for DRC or Board of Zoning Adjustment review, whichever is applicable, the School Board must conduct a neighborhood meeting in the community where the proposed school is to be located to discuss the proposed school site. The School Board must notify the County Mayor, the County Commissioners, the Planning and Zoning Commission members, the County Administrator, and the Planning Division Manager, of the date, time and location at least 10 days prior to the neighborhood meeting. Evidence of a neighborhood meeting, including meeting minutes, must be submitted along with the request for consistency determination.
- (b) In addition to such notices it may otherwise provide, the School Board must mail a supplemental notice to those property owners who own property within 1,500 feet of the proposed school site.



- (c) The neighborhood meeting must also be posted on the School Board's website.
- (d) The School Board is exempt from the tree mitigation requirements set forth in the County's tree protection and removal ordinance codified in Article VIII of Chapter 15 of County Code. Prior to developing a school site, the School Board must submit a tree survey and, to the extent practicable, preserve and protect mature canopy trees having a diameter at breast height (DBH) measurement of 6 inches or greater.

#### **SEC. 40-193 DESIGNATION OF PUBLIC SCHOOL SITES.**

- (a) The designation of public school sites meeting the standards contained in [Sec. 40-184 Scope and Application; Zoning Categories in Which Schools Are Allowed.](#) through [g. The EMC must be turned off or placed in "sleep mode" from 9:00 p.m. to 6:00 a.m. of the next day.](#) must be processed in accordance with those sections contained in [Chapter 34 \(Subdivision Regulations\) of the Orange County Code.](#) The following conditions must be met prior to acceptance by the School Board, unless otherwise waived by the School Board:
  - (1) The school site must be zoned to allow school use;
  - (2) The school site must have sufficient access via public records at least 6 months prior to its scheduled opening that allows for full access and have legal access for due diligence and construction vehicles at least 24 months prior to its scheduled opening;
  - (3) No later than 24 months prior to the school site's scheduled opening, all existing easements and utilities contained therein must be vacated and moved to a location that does not impact the school site unless otherwise approved by the School Board;
  - (4) The developer must mitigate all impacts to FEMA flood zones, associated wetland area impacts, gopher tortoises, and other endangered species as required to allow use of the proposed site for school purposes including necessary submittals of the LOMR and LOMR-F;
  - (5) All utilities (water, with sufficient fire flow for the school site, wastewater, reclaimed water, and electric) at the school site must be stubbed out at the property line no later than one year prior to the scheduled opening of the school;
  - (6) The school site must contain sufficient acreage in accordance with this school siting ordinance, as determined by the School Board;
  - (7) Not less than 90 days prior to preliminary subdivision approval, the developer must submit to the School Board, at the owner/applicant's expense, the following documents:
    - a. Commitment for an owner's policy of title insurance confirming that the owner/applicant has record fee simple title to the land being conveyed, subject only to the permitted exceptions which relate to such lands (an owner's policy of title insurance shall be issued to the School Board within 90 days of conveyance);
    - b. A certificate of non-foreign status from the owner/applicant confirming that the owner/applicant is not a foreign person or entity for purpose of U.S. income taxation in compliance with section 1445 of the Internal Revenue Code;
    - c. A sworn affidavit from the owner/applicant confirming that there are no liens, encumbrances, agreements, deed restrictions or other matters affecting title to such lands that would prevent the utilization of the same for the intended purposes;
    - d. Partial releases, satisfactions or other instructions necessary to release or remove any outstanding mortgages, liens, encumbrances or other matters that would prevent the utilization of the same for the intended purposes;
    - e. A current Phase I environmental audit (no earlier than 6 months prior to the conveyance) acceptable to the School Board that encompasses the lands being conveyed;
    - f. No later than 90 days prior to conveyance, boundary surveys and legal descriptions showing direct access to at least one dedicated public-right-of-way; and
    - g. Disclosure of interests in real estate ([F.S. § 286.23](#)).

#### **SEC. 40-194 REVIEW REQUIREMENT.**

At least once every 5 years, with the first 5 year period commencing May 1, 2017, this article must be reviewed by the Board of County Commissioners, in consultation with the School Board, to ensure continued coordination between the Board of County Commissioners and the School Board. Each review must consider, but not be limited to, this article's impact on the siting of public schools in coordination with plans for residential development and other necessary services. In the event a review of this article determines any portion is inconsistent or conflicts with

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PUBLIC SCHOOL SITING REGULATIONS

applicable requirements of Florida Statutes, this article must be amended accordingly.

**SEC. 40-195    *RESERVED.***

**SEC. 40-196    *RESERVED.***

**SEC. 40-197    *RESERVED.***

**SEC. 40-198    *RESERVED.***

**SEC. 40-199    *RESERVED.***



# ARTICLE V—LAND DEVELOPMENT

## ***DIVISION 1: SITE DEVELOPMENT***

### ***SEC. 40-200 APPLICABILITY***

#### ***(a) Exemptions.***

- (1) Special Zones are subject to standards specified in [Article 3, Division 2: Special Zones](#);
- (2) Lot line adjustments between 2 properties are exempt from this Division; and
- (3) Lot splits are exempt from this Division, except that they must:
  - a. Comply with the requirements of [Sec. 40-205\(i\) Lots and Alleys.](#);
  - b. Demonstrate that resulting lots meet the minimum lot dimension standards for their zone; and
  - c. Demonstrate a developable area dimensioned sufficiently to build a habitable structure.

#### ***(b) Small Sites.***

- (1) Applications that meet any of the following conditions are considered Small Sites:
  - a. Sites retaining bona fide farm operations;
  - b. Sites 6 developable acres in area or less;
  - c. Narrow or shallow sites with a consistent dimension of 150 ft. or less in width or depth;
  - d. Sites where no new habitable structures are proposed;
  - e. Development including no more than 5,000 square feet of new building area; or
  - f. Sites proposing the construction of one single dwelling home, regardless of land area.
- (2) Small Sites are subject to the standards of the following sections and references specified in this Division:
  - a. [Sec. 40-205\(d\) Stormwater Management.](#);
  - b. [Sec. 40-205\(e\) Wetlands, Surface Waters, and Floodplains.](#); and
  - c. Concurrency management standards specified in [Chapter 30, Article XII of the Orange County Code.](#)
- (3) Small Sites are subject to Environmental Protection Division review.
- (4) Development on Small Sites requires Site Plan approval and additional documents and requirements specified in [Sec. 40-15\(b\) Horizontal/Vertical Permitting.](#)
- (5) The Small Sites exemption may not be used to construct new habitable structures more than once every 10 years, except on properties less than 2 developable acres.
- (6) Small Sites are not subject to the remainder of this Division.

#### ***(c) Development Plans.***

- (1) Development Plans are required for sites with 6 or more developable acres, not being subdivided.
- (2) Development Plans are subject to [Sec. 40-201 Development Plan Standards.](#)
- (3) Application requirements for Development Plans are specified in [Sec. 40-31 Development Plan.](#)
- (4) Review processes for Development Plans are specified in [Sec. 40-15\(c\) Development Plan.](#)

#### ***(d) Subdivision Plans.***

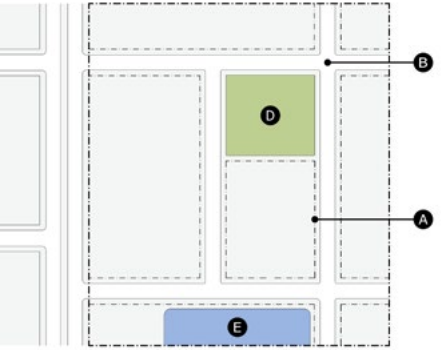
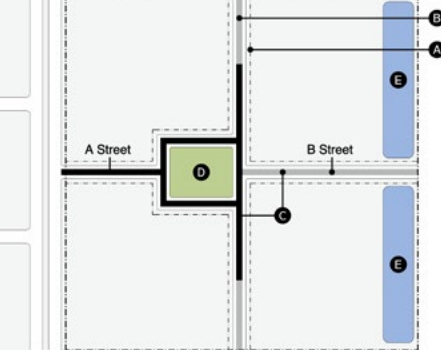
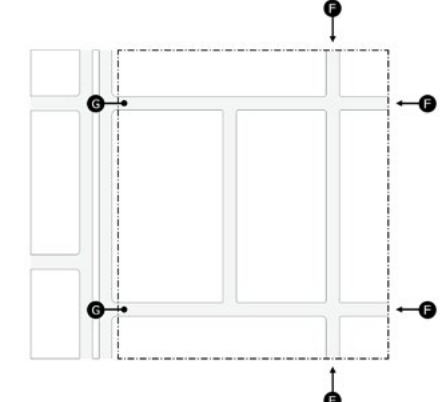
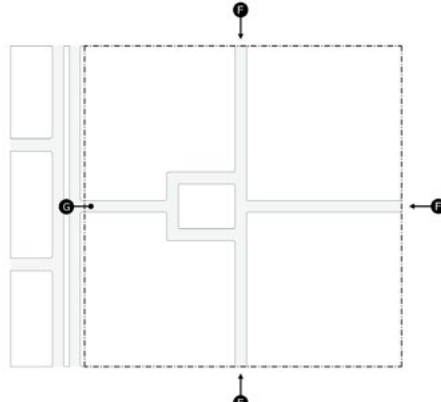
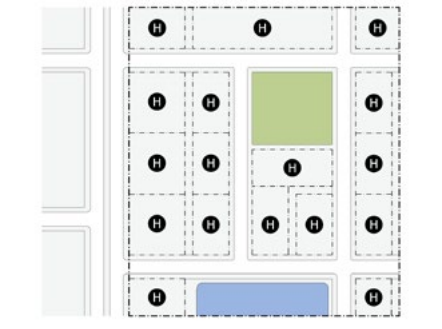
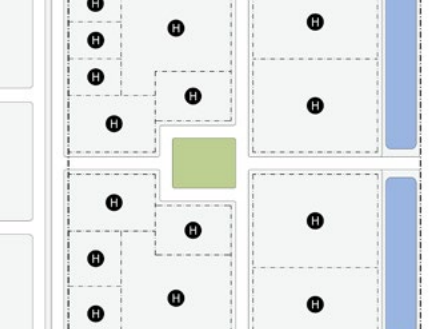
- (1) Subdivision Plans are required for any site being subdivided.
- (2) Subdivision Plans are subject to [Sec. 40-202 Subdivision Plan Standards.](#)
- (3) Application requirements for Subdivision Plans are specified in [Chapter 34 of the Orange County Code.](#)
- (4) Review processes for Subdivision Plans are specified in [Sec. 40-15\(d\) Subdivision Plan.](#)

#### ***(e) Master Plans.***

- (1) Master Plans are required for any site greater than 20 developable acres.
- (2) Master Plan applications are subject to [Sec. 40-203 Master Plan Standards.](#)
- (3) Application requirements for Master Plans are specified in [Sec. 40-30 Master Plan.](#)
- (4) Review processes for Master Plans are specified in [Sec. 40-14\(a\) Master Plan.](#)

## SITE DEVELOPMENT

**Figure 88: Development and Subdivision Plan Components**

| Plan Component                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Site Example A                                                                       | Site Example B                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <p><b>Site Structure</b></p> <p>Site design standards structure development sites into blocks, civic space, open space and stormwater, and roads. Sites not being subdivided are subject to the same dimensional standards as those being subdivided.</p> <p><b>Site Circulation</b></p> <p>A. Sites must be divided into blocks, subject to the maximum block perimeter.</p> <p>B. Roads and framework streets must be designed according to <a href="#">Division 2: Roads</a>.</p> <p>C. A- and B-street designations may be provided along framework streets.</p> <p><b>Civic Space</b></p> <p>D. Civic space must be provided as required.</p> <p>E. Stormwater is required and may be part of required civic space or optional open space, according to <a href="#">Division 4: Civic and Open Space</a>.</p> |    |    |
| <p><b>External Connections</b></p> <p>Sites are required to provide road connections to abutting properties and connect to existing road stubs in order to create a connected mobility network. Connections are subject to the standards in <a href="#">Division 2: Roads</a>.</p> <p>F. External connections or through connections must be provided to adjacent properties.</p> <p>G. External connections along existing roads are required, subject to <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a>.</p>                                                                                                                                                                                                                                                                        |   |   |
| <p><b>Lotting and Hypothetical Lots</b></p> <p>Blocks within the site must be divided into lots. Sites that are not being subdivided must designate hypothetical lots that comply with lot standards. Lots and hypothetical lots are used to apply the standards of <a href="#">ARTICLE III—ZONE STANDARDS</a> to the site.</p> <p>H. Lots or Hypothetical Lots</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |
| <p><b>Buildings, Parking, and Service Areas</b></p> <p>The location and configuration of buildings, parking, and service areas are determined by <a href="#">ARTICLE III—ZONE STANDARDS</a>, applied to the individual lots or hypothetical lots. A- and B-streets and frontage parking lanes may be optionally included, both of which provide additional accommodations for parking and service areas.</p>                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |



**SEC. 40-201 DEVELOPMENT PLAN STANDARDS.**

Purpose: To hold all development to the same set of site design standards, proportional to the scale of development, including when sites are held in single ownership. All development is required to create blocks, interconnected circulation, and civic space in order to better distribute traffic, provide convenient walking and bicycling routes, provide well designed and located green space, and to facilitate future redevelopment. Development Plans includes framework streets and hypothetical lots, in place of roads and lots, which serve the same purposes without subdivision or right-of-way dedication.

**(a) General.**

- (1) Development Plans are subject to [Sec. 40-205\(e\) Wetlands, Surface Waters, and Floodplains](#).
- (2) Stormwater management must be provided as specified in [Sec. 40-205\(d\) Stormwater Management](#).
- (3) Utilities and utility easements must be provided as specified in [Division 3: Utilities](#).

**(b) Blocks.**

- (1) The site must be divided into 1 or more blocks, as generally illustrated in [Figure 88: Development and Subdivision Plan Components](#), and specified in [Sec. 40-205\(f\) Blocks](#).
- (2) Blocks are created by the layout of framework streets and non-vehicular ways, as specified in [Sec. 40-205\(c\) Circulation](#).
- (3) Sites less than 500 feet in width or depth are not required to create internal blocks.
- (4) External connections and framework streets should create blocks between the site and adjacent sites to the greatest extent possible, subject to the requirements of [Division 2: Roads](#).

**(c) Circulation.**

- (1) Circulation must be provided by framework streets and non-vehicular ways, as specified in [Sec. 40-205\(h\) Circulation](#)., including:
  - a. A pedestrian network;
  - b. A bicycle network (as applicable);
  - c. External connections; and
  - d. Frontage parking lanes (as applicable).
- (2) Site circulation may be provided in addition to the framework streets required to meet block standards.
- (3) A-streets and B-streets may be designated along framework streets as generally illustrated in [Figure 88: Development and Subdivision Plan Components](#) and as follows:
  - a. Framework streets within a site may be designated as A- and B-streets, where an A-street designation ensures that building line the edges of sidewalks and a B-street designation allows some lengths of sidewalk to be lined by screened parking, service, and other non-active uses.
  - b. B-streets are limited by a maximum percentages of all framework streets centerline length within the Development Plan, as specified in [Table 89: Maximum B-street by Centerline](#).
  - c. B-streets are not permitted along the edges of required civic space.
  - d. Public roads and frontage parking lanes are designated A-streets.
  - e. Framework streets connecting to existing roads must be designated A-streets for a minimum of 300 feet from the existing road towards the site interior.
  - f. The Planning Manager and County Engineer, or their designees may specify locations where A-streets are required.

**Table 89: Maximum B-street by Centerline**

| Place Type                         | Maximum B-street |
|------------------------------------|------------------|
| <b>Tourist Activity Center</b>     | 40% max.         |
| <b>Urban Core</b>                  | 20% max.         |
| <b>Urban Center</b>                | 40% max.         |
| <b>Neighborhood Center (High)</b>  | 40% max.         |
| <b>Neighborhood Center (Low)</b>   | 60% max.         |
| <b>Traditional Neighborhood</b>    | 20% max.         |
| <b>Suburban Mixed Neighborhood</b> | 20% max.         |
| <b>Suburban Neighborhood</b>       | 20% max.         |
| <b>Rural Center</b>                | n/a              |

## SITE DEVELOPMENT

**(d) Civic and Open Space.**

- (1) Sites 6 developable acres or larger must provide a minimum of 3% civic space.
- (2) Civic space and open space is subject to [Sec. 40-205\(c\) Civic and Open Space](#).
- (3) Development Plans must provide 10% pervious surface in addition to the amount allowed by the maximum impervious surface requirements of [Article 3, Division 1: Zones](#). (For example, 80% maximum impervious + 10% pervious results in a minimum of 30% pervious surface within the development plan)
- (4) Open space in addition to civic space is optional.

**(e) Off-street Parking and Service Areas.**

- (1) Off-street parking and service areas must be located away from roads, framework streets, frontage parking lanes, and pedestrian areas to the greatest extent possible.
- (2) The standards of [Sec. 40-67 Setbacks](#) specify location restrictions for off-street parking and service areas.
- (3) Where framework streets are designated as B-streets, off-street parking and service areas must be set back a minimum of 8 feet and provide a streetscreen as specified in [Sec. 40-74\(b\) Streetscreens](#).

**(f) Lotting with Hypothetical Lots.**

Purpose: To ensure Development Plans with multiple buildings, such as apartment complexes and shopping centers, meet the intent and standards of Articles 3 and 5, which structure development in the form of blocks with buildings lining roads and civic spaces. Because Development Plans are not subdivided, this Code uses framework streets and hypothetical lots in place of roads and subdivided lots to evaluate whether the location and design of buildings, parking, circulation, and civic space is compatible with and held to the same standards of sites that are subdivided. Hypothetical lots are drawn on a site plan and used to verify compliance with Article 3 standards like setbacks, parking location, and frontage occupation, and Article 5 standards like lot frontage and civic space requirements.

- (1) Hypothetical lots establish the primary front, secondary front, side, rear alley, and rear lot lines for compliance with [Article 3, Division 3: Sites and Buildings](#).
- (2) Hypothetical lots are required on a hypothetical lotting plan as generally illustrated in [Figure 90: Hypothetical Lots](#), and as follows:
  - a. Blocks must be divided into civic space, open space, alleys, and hypothetical lots.
  - b. All buildings, with the exception of recreational and utility structures, must be located within hypothetical lots or existing or newly created lots. Recreational and utility structures include, but are not limited to, gazebos, shade structures, athletic fields, bleachers, and field houses, open air pavilions, pump houses, switchgear, and other non-habitable structures.
  - c. Hypothetical lots must have a minimum of one lot line abutting the block perimeter, except:
    1. Up to 20% of hypothetical lots, calculated by area, may deviate from this requirement.
  - d. Hypothetical lots are subject to lot requirements specified in [Sec. 40-205\(i\) Lots and Alleys](#).
- (3) Sites that do not require more than 1 block and do not require civic space are not required to define hypothetical lots or provide a hypothetical lotting plan.

**(g) Building Specifications.**

Purpose: To apply the standards of Article 3 to each hypothetical lot in a Development Plan.

- (1) Buildings must be sited such that they comply with all standards of [Article 3, Division 3: Sites and Buildings](#).
- (2) All standards related to lot lines are determined by the boundary of hypothetical lots, except where a Development Plan does not require more than one hypothetical lot, in which case the Development Plan site boundary is used.
- (3) Where framework streets are designated as A- and B-streets, the following standards apply:
  - a. Buildings with frontage along a B-street are exempted from the following standards in [Article 3, Division 3: Sites and Buildings](#):
    1. Maximum primary and secondary frontage setback; and
    2. Frontage occupation requirements as specified in [Sec. 40-73\(a\) Frontage Occupation](#).
  - b. Buildings at the intersection between A- and B-streets must meet A-street standards for the first 30 feet of building depth along the B-street.
- (4) The standards of [Sec. 40-73\(a\) Frontage Occupation](#) are modified for hypothetical lots along arterial and collector roadways, as follows:
  - a. The percentage of frontage occupation is modified as specified in [Table 91: Corridor Frontage Occupation](#);
  - b. Corridor frontage occupation in Development Plans is measured as illustrated in [Figure 92: Corridor Frontage Occupation Example](#); and
  - c. Civic space is excluded from frontage occupation requirements.

**Figure 90: Hypothetical Lots**

**Illustrated: Hypothetical lots applied to a Development Plan to verify compliance with Article 3 Zone Standards**

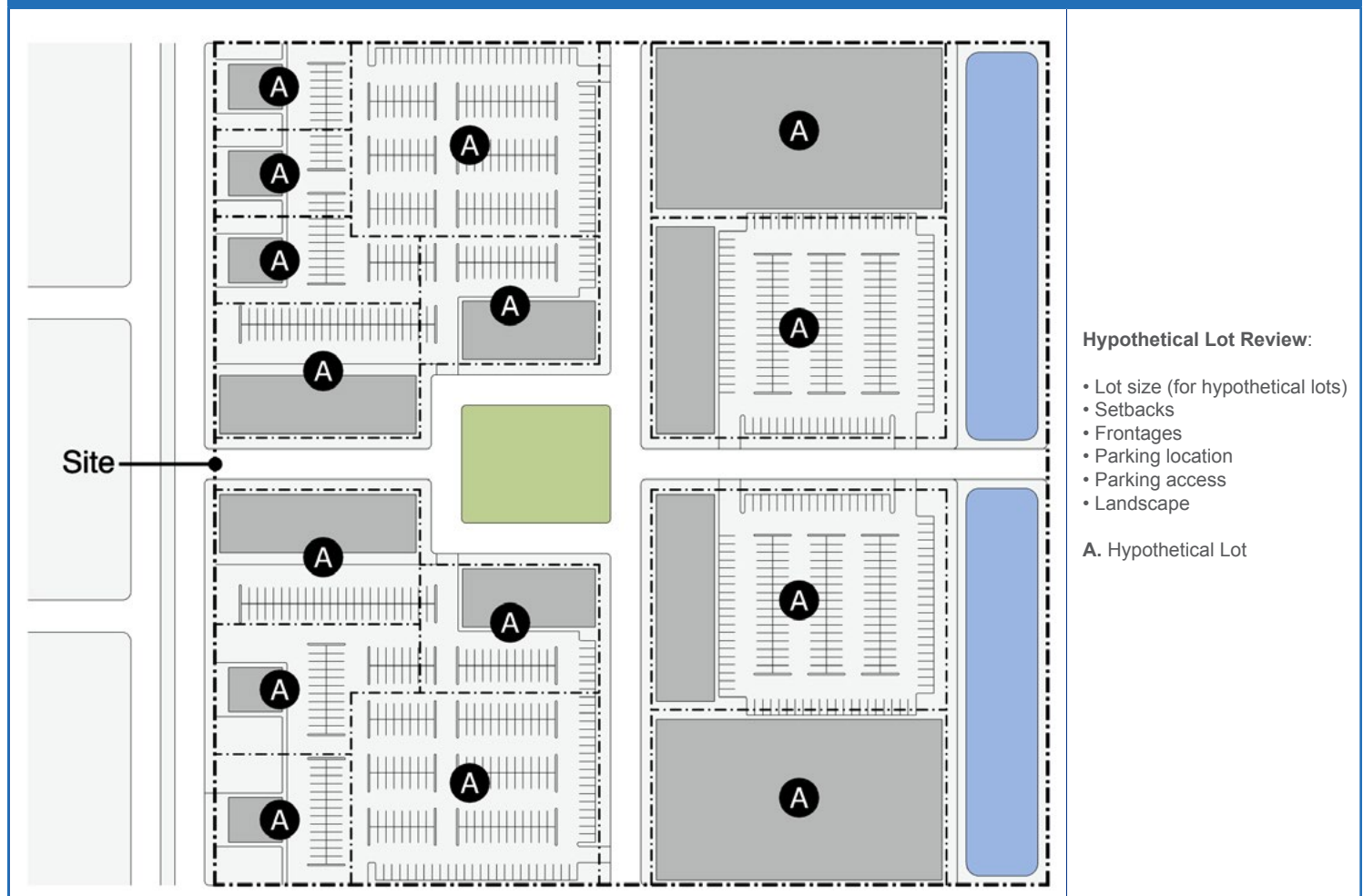


**Table 91: Corridor Frontage Occupation**

| Place Type                  | Corridor Frontage Occupation |
|-----------------------------|------------------------------|
| Tourist Activity Center     | 70% min.                     |
| Urban Core                  | 80% min.                     |
| Urban Center                | 80% min.                     |
| Neighborhood Center (High)  | 70% min.                     |
| Neighborhood Center (Low)   | 70% min.                     |
| Main Street Corridor        | 80% min.                     |
| Urban Corridor              | 70% min.                     |
| Suburban Corridor           | 60% min.                     |
| Traditional Neighborhood    | n/a                          |
| Suburban Mixed Neighborhood | n/a                          |
| Suburban Neighborhood       | n/a                          |
| Rural Center                | n/a                          |

**Figure 92: Corridor Frontage Occupation Example**

**Illustrated: Corridor Frontage Occupation Measured in A Development Plan**



A. Frontage length between lot lines and framework streets

B. Required setbacks

C. Building façades within the maximum primary and secondary frontage setback

D. Frontage without building façades or forecourts

Corridor frontage occupation=

$(C + B) / A$   
(all qualifying façades + required setbacks) / frontage length

**SEC. 40-202 SUBDIVISION PLAN STANDARDS.**

Purpose: To hold all development to the same set of site design standards, proportional to the scale of development. All development is required to create blocks, interconnected circulation, and civic space in order to better distribute traffic, provide convenient walking and bicycling routes, provide well designed and located green space, and to facilitate future redevelopment.

**(a) General.**

- (1) Subdivision Plans are subject to [Sec. 40-205\(e\) Wetlands, Surface Waters, and Floodplains](#).
- (2) Stormwater management must be provided as specified in [Sec. 40-205\(d\) Stormwater Management](#).
- (3) Utilities and utility easements must be provided as specified in [Division 3: Utilities](#).
- (4) Subdivision plans are subject to the standards specified in Chapters 30 and 34 of the Orange County Code.

**(b) Site Design.**

- (1) The site must be divided into blocks, as specified in [Sec. 40-205\(f\) Blocks](#).
- (2) Circulation must be provided by roads and non-vehicular ways, as specified in [Sec. 40-205\(h\) Circulation](#)., including:
  - a. A pedestrian network;
  - b. A bicycle network;
  - c. External connections, unless prevented by physical or environmental barriers as specified in [Sec. 40-205\(h\) Circulation](#).; and
  - d. Frontage parking lanes (as applicable).
- (3) Civic and open space must be provided, within blocks, as specified in [\(c\) Civic and Open Space](#).
- (4) The site must be subdivided into lots as specified in [Sec. 40-205\(i\) Lots and Alleys](#)., except portions of the site dedicated to road rights-of-way and tracts for open space, civic space, private streets, non-vehicular ways, and utilities.
- (5) Subdivision Plans that are part of a Master Plan are subject to the following:
  - a. Blocks and lots must align with the Approved Zoning Plan such that lotting complies with the Master Plan and [Sec. 40-205\(i\) Lots and Alleys](#).;
  - b. Circulation must align with the Concept Plan, providing no fewer connections than depicted in the Concept Plan, except where fewer connections are approved by the County Engineer; and
  - c. Subdivision Plans that are part of a Master Plan must provide civic space at or above the amount specified in the Master Plan for the Center or Neighborhood being subdivided.

**(c) Civic and Open Space.**

- (1) Sites 6 developable acres or larger must provide a minimum of 5% civic space.
- (2) Civic and open space is subject to [Sec. 40-205\(c\) Civic and Open Space](#).
- (3) Rural Centers are not required to provide civic space, however should an applicant choose to provide civic space, a green civic space type must be included.
- (4) Open space in addition to civic space is optional.



## SITE DEVELOPMENT

**SEC. 40-203 MASTER PLAN STANDARDS.**

Purpose: To structure the development of very large sites into discrete Centers and Neighborhoods that align with the Orange County Comprehensive Plan. The Comprehensive Plan maps different Place Types, which generally fall into the categories of Center, Corridor, and Neighborhood. Corridors are a condition of the edge of a property and are applied to a Center or Neighborhood, directing how they interact with a major road. Centers and Neighborhoods have a limited size requiring very large sites to include more than one Center or Neighborhood. This requires civic spaces to be distributed along with higher and lower intensity lots to focus development on residents and more specifically pedestrians.

**(a) General.**

- (1) Sites may be composed of 1 or more existing contiguous lots.
- (2) Master Plans within “UCF - Regional Center” and “Tourist Activity Center” Place Types may elect to rezone entirely to Special Zones, and become subject to the standards of [Article 3, Division 2: Special Zones](#).
- (3) Master Plans are subject to [Sec. 40-205\(e\) Wetlands, Surface Waters, and Floodplains](#).
- (4) Master Plans are intended to provide conceptual design for large sites in order to entitle future applications through an Approved Zoning Plan, subject to the requirements for Subdivision Plans and Development Plans.

**(b) Master Plan Structure.**

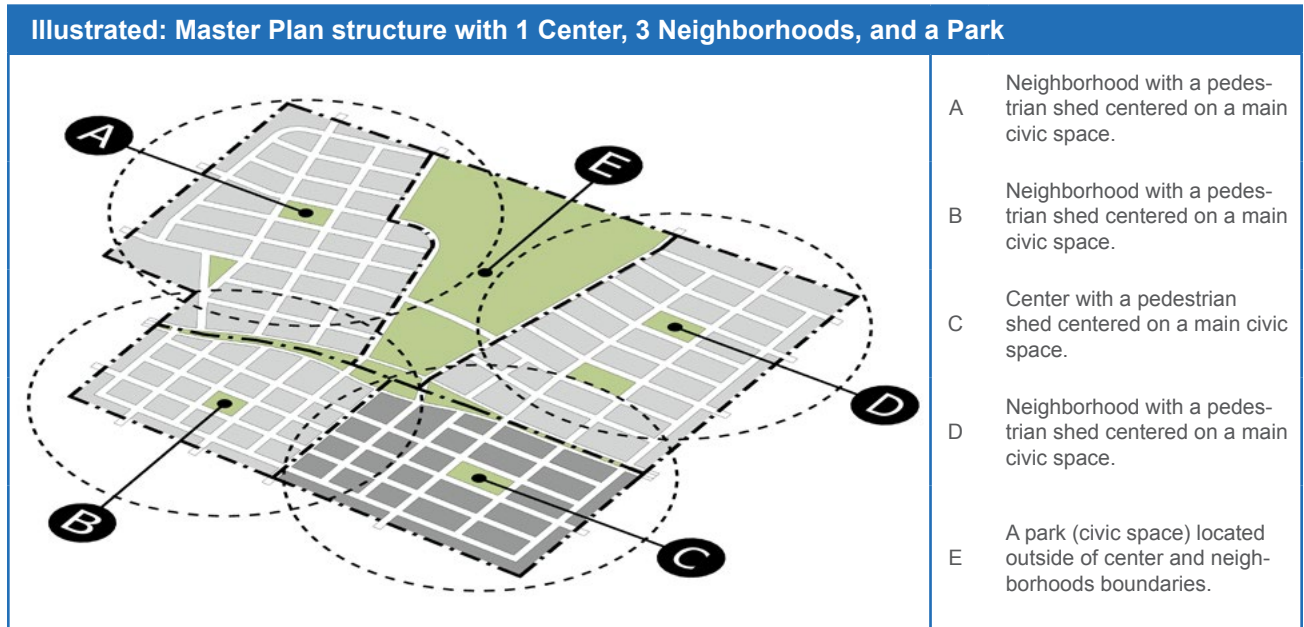
Purpose: To divide the Master Plan into multiple centers and neighborhoods which function together as a whole, and also individually as stand-alone development areas, and to ensure that the entire Master Plan area is designed to function cohesively by requiring conceptual design of circulation, stormwater, and civic and open space systems. Conceptual systems and development are further details through subsequent Subdivision Plans.

- (1) Centers and Neighborhoods
  - a. Master Plans must include Centers and Neighborhoods according to the future land use Place Types assigned in the Orange County Comprehensive Plan.
  - b. A Comprehensive Plan amendment is required for Master Plans that request changes to mapped future land use Place Types.
  - c. Multiple Centers and Neighborhoods are required within a Master Plan in the following instances:
    1. Master Plan sites that exceed the maximum area specified in [Sec. 40-205\(b\) Pedestrian Sheds](#), must include multiple Centers and Neighborhoods, each individually compliant with [Sec. 40-205\(b\) Pedestrian Sheds](#), as illustrated in [Figure 93: Master Plan Structure](#); and
    2. Where a site is assigned multiple Place Types in the Orange County Comprehensive Plan, Centers and Neighborhoods within a Master Plan must align with the Place Type boundaries, except Corridor Place Types, as specified in [\(2\) Corridor Place Types](#) below.
  - d. Master Plans with multiple Centers and Neighborhoods must indicate the boundary and type of each; and
  - e. Each Center and Neighborhood must comply with [\(c\) Centers and Neighborhoods](#), independently.
  - f. Master Plans with a single Center or Neighborhood are subject to [\(c\) Centers and Neighborhoods](#), and exempt from the remainder of this section.
- (2) Corridor Place Types
  - a. Corridor Place Types within a Master Plan must be included as part of adjacent Center or Neighborhood Place Types.
  - b. Standards of this division that specify Corridor Place Types only apply to the portion of the Center or Neighborhood that is assigned the Corridor Place Type.
- (3) Civic and Open Space
  - a. Civic space and open space is permitted in areas between Centers and Neighborhoods, subject to [Sec. 40-205\(c\) Civic and Open Space](#).
- (4) Circulation
  - a. A conceptual circulation network must be provided for the overall Master Plan locating roads between Centers and Neighborhoods as follows:
    1. The conceptual circulation network must provide connections between Centers and Neighborhoods, and along site boundaries as required for external connections in [Sec. 40-205\(h\) Circulation](#);
    2. Roads in the conceptual network must continue through Centers and Neighborhoods; and
    3. One or more shared use path or road with dedicated bicycle facilities must be included in the conceptual circulation network, providing bicycle connections between and through each Center and Neighborhood as well as site boundaries.



- b. Sufficient right-of-way must be indicated for each road in the conceptual circulation network to comply with the requirements of [Division 2: Roads](#).
- (5) Conceptual Stormwater Plan
  - a. A conceptual stormwater system is required for Master Plans, demonstrating the ability to comply with the requirements of [Sec. 40-205\(d\) Stormwater Management](#).
  - b. Stormwater may be provided within civic spaces, as specified in [Sec. 40-205\(c\) Civic and Open Space](#).

**Figure 93: Master Plan Structure**



**(c) Centers and Neighborhoods.**

Purpose: To divide centers and neighborhoods into multiple walkable blocks bounded by streets in a pedestrian-oriented network, and to ensure those streets are lined with buildings by applying the standards of Article 3 to future lots.

- (1) Comprehensive Plan
  - a. Each Center and Neighborhood must individually comply with the applicable Place Type standards in the Orange County Comprehensive Plan.
- (2) Blocks
  - a. Each Center and Neighborhood must be divided into blocks as specified in [Sec. 40-205\(f\) Blocks](#).
  - b. Each block must be divided into lots, civic space, open space, and alleys, as specified in [Sec. 40-205\(i\) Lots and Alleys](#).
- (3) Circulation
  - a. Each Center and Neighborhood must provide circulation by roads and non-vehicular ways, as specified in [Sec. 40-205\(h\) Circulation](#)., including:
    - 1. A pedestrian network, including dedicated routes and shared use paths;
    - 2. A bicycle network, including dedicated routes and shared use paths; and
    - 3. External connections for pedestrians, bicycles, and vehicles.
  - b. Sufficient right-of-way must be indicated for each road in the circulation network to comply with the requirements of [Division 2: Roads](#).
- (4) Civic and Open Space
  - a. Each Center and Neighborhood must include a minimum of 5% civic space, calculated as a percentage of the developable area.
  - b. Civic and open space are subject to [Sec. 40-205\(c\) Civic and Open Space](#).
  - c. One main civic space must be provided within each Center and Neighborhood as specified in [Table 94: Site Development Standards for Centers and Neighborhoods](#).
- (5) Zoning
  - a. Each Center and Neighborhood must individually comply with the zoning requirements specified in [Sec. 40-205\(j\) Zoning](#).

## SITE DEVELOPMENT

- b. For the Concept Plan submitted as part of a Master Plan, the overall boundary of zones should be depicted, including roads and alleys within adjacent zones, not the zoning of individual lots.
- c. Where Centers and Neighborhoods include Corridor Place Types:
  1. The allocation of zones within the Corridor must comply with the allowable zones specified in the Orange County Comprehensive Plan; and
  2. Where the Comprehensive Plan specifies a zone that is not permitted in [Table 106: Zone Allocation by Center or Neighborhood](#) for the Center or Neighborhood, that zone is permitted within the Corridor, up to 100% of the Corridor area.

**SEC. 40-204 SITE DESIGN STANDARDS.****(a) General.**

- (1) The site design standards within this section are referenced from [Sec. 40-200 Applicability](#), specifying their applicability to different plan types.
- (2) The standards of [Table 94: Site Development Standards for Centers and Neighborhoods](#) apply to Centers and Neighborhoods, as specified in this section.

**Table 94: Site Development Standards for Centers and Neighborhoods**

| Place Type                        | Category     | Pedestrian Shed                     | Area Outside Pedestrian Sheds | Minimum Internal Connections <sup>1</sup> | Maximum Block Face | Maximum Non-vehicular Way | Main Civic Space                |
|-----------------------------------|--------------|-------------------------------------|-------------------------------|-------------------------------------------|--------------------|---------------------------|---------------------------------|
| Regional Center, All (RC)         | Center       | Long or Standard                    | 30% max.                      | 600 ft. min.                              | 400 ft. max.       | 20% max.                  | Plaza or Square                 |
| Tourist Activity Center (TAC)     |              |                                     |                               |                                           |                    |                           |                                 |
| Urban Core (UR)                   |              |                                     |                               |                                           |                    |                           |                                 |
| Urban Center (UC)                 |              |                                     |                               |                                           |                    | 30% max.                  | Plaza or Square                 |
| Neighborhood Center, All (NC)     | Neighborhood | Standard                            | 10% max.                      | 600 ft. min.                              | 500 ft. max.       | 20% max.                  | Plaza, Square, or Compact Green |
| Traditional Neighborhood (TN)     |              |                                     | 40% max.                      | 800 ft. min.                              |                    | 50% max.                  | Green, Compact Green, Greenway  |
| Suburban Mixed Neighborhood (SMN) |              |                                     | 50% max.                      |                                           | 800 ft. max.       | 60% max.                  |                                 |
| Suburban Neighborhood (SN)        |              |                                     | n/a                           |                                           | 1,320 ft. min.     | 1,000 ft. max.            |                                 |
| Rural Cluster (RCL)               | Neighborhood | Short, within the cluster core only | 10% of the cluster core, max. | n/a                                       | n/a                | 20% max.                  | Green, if applicable            |

<sup>1</sup> Applicable to parcel-to-parcel connections only and not those that are subject to Florida Administrative Code 14-97.004 (*Interior Access Management Standards*).

**(b) Pedestrian Sheds.**

Purpose: To ensure that the development of large sites is divided into Centers and Neighborhoods, locating civic space and other amenities near most residential uses, in order to support pedestrians, cyclists, and means of transportation other than personal automobiles.

- (1) A pedestrian shed must be mapped for each Center or Neighborhood, according to [Table 94: Site Development Standards for Centers and Neighborhoods](#), and [Figure 95: Pedestrian Sheds](#).
- (2) Pedestrian sheds must be centered on a main civic space or a premium transit stop; location subject to approval by the Planning Manager and Transportation Planning Manager or their designee.
- (3) Rural Centers without a main civic space must center the pedestrian shed at roughly the geographic center of the developed area.
- (4) A pedestrian shed may overlap up to 30% with any other pedestrian shed, and up to 60% total.
- (5) The developable area of a Center or Neighborhood may extend outside of pedestrian shed up to the maximum

percentage specified in [Table 94: Site Development Standards for Centers and Neighborhoods](#).

**Figure 95: Pedestrian Sheds**



**(c) Civic and Open Space.**

Purpose: To require civic space, which is a specific type of open space, that is usable for surrounding residents, employees, and visitors.

- (1) Civic and open space must comply with [Division 4: Civic and Open Space](#).
- (2) Civic and open space should be located to preserve existing stands of trees to the maximum extent possible.
- (3) Civic space must be provided as follows:
  - a. Within Master Plans:
    - 1. A main civic space is required within each Center and Neighborhood, as specified in [Table 94: Site Development Standards for Centers and Neighborhoods](#);
    - 2. The main civic space must be located within 1,320 feet of any new lot or residential building within the site, except those zoned T2.1, T2.2, and SZ;
    - 3. In addition to the main civic space, a compliant civic space must be located within 800 feet of any new lot or residential building within the site, except those zoned T2.1, T2.2, and SZ; and
    - 4. Civic space accessible outside of the center or neighborhood and within the Master Plan may fulfill the distance requirements above.
  - b. Within Subdivision Plans, a compliant civic space must be located within 800 feet of any new lot, except those zoned T2.1, T2.2, and SZ;
  - c. Within Development Plans, a compliant civic space must be located within 800 feet of any new residential building within the site, except within Rural Centers; and
  - d. Multiple civic spaces must be provided within Master Plans, and Development Plans greater than 20 developable acres, as specified in [Table 117: Civic Space Credits](#).
- (4) Where a Main Civic Space is required, it is subject to the following:
  - a. The main civic space must be bordered by at least 50% by the most dense Transect Zone within the Center or Neighborhood; and
  - b. The main civic space must have a minimum of 50% of its perimeter along a roadway.
- (5) Open space in addition to civic space is optional.

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**(d) Stormwater Management.**

- (1) All elements of a permitted stormwater management system must be located landward of the FEMA 100-year floodplain.
- (2) The design and construction of stormwater management systems is subject to:
  - a. Chapter 34, Article VII: Stormwater Management;
  - b. Chapter 34, Article IV: Specifications for Plans and Plats;
  - c. Chapter 30 Article VIII Division 2: Stormwater Standards; and
  - d. Low Impact Development Best Management Practices are subject to the LID Manual on file with Public Works.
- (3) Stormwater management areas may be integrated within civic spaces where permitted in [Division 4: Civic and Open Space](#).
- (4) All stormwater must be handled within the site and may not be conveyed onto adjacent properties or roads unless otherwise approved through a master stormwater system.

**(e) Wetlands, Surface Waters, and Floodplains.**

- (1) Wetlands and surface waters are defined by and subject to [Chapter 15, Article X of the Orange County Code](#).
- (2) Floodplains are subject to the floodplain management ordinance in [Chapter 19 of the Orange County Code](#).
- (3) Existing lakes, wholly or partially contained within the site, must have unrestricted access as follows:
  - a. Unrestricted access must be provided along a minimum of 25% of the perimeter, not less than 200 feet, for a minimum distance of 25 feet from the Normal High Water Elevation or edge of required upland buffers;
  - b. A pedestrian walkway, a minimum of 5 feet wide, must be provided parallel to the lake within the area of unrestricted access, pervious surfaces are encouraged; and
  - c. Any alteration or disturbance of vegetation or soils, or construction waterward of the landward edge of the required upland buffer requires a permit from the Environmental Protection Division.
  - d. Access may be restricted by Minor Deviation as specified in [Table 5: Minor Deviation Review Criteria](#).
- (4) The extent and acreage of existing lakes are calculated using the NHWE contour (NAVD88) approved by Orange County Public Works Department.
- (5) Stormwater Ponds and other Open Drainage Facilities must have an unobstructed maintenance berm consistent with [Chapter 34, Article VII, Sec. 34-250: Open Drainage Facilities. of the Orange County Code](#).
- (6) Wetlands and surface waters may be integrated into civic spaces in accordance with [Division 4: Civic and Open Space](#).

**(f) Blocks.**

- (1) Sites must be divided into one or more blocks, including areas of civic space and open space.
- (2) Block perimeters must not exceed 2,000 feet in length, as illustrated in [Figure 96: Block Perimeter](#), except as follows:
  - a. Blocks containing any combination of T1, T2, civic space, or open space and no other zone are not restricted in size;
  - b. Blocks containing only Special Zones;
  - c. Blocks containing civic space as well as Transect Zones may be up to 3,000 feet in perimeter length;
  - d. Blocks containing existing buildings greater than 500 feet in length;
  - e. Blocks containing existing stormwater facilities; and
  - f. Blocks abutting existing SZ, rail corridors, and major roadways, wetlands, surface waters, and other natural features may exceed the maximum block size by Minor Deviation as specified in ["Table 2-2\(1\) Minor Deviation Criteria"](#).
- (3) The length of a block perimeter is measured as the total length of a line enclosing the block along the edge of the following elements:
  - a. Public or private road rights-of-way, easements, or tracts;
  - b. Framework streets;
  - c. Non-vehicular ways;
  - d. Site boundaries; and
  - e. The following civic spaces:
    1. Upland Conservation Parks;
    2. County Parks;
    3. Parks;
    4. Wildlife Corridors;
    5. Greenways;
    6. Greens greater than 1 acre;

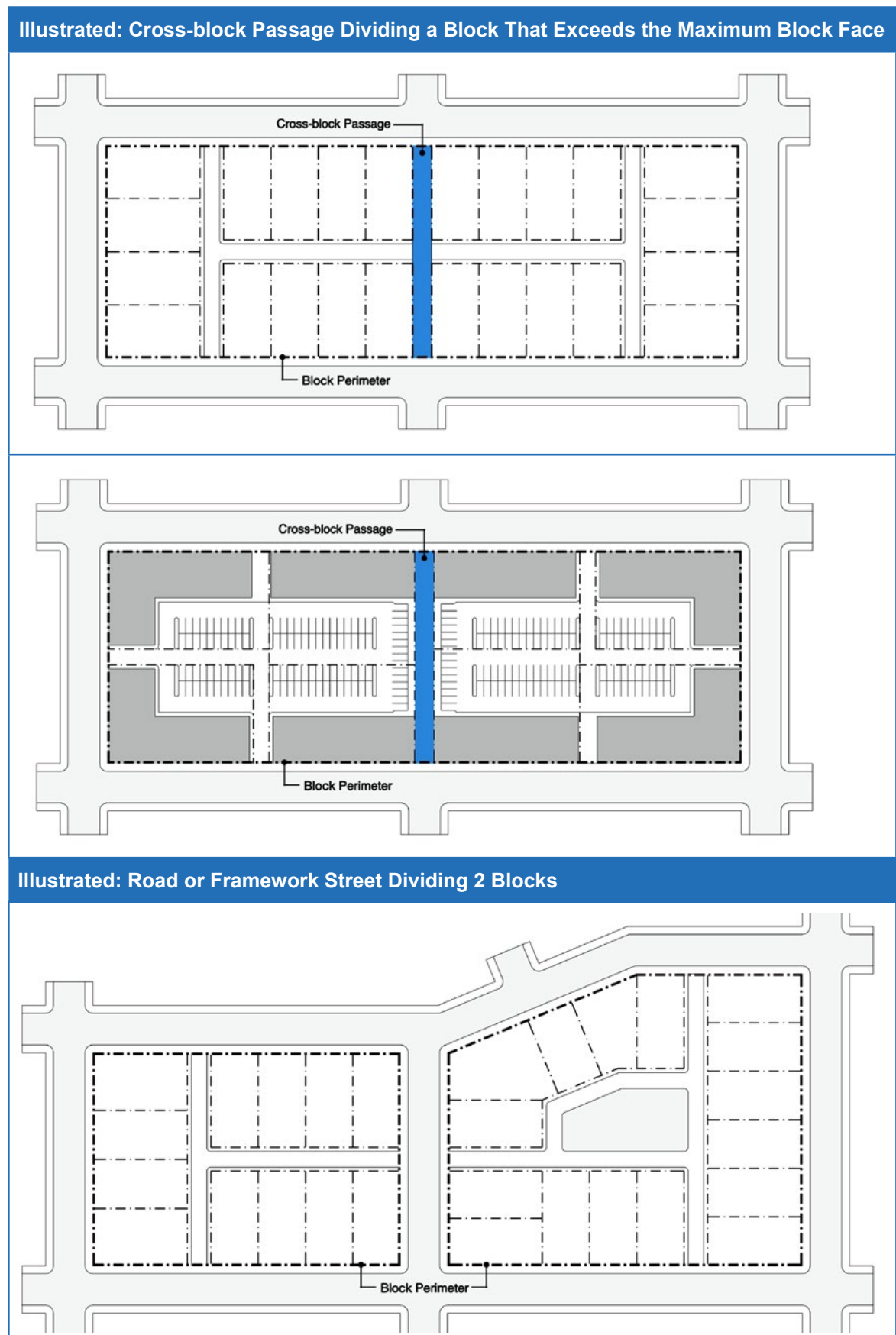
- 7. Squares greater than 1 acre; and
- 8. Plazas greater than 1 acre.
- (4) Block faces exceeding the maximum specified in [Table 94: Site Development Standards for Centers and Neighborhoods](#) must be divided by a cross-block passage as specified in [\(g\) Cross-block Passages.](#), except those exempted from [\(2\)](#) above.

**(g) Cross-block Passages.**

- (1) Cross-block passages must provide for unrestricted public access through blocks where they are required.
- (2) Cross-block passages should traverse the block along the block face of greatest length, as close to the midpoint as possible.
- (3) Cross-block passages must meet the following minimum widths:
  - a. T6: 20 feet;
  - b. T5: 20 feet;
  - c. T4: 16 feet; and
  - d. T3: 10 feet.
- (4) Cross-block passages must include:
  - a. A minimum 5-foot unobstructed and ADA compliant walkway must be provided along the entire passage, with connections to building entries and parking areas along the passage;
  - b. Lighting along the length of the passage;
  - c. Landscaping, subject to the following:
    - 1. Passages 16 feet or wider must provide a minimum of 1 canopy tree for every 800 square feet of passage or fraction thereof; and
    - 2. Passages less than 16 feet wide must provide a minimum of 1 understory tree for every 400 square feet of passage, or fraction thereof.
  - d. Impervious surface is limited as follows:
    - 1. T6: 80%;
    - 2. T5: 80%;
    - 3. T4: 60%; and
    - 4. T3: 50%.
  - e. Seating in T6 and T5, providing a minimum of 1 bench for every 100 feet of passageway length.
- (5) Cross-block passages must be separated from adjacent roadways by curbing or other vehicle barrier, subject to [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#), as approved by the Planning Manager and County Engineer, or their designees.
- (6) Cross-block passages must be maintained by the property owner, an approved Property Owners Association or Homeowners Association, or other entity as approved by the County.
- (7) Cross-block passages are subject to Section 30-250 of the Orange County Code.
- (8) Mid-block road crossings corresponding to passages must be warranted, subject to approval by the County Traffic Engineer.



**Figure 96: Block Perimeter**





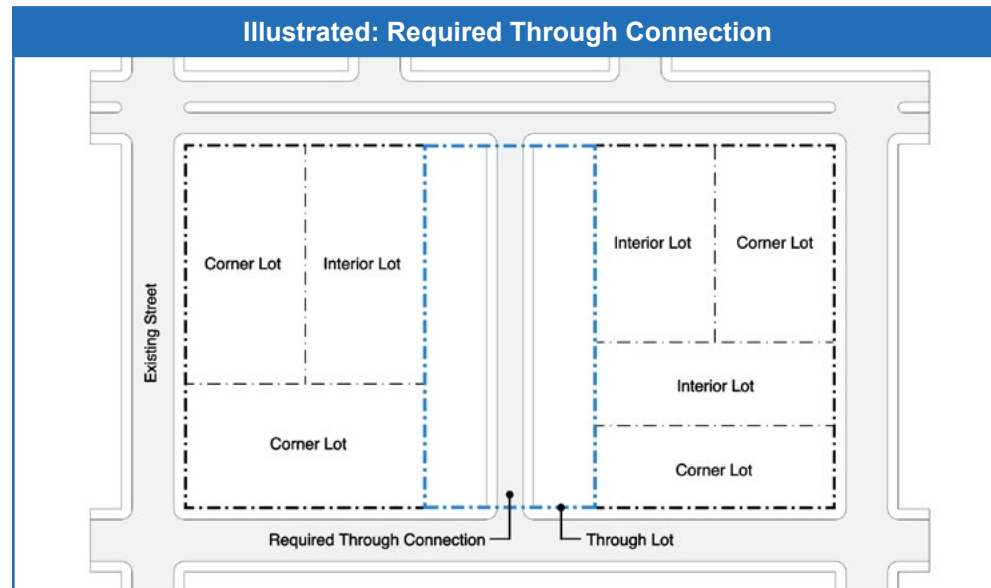
**(h) Circulation.**

Purpose: To create many ways to move throughout the County, other than concentrating traffic along collectors, arterials, and highways, in order to reduce traffic demand on county roadways, and to enable walking, biking, and rolling as viable means of transportation. This requires many new connections for pedestrians, bicycles, and cars, as well as accommodating frontage parking lanes, limited drive aisles and parking areas in front of buildings, to enable safe pedestrian, bicycle, and car access along the County's busiest roads.

- (1) General
  - a. Roads, framework streets, pedestrian ways, bicycle ways, and shared use paths must be continued within the site where:
    1. Such facilities terminate at site boundaries; and
    2. Such facilities terminate at a road bounding the site.
- (2) Pedestrian Network
  - a. A continuous pedestrian network of sidewalks and shared use paths must be provided along all roads, framework streets, non-vehicular ways, and sites, connecting with all building entries, parking areas, and service areas.
  - b. All private sidewalks and connections to the County's roadway and sidewalk network must provide ADA retrofits where existing sidewalks are not ADA compliant, including but not limited to corner ramps and detectable warning surfaces, as specified by the County Engineer.
- (3) Bicycle Network
  - a. Bicycle facilities must be provided as specified in [Division 2: Roads](#).
  - b. Dedicated bicycle facilities must be provided within the site, connecting to existing bicycle facilities or roads, or stubbed at site boundaries at a minimum spacing of 800 feet.
  - c. Where possible, on-street bicycle facilities should be protected or buffered from vehicular travel lanes.
- (4) Roads and Framework Streets
  - a. Roads or framework streets must be provided along all block perimeters, except as follows:
    1. Where block perimeters abut T1, wetlands, civic space, open space, or water bodies, a publicly accessible shared use path may be provided in lieu; and
    2. Where block perimeters abut site boundaries other than existing roads, a road or framework street is required only where lots front onto that boundary.
  - b. Local roads cannot be reclassified as arterials or collectors without a County initiated study and community meeting to determine the need for the reclassification.
  - c. Roads and framework streets must be designed to meet the standards of [Division 2: Roads](#).
  - d. Roads must be coordinated with the Long Range Transportation Plan and all BCC accepted corridor studies.
  - e. Permanent culs-de-sac require a Minor Deviation as specified in [Table 5: Minor Deviation Review Criteria](#), subject to approval by the County Engineer, limited to conditions where wetlands, surface waters, or infrastructure corridors prevent connections, but pedestrian and bicycle access can be provided. Permanent culs-de-sac are subject to [Sec. 40-213\(d\) Culs-de-sac](#).
- (5) External Connections
  - a. External connections for roads and framework streets, or stubs for future connections, must be provided along site boundaries, as follows:
    1. External connections must be spaced no further than specified as required external connections in [Table 94: Site Development Standards for Centers and Neighborhoods](#);
    2. Where stubs exceed 150 feet in length, a temporary cul-de-sac turnaround must be provided; and
    3. External connection spacing along existing roads are subject to minimum spacing requirements in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
  - b. External connections for roads and framework streets, or stubs for future connections, may exceed the maximum spacing by Minor Deviation as specified in [Table 5: Minor Deviation Review Criteria](#), subject to approval by the County Engineer.
    1. The Minor Deviation may require pedestrian ways, bicycle ways, or shared use paths in lieu of vehicular connections, per the County Engineer.
  - c. Stubs must provide a right-of-way matching adjacent roads, or a greater width where in compliance with [Division 2: Roads](#) or as specified by the County Engineer.
  - d. Sites with lot lines on multiple roads must provide road or framework street connections to each road except:
    1. Where the lot line is less than 200 feet along any road; and
    2. Where FDOT access management standards do not permit a connection.

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- e. Where a site is a through lot, a direct road or framework street connection through the site to both roads, as illustrated in [Figure 97: Through Connections](#), is required when:
  1. The site is wider than 400 feet along either road; or
  2. The site is wider than 200 feet along either road and, relative to either road, a through connecting road or framework street is further than 300 feet from the site boundary; and
  3. The through connection complies with [Division 2: Roads](#); except
  4. Where the County Engineer or designee determines, on a case-by-case basis, that it cannot meet safety, operational, or design requirements.

**Figure 97: Through Connections****(6) Non-vehicular Ways**

- a. Non-vehicular ways, referred to regionally as mews, may be provided in lieu of roads and framework streets, as illustrated in [Figure 98: Non-vehicular Ways](#) and as follows:
  1. Non-vehicular ways are limited to a maximum of 50% of the centerline length of roads, framework streets, and non-vehicular ways within a site;
  2. Non-vehicular ways must provide for unrestricted public access along walkways and bike ways;
  3. Mid-block road crossings corresponding to non-vehicular ways:
    - i. Must be warranted;
    - ii. Are subject to [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#);
    - iii. Must comply with [Sec. 40-212\(f\) Sight Distance.](#); and
    - iv. Are subject to approval by the County Traffic Engineer.
  4. Non-vehicular ways must be maintained by the property owner, an approved Property Owners Association or Homeowners Association, or other entity as approved by the County.
- b. Non-vehicular ways must be configured as follows:
  1. Non-vehicular ways must meet the following minimum widths:
    - i. T6: 20 feet;
    - ii. T5: 16 feet;
    - iii. T4: 14 feet; and
    - iv. T3: 10 feet.
  2. Non-vehicular ways must include a minimum 6-foot wide ADA-compliant walkway, and associated ADA features such as ramps, along the entire way;
  3. Walkways must be illuminated along their entire length;
  4. Non-vehicular ways in T5 and T6 must include a minimum of 1 bench for every 50 feet of length, located to receive shade from trees to the greatest extent possible;
  5. Non-vehicular ways must be illuminated along their entire length; and
  6. Non-vehicular ways must be separated from adjacent roadways by curbing or other vehicle barrier such as bollards, as approved by the County Engineer and the Planning Manager or their designees.

- c. Non-vehicular ways must be landscaped as follows:
  - 1. Non-vehicular ways must be at least 25% landscaped;
  - 2. Unpaved areas are subject to the requirements of [Article 3, Division 5: Landscape Standards](#);
  - 3. Non-vehicular ways 16 feet or wider must include 1 canopy tree for every 800 square feet of passageway, or fraction thereof; and
  - 4. Non-vehicular ways less than 16 feet in width must include 1 understory tree for every 400 square feet, or fraction thereof.

**Figure 98: Non-vehicular Ways**



- (7) Frontage Parking Lanes
  - a. Frontage parking lanes within a parcel allow circulation, parking, loading, and curb management zones to be located between buildings and existing arterial and collector roads.
  - b. Frontage parking lanes include a parking setback area, frontage parking area consisting of a drive aisle and parking, and a border consisting of a walkway and planting and furnishing zone, as illustrated in [Figure 99: Frontage Parking Lane Terminology](#).
  - c. Building, parking, and service area setbacks specified in [Sec. 40-67 Setbacks](#), are measured from the interior edge of the frontage parking lane border, as illustrated in [Figure 99: Frontage Parking Lane Terminology](#), including any additional depth required to accommodate the driveway length.
  - d. The parking setback area must be configured as follows:
    - 1. Frontage parking lanes must be set back from frontage lines a minimum of 8 feet; and
    - 2. A streetscreen must be provided between the frontage parking lane and the frontage line, subject to [Sec. 40-74\(b\) Streetscreens](#).

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- e. The frontage parking area must be configured as follows:
  - 1. Drive aisles and parking must be configuration as specified in [Table 101: Permitted Frontage Parking Lanes](#) and illustrated in [Figure 100: Frontage Parking Lane Types](#);
  - 2. Drive aisles and parking are subject to the dimensional standards of [Table 54: Off-Street Parking Minimum Dimensions](#);
  - 3. Vehicle movement within frontage parking lanes may be one-way or two-way, subject to approval by the County Engineer;
  - 4. Frontage parking lanes with parallel parking are subject to the curb zone management techniques in Sec. 30-255 of County Code;
  - 5. Frontage parking lanes providing cross-access are subject to [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).;
  - 6. Access to frontage parking lanes from the adjacent road may require additional driveway length, as specified by the County Engineer;
  - 7. A landscape island must be provided for every 10 parking spaces, a minimum of 8 ft wide by 18 ft long and containing a canopy tree; and
  - 8. Landscaping must not interfere with utilities or sight distances necessary for safe operation of vehicles;
- f. Frontage parking lanes must provide connectivity as follows:
  - 1. New frontage parking lanes must provide a stub to adjacent properties, except:
    - i. Where site boundaries abut T2 or T3;
    - ii. Where prevented by physical or environmental barriers, such as limited access roadways, railroads, and environmental features; and
    - iii. Where site boundaries abut already developed Suburban Neighborhood or Suburban Mixed Neighborhood Place Types which do not provide an abutting stub.
  - 2. Where frontage parking lanes do not terminate in a stub to an adjacent property, they must terminate at roads or framework streets; and
  - 3. A designated turnaround area must be provided in instances where the drive aisle does not connect to a road, drive aisle, internal cross-circulation or other approved vehicular through connection, with an adequate turning radius to prevent traffic flow issues or safety hazards.
- g. The border must include a walkway and planting and furnishing zone, along the interior of the frontage parking lane, as follows:
  - 1. The walkway must provide access to buildings with frontage on the frontage parking lane;
  - 2. The walkway must be a minimum width of:
    - i. 12 feet in T6;
    - ii. 8 feet in T5; and
    - iii. 6 feet in T4.
  - 3. The planting and furnishing zone must be located between the frontage parking lane and the walkway, configured as specified in [\(c\) Planting and Furnishing Zone](#).
- h. Frontage parking lanes must provide accessibility features in compliance with the U.S. Access Board's Public Right-of-way Accessibility Guidelines.

Figure 99: Frontage Parking Lane Terminology

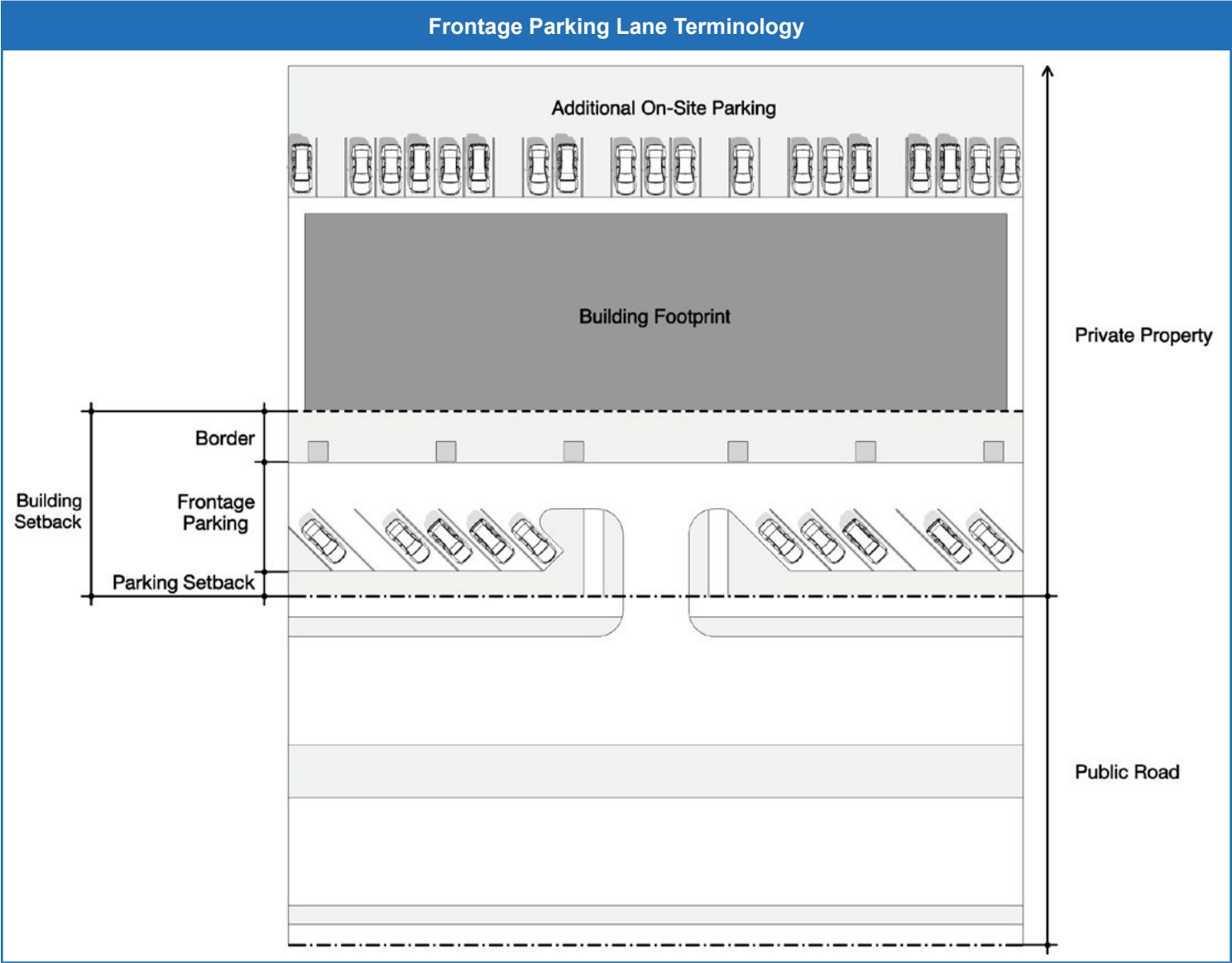


**Figure 100: Frontage Parking Lane Types**

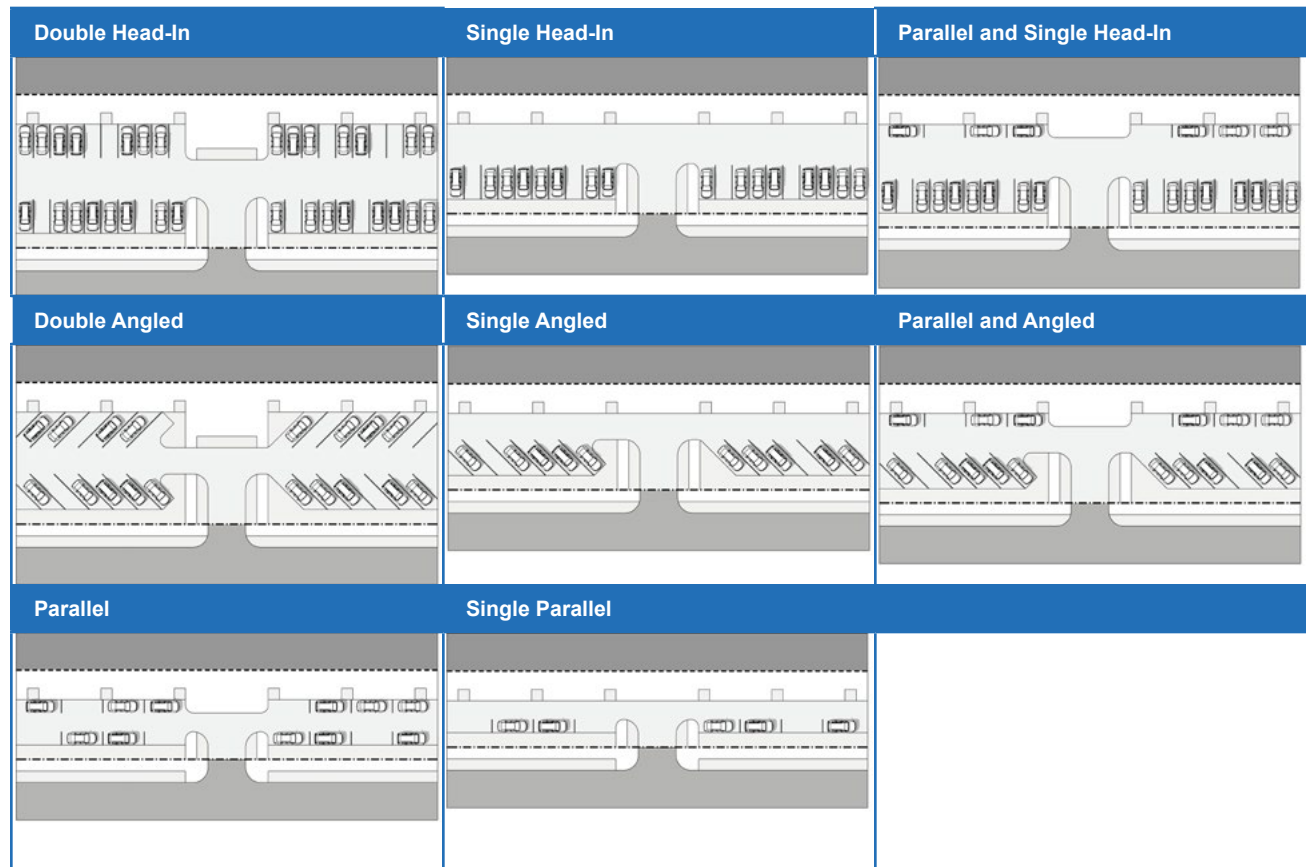


**Table 101: Permitted Frontage Parking Lanes**

| Place Type                  | Parallel, Double Parallel | Single Angled | Parallel and Angled | Double Angled | Any Head-in Combination |
|-----------------------------|---------------------------|---------------|---------------------|---------------|-------------------------|
| Regional Center             | ■                         | □             | □                   | □             | □                       |
| Tourist Activity Center     | ■                         | ■             | ■                   | ■             | □                       |
| Urban Core                  | ■                         | □             | □                   | □             | □                       |
| Urban Center                | ■                         | □             | □                   | □             | □                       |
| Neighborhood Center (High)  | ■                         | □             | □                   | □             | □                       |
| Neighborhood Center (Low)   | ■                         | ■             | ■                   | ■             | □                       |
| Main Street Corridor        | □                         | □             | □                   | □             | □                       |
| Urban Corridor              | ■                         | ■             | ■                   | □             | □                       |
| Suburban Corridor           | ■                         | ■             | ■                   | ■             | ■                       |
| Traditional Neighborhood    | ■                         | □             | □                   | □             | □                       |
| Suburban Mixed Neighborhood | ■                         | ■             | ■                   | □             | □                       |
| Suburban Neighborhood       | ■                         | ■             | ■                   | ■             | □                       |
| Rural Center                | ■                         | ■             | ■                   | ■             | ■                       |

■ Permitted □ Not Permitted



**(i) Lots and Alleys.**

- (1) Lots must be arranged so that buildings face onto roads, civic spaces, and non-vehicular ways as specified in this section and as illustrated in [Figure 103: Typical Lotting of a Block](#), [Figure 104: Typical Lotting and Alley Configurations](#), and [Figure 105: Example of Lotting Addressing Multiple Conditions](#).
- (2) A minimum of 80% of lots must have 1 or more lot lines abutting the block perimeter.
- (3) Lots size is subject to the following:
  - a. Each lot must meet the lot size requirements for the zone assigned, as specified in [Article 3, Division 1: Zones](#), measured along the shortest property line at the block perimeter.
  - b. Subdivision Plans that are part of a Master Plan must assign zoning in accordance with the Approved Zoning Plan.
  - c. Subdivision Plans with a developable area of 20 developable acres or greater assigned a single zone must include 2 or more lot widths as follows:
    1. Where only 2 lot widths are proposed, the width must differ by at least 10 feet;
    2. Where 3 or more lot widths are proposed, the difference between the smallest and largest must be at least 10 feet;
    3. Where 3 or fewer lot widths are proposed, each lot width must be used for at least 25% of lots; and
    4. Where 4 or more lot widths are proposed, no lot width may be used for more than 40% of lots.
- (4) Lots are assigned a primary frontage along the property line measured for lot width compliance.
- (5) Lots must be rectangular or square, except as follows:
  - a. Where a new lot aligns with existing irregular property lines;
  - b. Where a new lot has frontage along a non-linear road or irregular civic and open space geometries;
  - c. Where a lot abuts an existing wetland or surface waters which have an irregular geometry; and
  - d. A maximum of 2 contiguous flag lots may be permitted within any 1 subdivision, except as permitted by Minor Deviation, subject to approval by the County Engineer, as specified in [Table 5: Minor Deviation Review Criteria](#).
- (6) Where existing lot boundaries are revised, newly platted lots must conform with setback requirements for any existing structures.
- (7) Lots must have an alley along at least 1 lot line in the following instances:
  - a. Alleys are required to provide vehicular access to all properties assigned T4, T5, and T6, except where vehicular access is available from a secondary frontage (corner lots) or a shared parking facility, as illustrated in [Figure 102: Vehicular Access to Lots](#);
  - b. Alleys are required to provide vehicular access to all lots with primary frontage along non-vehicular ways as illustrated in [Figure 98: Non-vehicular Ways](#); and
  - c. Alleys are subject to the requirements specified in [Sec. 40-215 Alleys](#).
  - d. Alleys may be exempted for sites with existing natural features that render alleyways unfeasible, as specified in [Table 5: Minor Deviation Review Criteria](#).
- (8) No new landlocked property may be created, lotting is subject to the following:
  - a. All lots and parcels must be provided direct, fee-simple access of at least 20 feet in width to a paved right of way.
  - b. Access must be provided to existing landlocked property as follows:
    1. Non-developable properties created by a public improvement on or before February 23, 1998, do not require access;
    2. A 60-foot right-of-way road stub must be dedicated to provide access to properties zoned SZ, T5, and T6; and
    3. A 50-foot right-of-way road stub must be dedicated to provide access to properties zoned T2, T3, and T4.
  - c. Any action of the BCC pursuant to this subsection is not intended to grant, establish, or allocate any private property rights between the applicant and any contiguous property owner.

Figure 102: Vehicular Access to Lots

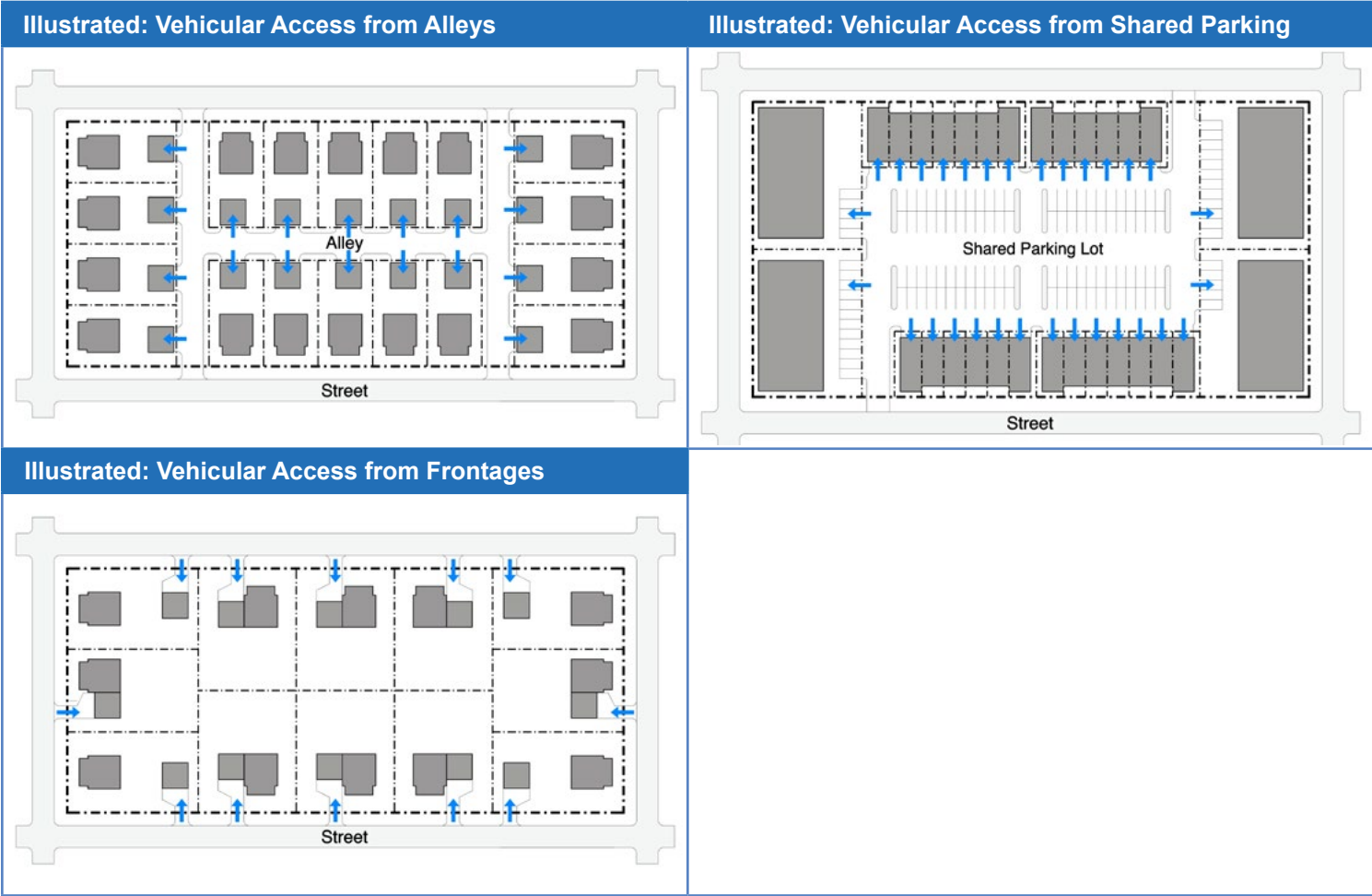


Figure 103: Typical Lotting of a Block

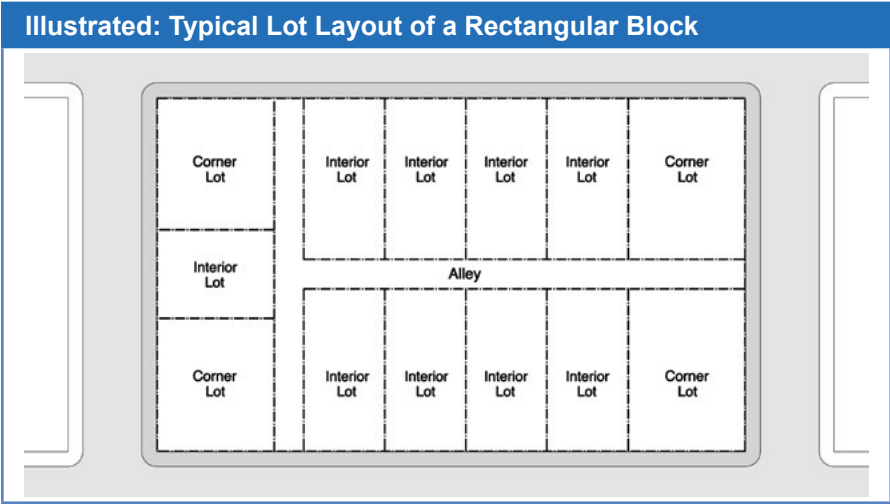


Figure 104: Typical Lotting and Alley Configurations

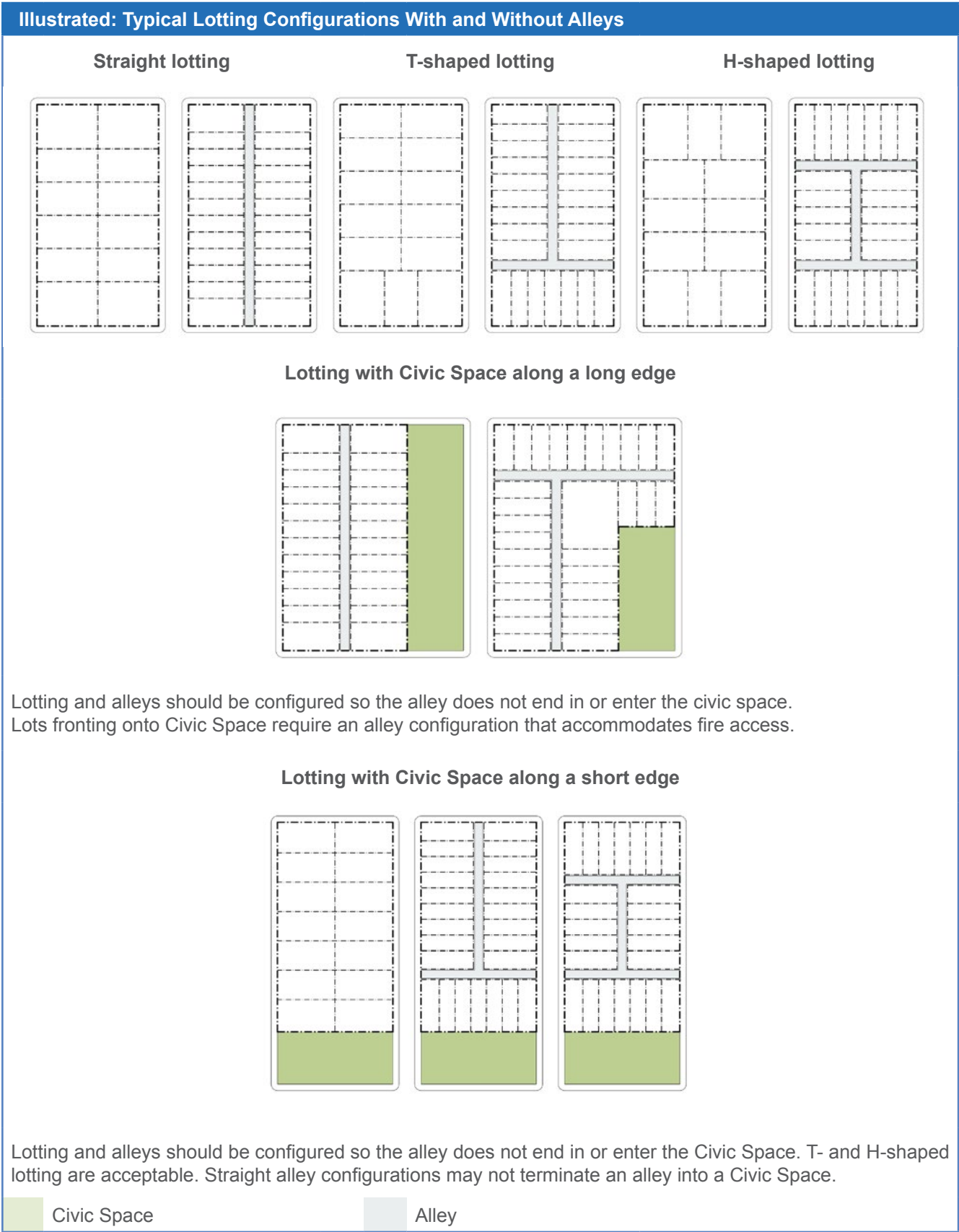
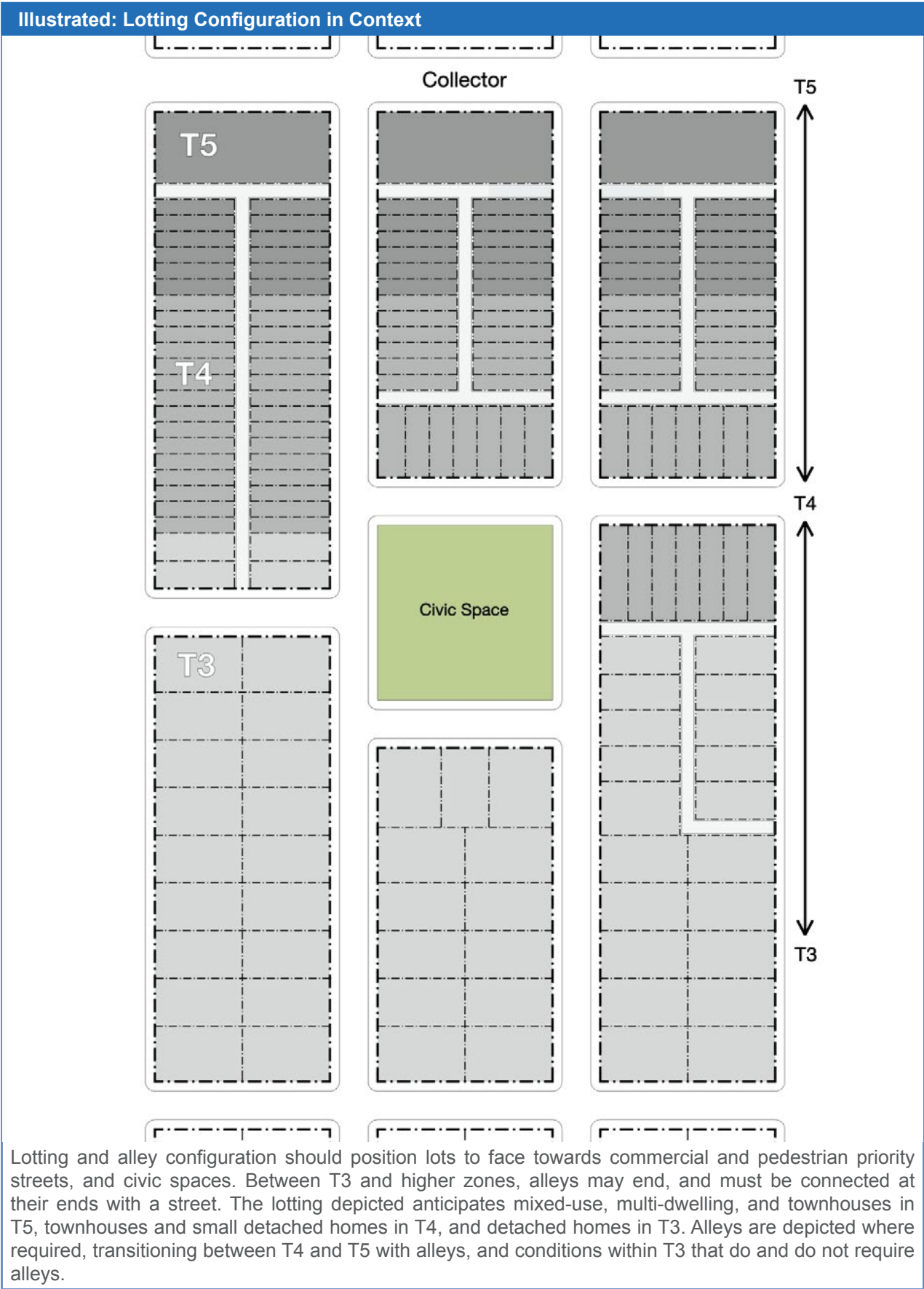


Figure 105: Example of Lotting Addressing Multiple Conditions



**(j) Zoning.**

Purpose: To ensure Centers, Neighborhoods, and Subdivisions include a variety of lot sizes and building types as well as opportunities for neighborhood serving commercial areas in the case of primarily residential developments, and opportunities for housing in primarily non-residential developments, along with civic spaces, within a manner consistent with the intent of the Comprehensive Plan.

- (1) A Transect Zone or Special Zone must be assigned to every lot.
- (2) Each lot must be assigned only 1 zone.
- (3) For Master Plans, the mix of zone assignments must be within the ranges specified in [Table 106: Zone Allocation by Center or Neighborhood](#) and as follows:
  - a. Zone allocation measured as a percentage of each Center and Neighborhood area, as illustrated in [Figure 107: Zone Allocation for Multiple Place Types](#); and
  - b. Ongoing compliance with [Table 106: Zone Allocation by Center or Neighborhood](#) is monitored by the Planning Division to ensure it complies with the Approved Zoning Plan.
- (4) For Subdivision Plans, zone assignments must comply with the zones permitted within the future land use assigned in the Orange County Comprehensive Plan.
- (5) Zone assignments must transition at rear lot lines and alleys, and along roads, not across roads, as illustrated in [Figure 108: Zone Transitions](#).
- (6) Open space may be zoned with a Transect Zone matching that of the surrounding lots. Where zoned with a Transect Zone, the open space counts towards the Transect Zone allocation percentage.
- (7) Civic space may be zoned according to paragraph g above for open space, or zoned CZ-OS. Where zoned CZ-OS, it is excluded from the zone allocation.

**Table 106: Zone Allocation by Center or Neighborhood**

| Transect Zone      | SN                                                                                                                                                                                           | SMN      | TN                | RCL                                 | NC-L     | NC-H     | UCOR     | UCTR     | RC-TAC    | RC-UCF    | RC-ID    |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------|-------------------------------------|----------|----------|----------|----------|-----------|-----------|----------|
| <b>Civic Space</b> | 5% min. of each Center or Neighborhood, excluded from zone allocation if zoned CZ-OS;<br>Must include multiple Civic Spaces as specified in <a href="#">Division 4: Civic and Open Space</a> |          |                   |                                     |          |          |          |          |           |           |          |
| <b>T1</b>          |                                                                                                                                                                                              |          |                   | Rural Reserve only, no max.         |          |          |          |          |           |           |          |
| <b>T2.1</b>        |                                                                                                                                                                                              |          |                   |                                     |          |          |          |          |           |           |          |
| <b>T2.2</b>        |                                                                                                                                                                                              |          |                   |                                     |          |          |          |          |           |           |          |
| <b>T2.3</b>        |                                                                                                                                                                                              |          |                   |                                     |          |          |          |          |           |           |          |
| <b>T3.1</b>        | 30% max.                                                                                                                                                                                     |          |                   | Cluster Core (Cc) only, 40% max. T3 |          |          |          |          |           |           |          |
| <b>T3.2</b>        | 20 - 40%                                                                                                                                                                                     | 30% max. |                   |                                     |          |          |          |          |           |           |          |
| <b>T3.3</b>        | 20 - 40%                                                                                                                                                                                     | 20 - 40% |                   |                                     |          |          |          |          |           |           |          |
| <b>T4.1</b>        | 20 - 40%                                                                                                                                                                                     | 20 - 40% | 30% max.          | Cc only, 40 - 60% T4                |          |          |          |          |           |           |          |
| <b>T4.2</b>        |                                                                                                                                                                                              | 20 - 40% | 20 - 40%          |                                     |          |          |          |          |           |           |          |
| <b>T4.3</b>        |                                                                                                                                                                                              | 30% max. | 30% max.          |                                     |          |          |          |          |           |           |          |
| <b>T5.1</b>        |                                                                                                                                                                                              |          | 10 - 30% total T5 | Cc only, 5 - 20%                    | 50% min. | 50% max. | 30% max. |          |           |           |          |
| <b>T5.2</b>        |                                                                                                                                                                                              |          |                   |                                     | 50% max. | 50% min. | 30% max. | 30% max. |           |           |          |
| <b>T5.3</b>        |                                                                                                                                                                                              |          |                   |                                     |          | 50% max. | 40% min. | 30% max. | 30% max.  | 30% max.  | 30% max. |
| <b>T6.1</b>        |                                                                                                                                                                                              |          |                   |                                     |          |          | 30% max. | 40% min. | 30% max.  | 30% max.  | 30% max. |
| <b>T6.2</b>        |                                                                                                                                                                                              |          |                   |                                     |          |          | 30% max. | 20 - 50% | 50% max.  | 50% max.  | 40% min. |
| <b>T6.3</b>        |                                                                                                                                                                                              |          |                   |                                     |          |          |          | 30% max. | 40% max.  | 20% max.  | 50% max. |
| <b>SZ-ED</b>       |                                                                                                                                                                                              |          |                   |                                     |          |          |          |          | 50% max.  | 100% max. | 50% max. |
| <b>SZ-EN</b>       |                                                                                                                                                                                              |          |                   |                                     |          |          |          |          | 100% max. |           | 50% max. |

SN: Suburban Neighborhood; SMN: Suburban Mixed Neighborhood; TN: Traditional Neighborhood

RCL: Rural Cluster; NC-L: Neighborhood Center (Low); NC-H: Neighborhood Center (High)

UCOR: Urban Core; UCTR: Urban Center

RC-TAC: Tourist Activity Center; RC-UCF: UCF Regional Center; RC-ID: I-Drive District Regional Center



Figure 107: Zone Allocation for Multiple Place Types

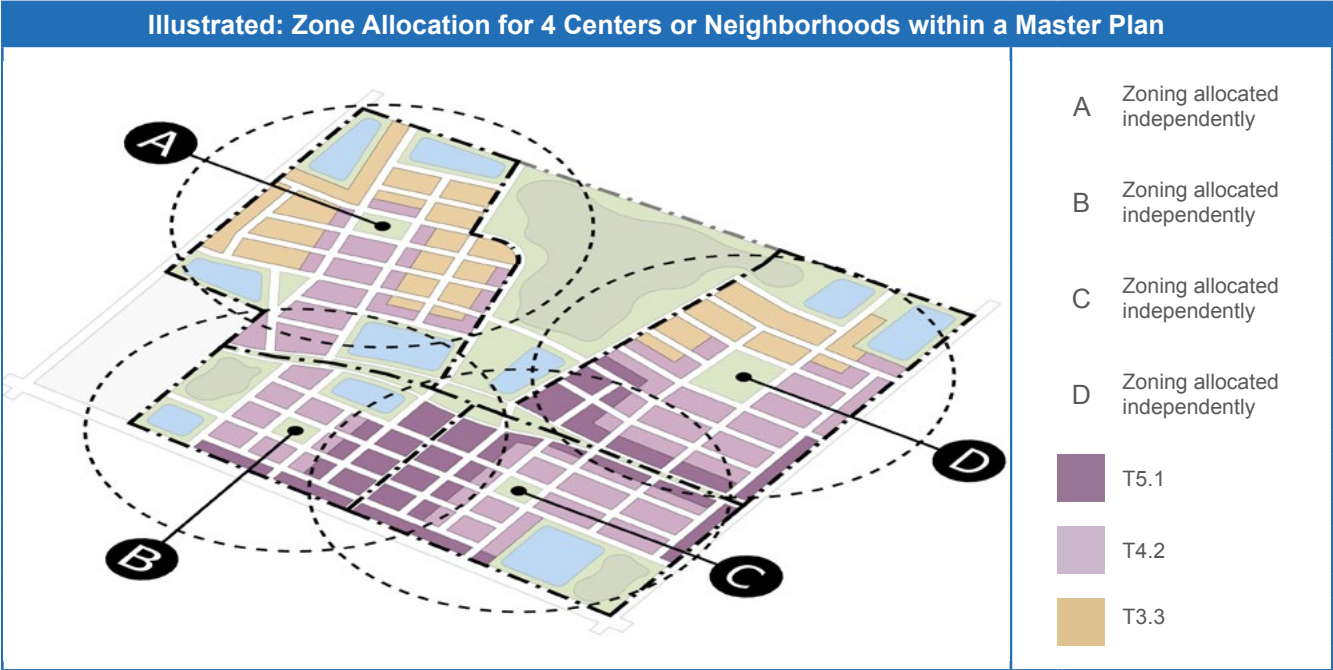
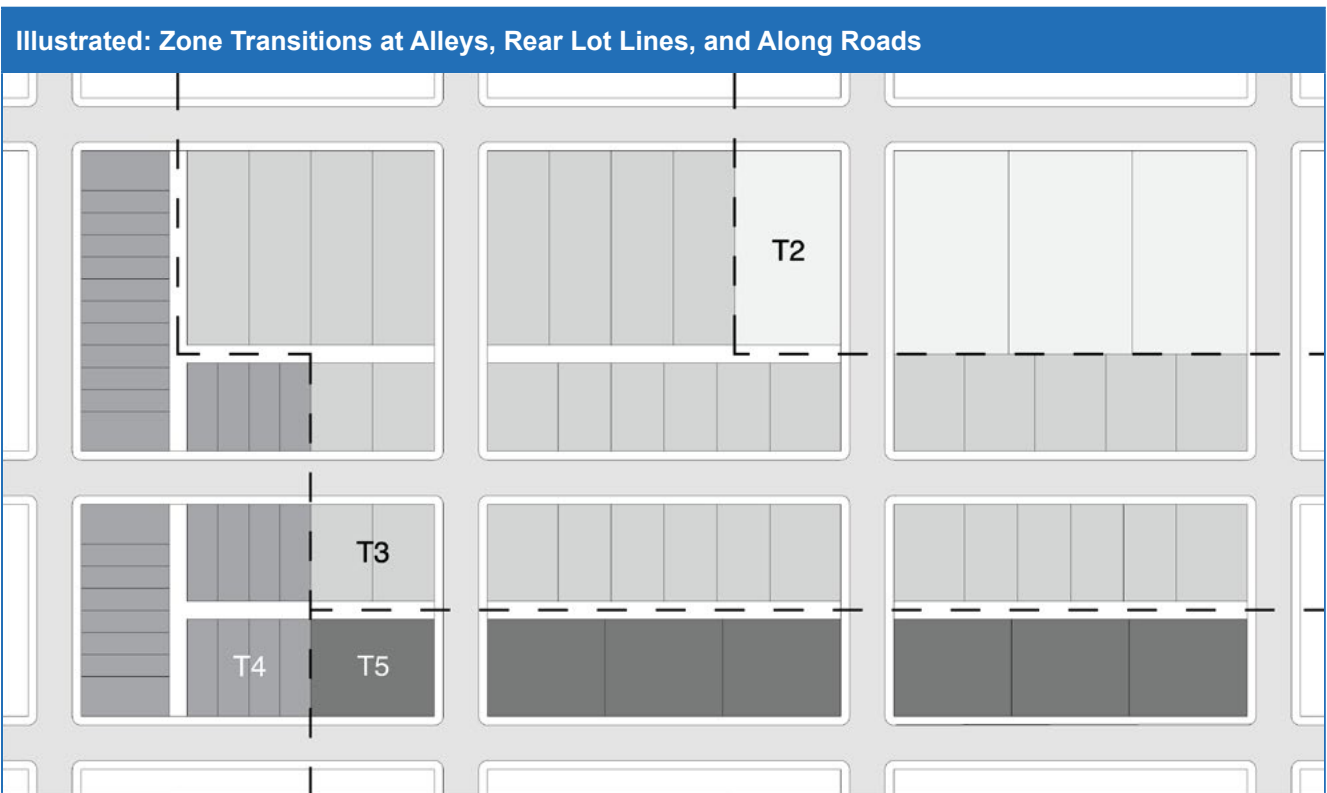


Figure 108: Zone Transitions





**SEC. 40-205    RESERVED.**

**SEC. 40-206    RESERVED.**

**SEC. 40-207    RESERVED.**

**SEC. 40-208    RESERVED.**

**SEC. 40-209    RESERVED.**

**SEC. 40-210    RESERVED.**

## ROADS

***DIVISION 2: ROADS******SEC. 40-211 GENERAL.***

Purpose:

- (1) To ensure that all roads meet or exceed design criteria, standards, and requirements, and are designed according to the surrounding context of existing and planned land development patterns.
- (2) To encourage context-based transportation planning and design to improve the transportation system and meet the needs of users of all ages and abilities, including pedestrians, bicyclists, transit riders, motorists, and freight handlers. The approach also considers community needs, trade-offs between those needs, and alternatives to achieve multiple objectives. Context-based design principles help to promote safety, quality of life, and economic development.
- (3) To ensure that alleys are designed to meet the needs of Orange County utilities, solid waste, and emergency services.

***(a) Design Criteria, Standards, and Requirements.***

- (1) All requirements of this Division apply to public and private local roads.
- (2) Road designs submitted for formal review must demonstrate compliance with this Division and be signed and sealed by a Florida licensed professional engineer.
- (3) Roads must be available for public use at all times; gates and other means of restricting access are not permitted, except where a temporary street closure permit has been granted.
- (4) Public and private road and intersection design must meet the standards of the current version of the following:
  - a. Florida Department of Transportation (FDOT) Context Classification Guide;
  - b. FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways (Florida Greenbook);
  - c. FDOT Design Manual (FDM);
  - d. FDOT Standard Plans;
  - e. FDOT Access Management Guidebook;
  - f. FDOT Standard Specifications for Road and Bridge Construction;
  - g. FDOT Traffic Engineering Manual;
  - h. The Manual on Uniform Traffic Control Devices (MUTCD);
  - i. Orange County Road Construction Specifications;
  - j. Guidelines for Geometric Design of Low-Volume Roads;
  - k. FDOT Traditional Neighborhood Development Handbook;
  - l. Public Right-of-Way Accessibility Guidelines (PROWAG);
  - m. FDOT American with Disabilities Act Standards for Transportation Facilities and other Engineering standards; and
  - n. AASHTO: Guide for the Development of Bicycle Facilities; Guide for the Planning, Design, and Operation of Pedestrian Facilities; Policy on Geometric Design of Highways and Streets;
  - o. NACTO: Urban Bikeway Design Guide; Urban Street Design Guide; Transit Street Design Guide; and
  - p. FHWA: Separated Bike Lane Planning and Design Guide.
- (5) The standards of Chapters 21, 30, and 34 of the Orange County Code apply to roads.
- (6) Roads that intersect with State owned roadways require permits from the FDOT.
- (7) Roads that intersect with County facilities as well as other municipalities require acknowledgment from the respective municipality or entity in the form of a letter or formal communication, confirming compliance with County standards or indicating coordination with the County as necessary.
- (8) Public roads must be in compliance with the Orange County Concurrency Management Ordinance.
- (9) The County Traffic Engineer or their designee may require modification to the standards referenced in this section to meet operational and safety standards.
- (10) Additional licenses, agreements, and permits may be required, maintained, and administered by the office of the respective County department.

**(b) Conflicts.**

- (1) Where there are conflicts or omissions between this Code and [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#), the most stringent standards will govern, unless determined otherwise by the County Engineer or their designee.
- (2) Rights-of-way where the distance from building to building is less than 70 feet, and utility conflicts may require relocation of utilities by the developer, as jointly determined by:
  - a. The County Engineer or the County Traffic Engineer, as applicable; and
  - b. The Utilities Engineering Division Manager, or designee.
- (3) A completed formal review by Orange County does not relieve the applicant from following all relevant codes and regulations.

**(c) Clearing.**

All road rights-of-way must be cleared and grubbed in accordance with Orange County Road Construction Specifications and FDOT specifications except where Public Works has approved plans for selective clearing and grubbing.

**(d) Road Names.**

- (1) Road names and block numbers must be approved by the Zoning Division and the 911 System Manager.
- (2) Roads that extend or are in alignment with existing roads must bear the name of such existing road.
- (3) Roads must bear a single name along all segments, including curves, circles, and courts.
- (4) All road names must be unique county-wide.

**(e) Maintenance of Right-of-Way Infrastructure.**

- (1) The contents of this Section must be stated clearly on all development plans, Subdivision Plans, and plats submitted for review under this Division.
- (2) The term *Applicant*, where used in this section, means the owner of the property adjacent to the area where infrastructure improvements are made pursuant to this section, as well as any and all successors in title or interest to the subject property. The Applicant under this section may consist of an individual or a Property Owners Association, Homeowners Association, Community Development District, or similar administered entity. The term *subject property*, where used in this section, means the property owned by the Applicant and located adjacent to the area where infrastructure improvements or enhancements are made. The term *right-of-way infrastructure*, where used in this section, means all infrastructure elements within roads, roadways, medians, sidewalks, parkways, drainage areas, and/or other areas located within the rights-of-way adjacent to the subject property, whether public or private.
- (3) All private or public right-of-way infrastructure required by this Division must be maintained to ensure such infrastructure complies with minimum standards and criteria for design and construction, including those referenced within [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#), as applicable.
- (4) Private Right-of-Way Infrastructure. Any private right-of-way infrastructure required by this Division, including all right-of-way infrastructure located on private property that is not dedicated to the County, must be perpetually maintained by the Applicant at no cost to the County. Private right-of-way infrastructure includes, but is not limited to landscape irrigation.
  - a. In addition, the following restrictions apply:
    1. Private roadway maintenance is ineligible for County impact fee credits and state or federal transportation funds.
    2. Roadways, including associated drainage facilities, developed under standards that do not meet [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#) must be privately-maintained in perpetuity and cannot be accepted by the County, consistent with s. 336.045, Florida Statutes.
    3. The County may require funding mechanisms, including, but not limited to, maintenance and repair accounts as provided in Chapter 34, Article VIII (Gated Communities) of County Code, in particular those accounts for storm debris clean-up and removal.
- (5) Public Right-of-Way Infrastructure; Enhancements.
  - a. Public right-of-way infrastructure required by this Division, including right-of-way infrastructure located on public property and right-of-way infrastructure located on private property but dedicated to public use, and except for landscape and irrigation equipment as provided in [subsection b.](#) below, may be accepted and maintained by the County so long as such public right-of-way infrastructure has been certified complete, inspected, the necessary warranty period has elapsed, and so long as no such infrastructure receives any

## ROADS

- enhancements from the Applicant beyond the minimum required standards and criteria.
- b. The Applicant shall maintain all landscape and irrigation equipment installed as public right-of-way infrastructure, including street trees that do not meet minimum county standards, except that the County shall maintain street trees with no associated enhancements, such as tree grates or planters.
  - c. Any public road or right-of-way infrastructure that receives enhancements from the Applicant during or subsequent to initial construction will no longer be maintained by the County and shall thereafter be maintained by the Applicant in perpetuity.
  - d. For purposes of this section, the term enhancements shall mean any improvements beyond the minimum required standards and criteria which are located within the road, roadway, median, sidewalks, parkway, drainage areas, or other areas within the rights-of-way to the subject property. Enhancements include, but are not limited to:
    - 1. Improvements to any roadway that does not have a sidewalk, except existing roads under County maintenance and instances where sidewalks have been omitted and subject to a fee-in-lieu, pursuant to the standards of this Division;
    - 2. Improvements to any required crosswalks on commercial driveways;
    - 3. Landscaping, including any street trees, tree grates, and irrigation;
    - 4. Hardscaping, including permeable paving, unit pavers, asphalt, and stamped or colored concrete; and
    - 5. Signage.
  - e. Prior to County approval of construction plans of any enhancements, the Applicant shall enter into a right-of-way use agreement with the County in recordable form, or some other form of security, at the Applicant's expense, satisfactory to the County which assures continuous, perpetual maintenance and operation of the right-of-way infrastructure with enhancements, including certification of compliance with all corresponding standards. The right-of-way use agreement shall provide the location, type, and scope of those right-of-way infrastructure maintenance and operation requirements that Applicant is responsible for.
- (6) The County Engineer may require the Applicant, at their own expense, to replace those materials used by the Applicant with alternative materials acceptable to the County based on factors that may include, but not be limited to, insufficient right-of-way infrastructure maintenance and operation or change of ownership. A change in ownership does not relieve any responsibility under this section.
  - (7) Notwithstanding anything in this section to the contrary, the County reserves the right to require the Applicant to maintain streetscape elements, as may be required by this Division, on County-maintained facilities.
  - (8) Where appropriate, the County may establish, or direct others to establish, special assessments, taxing units, or other mechanisms in accordance with general law to finance the maintenance and operation of right-of-way infrastructure with enhancements required under this section.
  - (9) Any maintenance and operation activities for an Applicant's facilities, including, but not limited to, irrigation or landscaping, that may affect County facilities shall be the responsibility of the Applicant to perform to current County standards.
  - (10) Maintenance and operation requirements for any right-of-way infrastructure improvements within approved planned developments are exempt from this section, and shall be subject to those maintenance and operation standards within existing plans or regulations for that planned development or within existing County Code pursuant to [Sec. 40-16 Planned Developments](#).
- (f) **Sight Distance.**
- (1) Clear vertical and horizontal sight distances must be provided consistent with Sec. 40-212(a).
  - (2) Sight distance easements may be required to ensure safety and compliance with applicable standards, as determined by the County Traffic Engineer on a case-by-case basis.

**SEC. 40-212 CONTEXT AND ASSEMBLIES.**

Purpose:

- (1) To coordinate between the FDOT Context Classification system, Vision 2050's Place Types, and the zones of this Code in order to ensure that the road design requirements reflect the intended land use.
- (2) To ensure that sufficient width is available within rights-of-way, easements, and tracts to provide space for cars, pedestrians, bicycles, and street trees.

**(a) Road and Right-of-Way Width and Roadway Elements.**

- (1) Road and right-of-way width is determined by the elements generally illustrated in [Figure 109: Road Elements](#), and requirements specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
- (2) Right-of-way must be provided for local public roads, and easement or tract width for private roads.
- (3) Rights-of-way must be sufficient to accommodate all of the standards for required road elements.

**(b) Context Classification.**

- (1) Road Context Classification determines applicable standards as specified in this Division and applicable FDOT requirements.
- (2) A preliminary correlation of Transect Zones, Future Land Use Place Types, and Context Classification is provided in [Table 110: Preliminary Context Classification](#), and may vary based on the existing or planned intensity of surrounding areas and land uses.
- (3) Context Classification is generally determined by distinguishing characteristics, primary measures, and secondary measures described in the FDOT Context Classification Guide. The County Engineer or designee will determine the correlation based on [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
- (4) Context Classification is evaluated by segments with primary similar land use. Where a major change occurs to the land use and street pattern, a new Context Classification segment should be defined and evaluated.
- (5) Road design features associated with Transect Zones may change as generally illustrated in [Figure 111: Transition of Design Along Transect Zones](#).
- (6) Roadway and border design must comply with the standards of this Division as defined by the context.

**Figure 109: Road Elements****Illustrated: Terminology for Elements of the Road Right-of-way**

This roadway cross-section is conceptual and intended only to illustrate the terminology used in this Division. Actual design standards are based upon the applicable Context Classification.

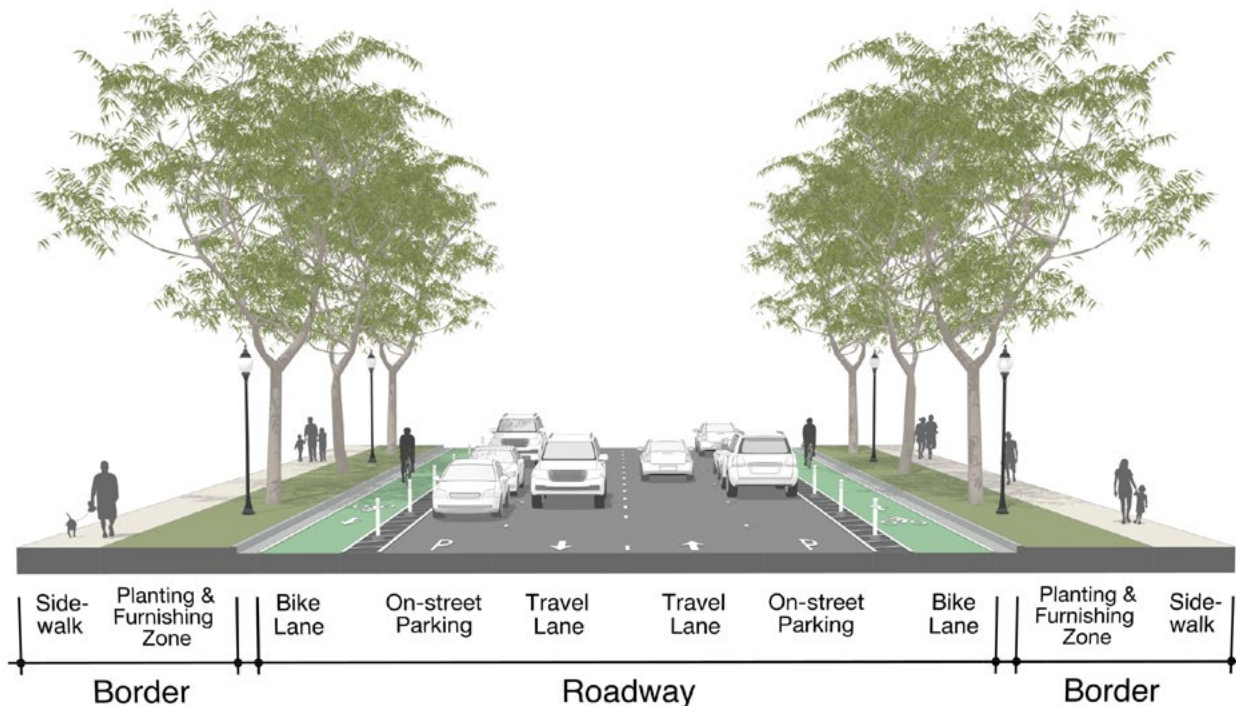


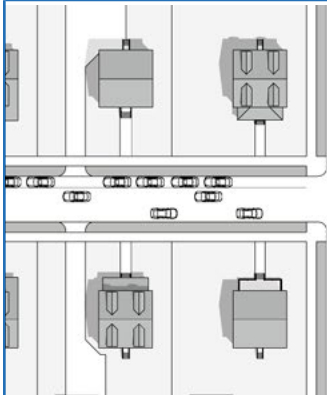
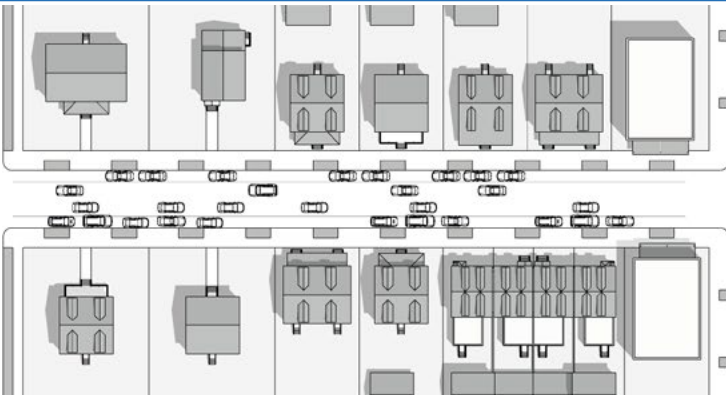
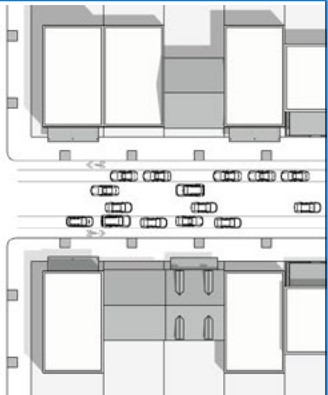
**Table 110: Preliminary Context Classification**

| <b>Transect Zone</b> | <b>Future Land Use Place Type</b>                                                                          | <b>Context Classification</b>                             |
|----------------------|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <b>T1</b>            | Natural Preserve                                                                                           | C2                                                        |
| <b>T2</b>            | Suburban Neighborhood, Suburban Mixed Neighborhood                                                         | C3R                                                       |
|                      | All Applicable Place Types                                                                                 | C2                                                        |
| <b>T3</b>            | Rural Cluster, Rural Settlement                                                                            | C2T                                                       |
|                      | Suburban Corridor, Suburban Mixed Neighborhood, Suburban Neighborhood                                      | C3R                                                       |
|                      | Neighborhood Center (High)                                                                                 | C3R or C4 evaluated upon the surrounding context.         |
| <b>T4</b>            | Rural Cluster                                                                                              | C2T                                                       |
|                      | Suburban Corridor, Suburban Mixed Neighborhood, Suburban Neighborhood                                      | C3R                                                       |
|                      | Traditional Neighborhood                                                                                   | C4                                                        |
|                      | Neighborhood Center (High), UCF Regional Center                                                            | C4 or C5 evaluated upon the surrounding context.          |
|                      | Main Street Corridor                                                                                       | C5                                                        |
| <b>T5</b>            | Rural Cluster                                                                                              | C2T                                                       |
|                      | Suburban Corridor                                                                                          | C3C or C5 evaluated upon the surrounding context.         |
|                      | Traditional Neighborhood                                                                                   | C4 or C5 evaluated upon the surrounding context.          |
|                      | Urban Corridor, Main Street Corridor, Growth Center, Neighborhood Center (High), Neighborhood Center (Low) | C5                                                        |
|                      | UCF Regional Center, Tourist Activity Center, Urban Core, Urban Center                                     | C5 or C6 evaluated upon the surrounding context.          |
| <b>T6</b>            | All Applicable Place Types                                                                                 | C6                                                        |
| <b>CZ</b>            | According to the adjacent land use context                                                                 |                                                           |
| <b>SZ-EN</b>         | Urban Corridor, Growth Center                                                                              | C3C or C5 evaluated upon the surrounding context.         |
|                      | UCF Regional Center, Tourist Activity Center                                                               | C3C, C5, or C6 evaluated upon the surrounding context.    |
|                      | Urban Center                                                                                               | C5                                                        |
|                      | Urban Core                                                                                                 | C6                                                        |
| <b>SZ-ED</b>         | All Applicable Place Types                                                                                 | Evaluated per-project based upon the surrounding context. |
| <b>SZ-MH</b>         | All Applicable Place Types                                                                                 | C3R                                                       |
| <b>SZ-LI</b>         | All Applicable Place Types                                                                                 | May be C3C or C5 depending upon the surrounding context.  |
| <b>SZ-HI</b>         | All Applicable Place Types                                                                                 | C3C                                                       |

FDOT Context Classification may vary based on the existing or planned intensity of surrounding areas and land uses.



**Figure 111: Transition of Design Along Transect Zones**

| T3                                                                               |   | T4                                                                                 |   | T5                                                                                  |  |
|----------------------------------------------------------------------------------|---|------------------------------------------------------------------------------------|---|-------------------------------------------------------------------------------------|--|
|  |   |  |   |  |  |
| Narrower                                                                         | < | Sidewalks                                                                          | > | Wider                                                                               |  |
| Larger (Continuous)                                                              | < | Tree Planters                                                                      | > | Smaller (Tree Well)                                                                 |  |
| Limited                                                                          | < | Street Furniture                                                                   | > | Frequent                                                                            |  |
| Fewer                                                                            | < | Roadway Users                                                                      | > | More                                                                                |  |

**(c) Movement.**

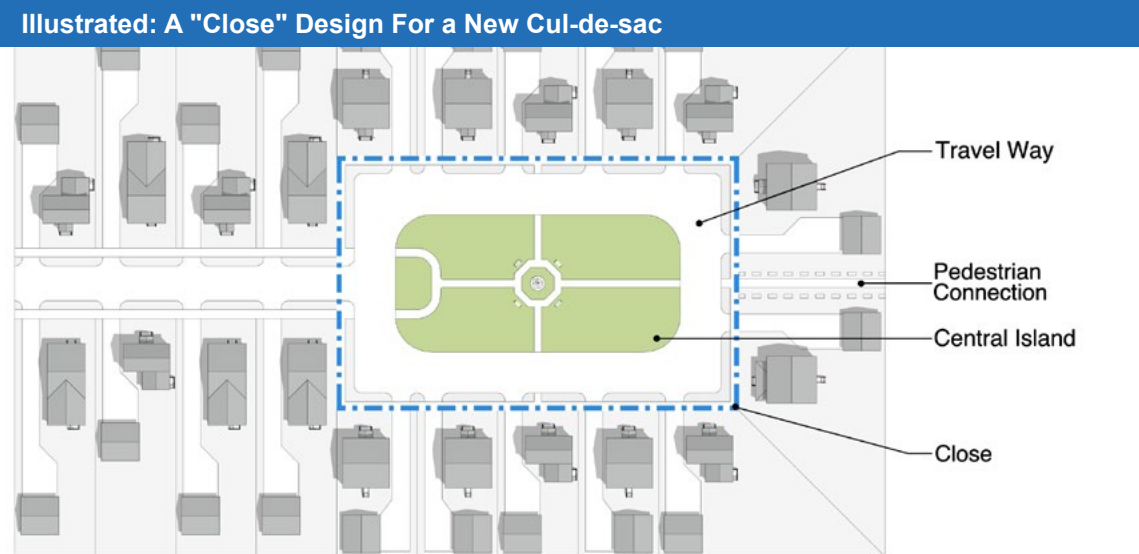
- (1) 2-way movement for vehicles, pedestrians, and bicycles is required for all new roads.
- (2) 1-way movement is limited to frontage parking lanes, subject to the requirements of [Sec. 40-205\(h\) Circulation](#).

**(d) Culs-de-sac.**

- (1) Culs-de-sac must be designed as "closes", except as provided in [Subsection \(2\)](#) below, as generally depicted in [Figure 112: Close Terminology](#), and as follows:
  - a. The close must be rectangular, square, elongated oval, or truncated oval in shape, as defined by property lines along the edge;
  - b. The minimum width for a close is 80 feet in any direction, from property line to property line or hypothetical property line;
  - c. The close requires a border that matches the roadway segment it terminates;
  - d. A travel way, 20 feet in width, must be located between a central island and the border;
  - e. The travel way must provide minimum clear width and turning radii for emergency vehicles and solid waste utility vehicles, subject to approval of the Fire Rescue Department, Public Works, and the Utilities Department;
  - f. The central island:
    1. Must be a minimum of 40 feet in any direction;
    2. Must be landscaped;
    3. Must include 1 canopy tree for every 800 square feet, or fraction thereof;
    4. Should be accessible for passive recreation; and
    5. Must be maintained by the Home Owners Association, Property Owners Association, or private entity.
- (2) In Special Zones, T2, and where the Planning Manager and County Engineer or their designees jointly approve, culs-de-sac are permitted subject to the following design requirements:
  - a. A paved turnaround must be provided as specified in [Section 34-172 of the Orange County Code](#); and
  - b. The turnaround may not include a landscaped island unless it is owned and maintained by an HOA or POA to ensure proper upkeep and accountability.
- (3) Roads connected to culs-de-sac must provide sufficient right-of-way width for gravity sewer.
- (4) A pedestrian walkway connection from culs-de-sac must be provided through the block to the next closest street. Where the adjacent property is undeveloped, or where there is otherwise potential for a future connection, the walkway must be provided to the property line.
- (5) Pedestrian connections must meet the requirements for cross-block passages, as specified in [Sec. 40-205\(g\)](#)

Cross-block Passages.

**Figure 112: Close Terminology**



**SEC. 40-213 ROAD DESIGN, ROADWAY.**

**(a) Vehicular Travel Lanes.**

- (1) Vehicular travel lane requirements are specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
- (2) Private roads are limited to 2 vehicular travel lanes.

**(b) On-street Parking and Loading.**

- (1) On-street parking lanes must be in a parallel configuration within public roads.
- (2) Within private roads on-street parking lanes may be 45-degree angled or reverse angled, subject to approval by the County Traffic Engineer.
- (3) On-street commercial loading is subject to the following:
  - a. Designated commercial vehicle loading zones are required in T5 and T6 zones, as determined by the County Engineer based on context;
  - b. Commercial vehicle loading zones must comply with the following:
    1. All loading zones must have appropriate pavement markings and be posted with signage that limits use to no more than 30 minutes, specifies hours of operation that support flexible use of the zone for other vehicles at off-peak times, and identifies allowable vehicle types;
    2. Curbside commercial vehicle loading zones should be at the end of the block, in the direction of travel, and provide adequate maneuvering space for several design vehicles and for handcart delivery at curbside, including a minimum width of 10 feet and a minimum clear height of 14 feet; and
    3. Commercial vehicle loading zones may have a minimum length of 35, 55, or 100 feet as determined by the County Engineer based on context.

**(c) Fire Access.**

A minimum clear and unobstructed access of 20 feet must be provided within the roadway to accommodate emergency vehicles, except where permitted by Minor Deviation from the County Traffic Engineer in coordination with the Fire Marshal, as specified in [Table 5: Minor Deviation Review Criteria](#).

**(d) Medians.**

- (1) Medians are required on roadways with 2 or more travel lanes in each direction, unless otherwise specified by the County Engineer or designee.
- (2) Medians must be planted with trees in coordination with tree plantings in the Planting and Furnishing Zone as

described by [Sec. 40-215\(c\) Planting and Furnishing Zone.](#), and requirements specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#)

- (3) Turn lanes within medians require approval by the County Engineer.

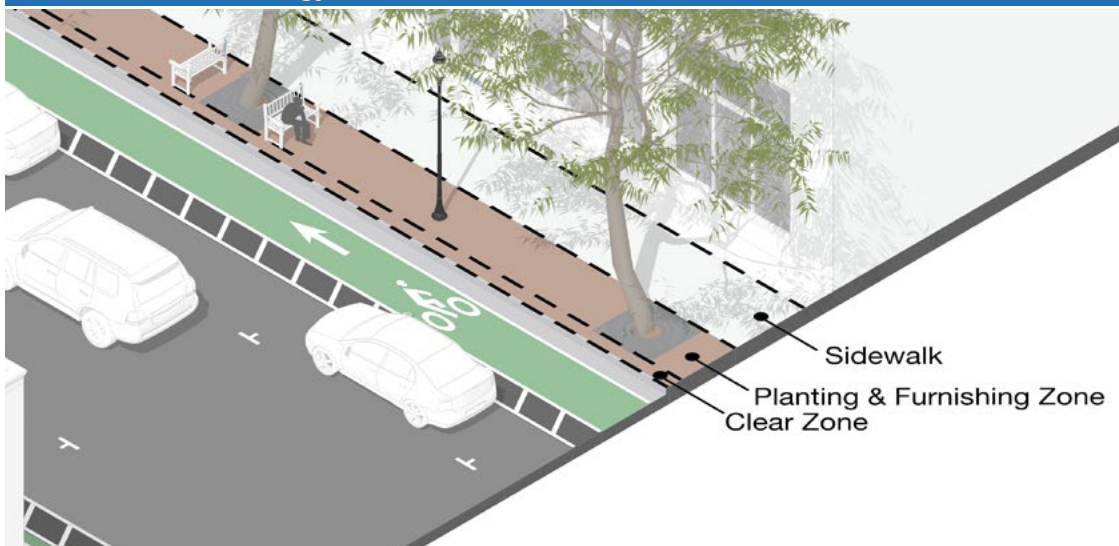
**(e) Drainage.**

- (1) Drainage must be provided along all roadways.
- (2) In T4.2, T4.3, T5, and T6, open drainage is prohibited, except when associated with a Low Impact Development (LID) practice or the County's primary drainage canal associated with the MS4.

**SEC. 40-214 ROAD DESIGN, BORDER.**

**Figure 113: Road Border Terminology**

**Illustrated: Terminology Used for Road Border Elements**



**(a) Border Types.**

- (1) The border must be designed according to context classification, [Table 114: Border Types](#) provides standard configurations for local roads, additional border considerations may be required by [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#)
- (2) Sidewalks and Shared Use Paths are additionally subject to [\(b\) Sidewalks and Shared Use Paths.](#)
- (3) The Planting and Furnishing Zone is additionally subject to [\(c\) Planting and Furnishing Zone.](#), [\(d\) Trees and Planters.](#), and [\(e\) Lighting.](#)
- (4) All border elements are subject to clear zone and lateral offset requirements specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements.](#)

**(b) Sidewalks and Shared Use Paths.**

- (1) Sidewalks are required as follows:
  - a. Sidewalks are required along both sides of roads, unless otherwise approved by the County Engineer;
  - b. Sidewalk width must be as specified in [Table 114: Border Types](#); and
  - c. Sidewalks must meet the requirements of Sections 30-250 and 34-171(7).
- (2) Shared use paths, where provided, are subject to the following:
  - a. Shared use path width must be as specified in [Table 114: Border Types](#);
  - b. In areas with high use and steep grades, the County Engineer may require additional width; and
  - c. The County Engineer may allow reduced width by Minor Deviation, subject to [Sec. 40-24 Minor Deviations.](#)
- (3) Sidewalks and shared use paths must connect to all adjacent sidewalks and shared use paths, and those within the development site, directly or through crosswalks, and mid-block crossings.

**(c) Planting and Furnishing Zone.**

- (1) A planting and furnishing zone is required along roads, between the sidewalk or shared use path and roadway, except along Narrow Residential Streets and in C1.
- (2) Planting and furnishing zones must be configured to maintain ADA compliance.

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- (3) In C3C, C5, and C6, street furniture, as referred to in [Figure 111: Transition of Design Along Transect Zones](#), including benches, mailboxes, newspaper boxes, street lights, signage, and similar elements may be located within the planting and furnishing zone, and must meet FGB clear zone, lateral offset, and sight distance requirements, and provide for signage and related setbacks and sight distances specified in the MUTCD.
- (4) Planting and furnishing zones must be configured according to [Table 114: Border Types](#).
- (5) Planting and furnishing zone location and design must be coordinated with existing and future utilities.
- (6) Landscaping within the planting and furnishing zone are subject to [\(d\) Trees and Planters](#).

**(d) Trees and Planters.**

- (1) Trees are required within all planting and furnishing zones except:
  - a. In C2; and
  - b. Where colonnades or canopies cover the sidewalk along private streets, in which case Florida Friendly Ornamental trees that maintain a smaller height and spread should be used where space allows.
- (2) Trees and landscaping are subject to the requirements of [Article 3, Division 5: Landscape Standards](#).
- (3) Tree planters must be configured in accordance with [Table 114: Border Types](#) and as follows:
  - a. In C4, C5, and C6, a walkway may be required along the curb edge to allow passengers to exit a parked vehicle without damaging plantings.
  - b. For grated tree wells a tree grate or pervious, walkable material must be provided.
    - 1. The opening in a tree grate for the trunk must be expandable and designed as to not injure the tree trunk.
    - 2. Tree grates will not be maintained by Orange County.
- (4) Clear branch height must be provided a minimum of 8 feet above finished grade of sidewalk at planting.
- (5) Tree placement must provide the following minimum spacing:
  - a. Canopy tree spacing at an average of 40 feet on-center, or fraction thereof;
  - b. Understory tree spacing at an average of 20 feet on-center, or fraction thereof;
  - c. 2 feet from pavement for understory trees and 3 feet for canopy trees;
  - d. 3 feet from buildings for understory trees and 10 feet for canopy trees;
  - e. 5 feet from buried mainlines vertically for understory trees;
  - f. 5 feet from buried mainlines less than or equal to 12 inch diameter for canopy trees;
  - g. 10 feet from buried mainlines greater than 12 inch diameter for canopy trees;
  - h. 10 feet from overhead utilities for canopy trees;
  - i. 15 feet from drainage pipes and inlets for understory trees, except when associated with an LID practice;
  - j. 20 feet from drainage pipes and inlets for canopy trees, except when associated with an LID practice; and
  - k. [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#), including clear zones, site distance triangles, and roadway and regulatory signage.
- (6) Where spacing requirements disallow canopy tree average on-center spacing, understory trees should be used in lieu of canopy trees.
- (7) Trees must be placed along the centerline of the planting and furnishing zone width, except where located closer to sidewalks in order to accommodate utilities, clear zones, or an LID practice.
- (8) Intersection Visibility
  - a. Vertical and horizontal sight distances must be maintained in accordance with [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
  - b. Trees and foliage must be periodically pruned and trimmed to maintain vertical and horizontal sight distance and clear distance.



**Table 114: Border Types**

| Grated Tree Well                            |                                                                                                                                                                                                            |    |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Context</b>                              | C2T, C3C, C5, C6                                                                                                                                                                                           |                                                                                      |
| <b>Sidewalk Width</b>                       | Minimum width per <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a> .                                                                                                            |                                                                                      |
| <b>Shared Use Path</b>                      | May be permitted as a combined sidewalk and bicycle facility, where allowed in <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a> .                                               |                                                                                      |
| <b>Planting and Furnishing Zone Width</b>   | 6 ft. min. for understory trees;<br>10 ft. min. for canopy trees.                                                                                                                                          |                                                                                      |
| <b>Tree Grate</b>                           | 6 ft. min. dimension;<br>Metal grate or other approved walkable surface.                                                                                                                                   |                                                                                      |
| <b>Planting and Furnishing Zone Surface</b> | Hardscape between tree wells: to match sidewalk, unit pavers, or pervious pavement. See soil volume requirements for the specified tree.                                                                   |                                                                                      |
| Long Tree Planter                           |                                                                                                                                                                                                            |   |
| <b>Context</b>                              | C2T, C3C, C4, C5, C6                                                                                                                                                                                       |                                                                                      |
| <b>Sidewalk Width</b>                       | Minimum width per <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a> .                                                                                                            |                                                                                      |
| <b>Shared Use Path</b>                      | May be permitted as a combined sidewalk and bicycle facility, where allowed in <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a> .                                               |                                                                                      |
| <b>Planting and Furnishing Zone Width</b>   | 6 ft. min. for understory trees;<br>10 ft. min. for canopy trees.                                                                                                                                          |                                                                                      |
| <b>Tree Planter</b>                         | 12 - 20 ft. in length;<br>Landscaped or groundcover within the tree planter;<br>In C6, C5, and C4 planters must be fenced, elsewhere fencing is optional. Fencing is limited to 2 feet in height, maximum. |                                                                                      |
| <b>Planting and Furnishing Zone Surface</b> | Hardscape between tree planters: to match sidewalk, unit pavers, or pervious pavement. See soil volume requirements for the specified tree.                                                                |                                                                                      |
| Continuous                                  |                                                                                                                                                                                                            |  |
| <b>Context</b>                              | C2, C2T, C3R, C3C, C4                                                                                                                                                                                      |                                                                                      |
| <b>Sidewalk Width</b>                       | Minimum width per <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a> .                                                                                                            |                                                                                      |
| <b>Shared Use Path</b>                      | May be permitted as a combined sidewalk and bicycle facility, where allowed in <a href="#">Sec. 40-212(a) Design Criteria, Standards, and Requirements</a> .                                               |                                                                                      |
| <b>Planting and Furnishing Zone Width</b>   | 6 ft. min. for understory trees;<br>10 ft. min. for canopy trees.                                                                                                                                          |                                                                                      |
| <b>Planting and Furnishing Zone Surface</b> | Landscaped;<br>Street furniture is limited, hardscape may be approved in limited areas to provide for street furniture.                                                                                    |                                                                                      |

The illustrations in this table depict prototypical configurations for each of the 3 border types. The actual configuration may differ based upon the Context Classification, road conditions, conditions that may exceed the minimum standards of this Code, and project-specific use of the planting and furnishing zone.

## ROADS

**(e) Lighting.**

- (1) Public roads must be illuminated in accordance with [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).
- (2) Pedestrian lighting should additionally be provided along all roads as follows:
  - a. Pedestrian lighting is required in C5 and C6;
  - b. Pedestrian lighting is required at all crosswalks;
  - c. Pedestrian lighting must be LED with correlated color temperature (CCT) between 3,000°K and 4,000°K;
  - d. Light from LED luminaires should be diffused and shielded from direct view; and
  - e. May be subject to Chapter 9 Article XVI (Exterior Lighting Standard) of the Orange County Code along private roads and walkways.

**SEC. 40-215 ALLEYS.**

- (a) Alleys are subject to the following dimensional requirements:
  - (1) Alley easements and tracts must provide the minimum widths specified in [Table 115: Alley Requirements](#).
  - (2) Alleys must be paved as follows:
    - a. In C2T, C3R, and C4, the alley must be paved a minimum of 12 feet in width, unobstructed;
    - b. In C5, C6, and C3C, the alley must be paved a minimum of 20 feet in width, unobstructed; and
    - c. Any alley providing for fire access must be paved a minimum of 20 feet in width where buildings are under 30 feet to the eave, and 26 feet in width where buildings are above 30 feet to the eave; and
    - d. Alley pavement must provide a minimum alley-to-alley turning radius of 25 feet where solid waste service is not provided and 35 feet where solid waste service is provided through the alley.
- (b) Parking is prohibited in alleys, and “no parking” signage is required, except where head-in or angled parking is provided, which complies with off-street parking standards as specified in [Article 3, Division 4: Parking and Loading](#).
- (c) Alley intersections with roads are subject to the following:
  - (1) The apron must elevate alley access to the level of the sidewalk between the curb and sidewalk;
  - (2) The sidewalk must continue across the alley intersection, maintaining trajectory, width, color, and scoring pattern;
  - (3) Alley pavement must be at least 20 feet wide within 30 feet of the sidewalk; and
  - (4) Alley pavement must provide a minimum alley-to-street turning radius of 25 feet where solid waste service is not provided and 35 feet where solid waste service is provided through the alley.



**Table 115: Alley Requirements**

| Condition                                          | Fire Access | Gravity Sewer | Gravity Sewer With Multiple Manholes | Tract Width | Clear Width | Building to Building               | Recommended Configuration (may exceed minimum requirements)                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------|-------------|---------------|--------------------------------------|-------------|-------------|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A:<br/>No Constraints</b>                       | □           | □             | □                                    | 20 ft. min. | 20 ft. min. | 20 ft. min.; 28-30 ft. recommended | 28 ft. alley tract with no additional easements.<br><br>Building-to-building distance should be 30 ft. to allow for easy maneuvering into garages. Conditions with side-loaded garages (parallel to the alley) may consider a narrower alley tract.                                                                                                                                                                                                                                                              |
| <b>B:<br/>Gravity Sewer,<br/>No Fire Access</b>    | □           | ■             | □                                    | 20 ft. min. | 26 ft. min. | 38 ft. min.                        | 30 ft. alley tract and 4 ft. easements on both sides restricting structures but allowing fences.<br><br>Narrower alley tract configurations may be used, but building rear setback requirements may result in a wider than desired building-to-building distance.                                                                                                                                                                                                                                                |
| <b>C:<br/>Gravity Sewer &amp;<br/>Fire Access</b>  | ■           | ■             | □                                    | 26 ft. min. | 30 ft. min. | 38 ft. min.                        | Same recommendation as Condition B.<br><br>They alley tract provides the necessary clear width for fire access and gravity sewer.                                                                                                                                                                                                                                                                                                                                                                                |
| <b>D:<br/>Fire Access,<br/>No Sewer</b>            | ■           | □             | □                                    | 26 ft. min. | 30 ft. min. | 30 ft. min.                        | 30 ft. alley tract and no additional easements.<br><br>Building setbacks may be within the existing allowable range by Transect Zone.                                                                                                                                                                                                                                                                                                                                                                            |
| <b>E:<br/>Gravity Sewer With Multiple Manholes</b> | ■           | ■             | ■                                    | 20 ft. min. | 60 ft. min. | 60 ft. min.                        | 20 ft. alley tract and 20 ft. maintenance and access easements on both sides to remain clear of fences and structures.<br><br>The alley tract width would require 20 ft. minimum rear setbacks for abutting lots, achieving the required building-to-building clearance, and allowing for landscape and temporary use of the easement space. A wider alley tract could be used, however the rear alley setback requirements for Transect Zones may result in a wider than desired building-to-building distance. |

This table provides both the minimum tract and easement requirements for different alley conditions and recommended configurations. Minimum rear setback standards for Transect Zones along alleys should be considered along with alley tract and easement sizing. Buildings set back more than 5 feet from the rear alley property line must be set back at least 20 feet. For example, Condition E recommendations consider the setback requirements to achieve the minimum building-to-building standard while maintaining as much usable space as possible.

## ROADS

**SEC. 40-216 BICYCLE FACILITIES**

Purpose: To ensure that bicycle facility design provides sufficient width of lanes and coordination between facility type, vehicle speeds, and the road context.

- (a) Bicycle facilities may be required or optionally provided as follows:
- (1) Bicycle facilities may be required by the County Traffic Engineer to meet operational and safety requirements pursuant to [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#). or the County Traffic Engineer to meet operational and safety standards pursuant to the same;
  - (2) Continuity must be provided for bicycle facilities that terminate at site boundaries, extending bicycle connectivity with the same facility type and width, or transitioning in a way that is consistent with the Context Classification and the user type;
  - (3) Bicycle facilities must be provided where specified in all applicable Orange County bicycle plans, on file at Public Works;
  - (4) Public Works may require bicycle treatments at intersections, consistent with [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#).; and
  - (5) Additional bicycle facilities may be provided at the discretion of the applicant, subject to the requirements of this section and County approval.
- (b) Bicycle facility dimensions and clearances must be as specified in [Sec. 40-212\(a\) Design Criteria, Standards, and Requirements](#)., and as follows:
- (1) Dedicated and buffered bicycle lanes must be at least 7 feet in width in C6, and 5 feet in width in other contexts, excluding the width of buffers;
  - (2) Two-way separated bicycle lanes must be at least 12 feet in width;
  - (3) Buffered lanes on roads with posted speeds above 30 mph must include a buffer between travel lanes and the bicycle lane; and
  - (4) The maximum roadway posted speed for bicycle facility use is reduced as follows:
    - a. Buffered lanes are limited to roads posted at 40 mph or lower;
    - b. Dedicated lanes are limited to roads posted at 30 mph or lower; and
    - c. Shared lane markings are limited to roads posted at 25 mph or lower.
- (c) Bicycle facility types are limited by context, as specified in [Table 116: Permitted Bicycle Facilities by Context](#).

**Table 116: Permitted Bicycle Facilities by Context**

| Facility Type          | C1 | C2 | C2T | C3R | C3C | C4 | C5 | C6 |
|------------------------|----|----|-----|-----|-----|----|----|----|
| Shared use path        | ■  | ■  | ■   | ■   | ■   | ■  | ■  | ■  |
| Two-way separated lane | ■  | □  | □   | □   | ■   | □  | ■  | ■  |
| One-way separated lane | ■  | □  | □   | □   | ■   | ■  | ■  | ■  |
| Buffered lane          | ■  | □  | ■   | ■   | ■   | ■  | ■  | ■  |
| Dedicated lane         | □  | □  | □   | ■   | □   | ■  | ■  | ■  |
| Shared lane marking    | □  | □  | □   | ■   | □   | ■  | ■  | ■  |
| Wide outer lane        | ■  | ■  | □   | □   | □   | □  | □  | □  |

■ Permitted    □ Not Permitted

**SEC. 40-217 RESERVED.**

**SEC. 40-218 RESERVED.**

**SEC. 40-219 RESERVED.**

**SEC. 40-220 RESERVED.**

## ***DIVISION 3: UTILITIES***

### ***SEC. 40-221 GENERAL.***

- (a) All utility and infrastructure improvements must comply with the latest editions of the following:
  - (1) Orange County Code of Ordinances;
  - (2) Orange County Public Works Technical Manual;
  - (3) Orange County Utilities Standards and Construction Specification Manual; and
  - (4) Requirements of the utility service provider.
- (b) Water, wastewater, and reclaimed water systems must be designed in accordance with all applicable state and local criteria, by an engineer licensed in the State of Florida.
- (c) Off-site improvements to utilities and infrastructure may be required in order to offset the impacts caused by the proposed development.
- (d) Utility infrastructure that intersects with County utilities as well as other municipalities require acknowledgment from the respective municipality or entity in the form of a letter or formal communication, confirming compliance with County standards or indicating coordination with the County as necessary.
- (e) Utility infrastructure connected to bridges requires approval by the County Engineer.
- (f) Utility easements may be required parallel to existing and proposed public rights-of-way. All Orange County Utilities easements must comply with the Orange County Utilities Standards and Construction Specifications Manual (latest approved edition).
- (g) Permanent reference monuments (PRMs) must be placed as required by [F.S. Ch. 177](#).
  - (1) Monuments must be set in the ground so that the top is flush or no more than 1 foot below the finished grade.
- (h) Permanent control points (PCPs) must be placed as required by [F.S. Ch. 177](#).
  - (1) Points must be within 1 foot of finished grade.
- (i) Any privately owned infrastructure improvements must be perpetually maintained to County standards by the applicant and all successors in interest to the real property described in the permit issued.
  - (1) The applicant must enter into an agreement with the County, in recordable form, or some other form of security, satisfactory to the County which assures continuous, perpetual maintenance of the improvements.
  - (2) No certificate of occupancy will be issued until such assurance has been received and accepted by the County.
  - (3) No utilities are permitted under pavement unless approved by the County Engineer.

### ***SEC. 40-222 UNDERGROUND SERVICE.***

- (a) The applicant must make the necessary arrangements for service with each utility in accordance with the utility's established policies.
- (b) Utility lines of all kinds, including those of franchised utilities, must be supplied through underground networks, except electric lines carrying voltage in excess 69,000 volts.
  - (1) The Public Works Director, may permit aboveground service on a case-by-case basis.
  - (2) The Utilities Director, or their designee, may permit aboveground service regarding water, wastewater, and reclaimed water matters on a case-by-case basis.

## UTILITIES

- (c) Incidental appurtenances that cannot be located underground may be permitted, subject to the following:
  - (1) Incidental appurtenances include:
    - a. Electric and communication utilities: transformer boxes, pedestal-mounted terminal boxes for electricity, or similar service hardware.
    - b. Water, reclaimed water, and wastewater: water sample stations, air release valves, meters, master meters, double detector check valve assemblies, pump stations, hydrants, or similar service hardware.
  - (2) Privately owned incidental appurtenances that cannot be located underground must be screened from view from streets and abutting properties, provided and maintained by the private landowner, and must be approved by the applicable utility service provider.
  - (3) Publicly owned above ground equipment must be located outside any public utility easements and provide for access to the equipment being screened.

**SEC. 40-223 ELECTRIC SERVICE**

- (a) All lots must be provided with permanent electrical service.

**SEC. 40-224 FIRE PROTECTION**

- (a) Fire hydrant flows, fire hydrant spacing, and fire main design must follow the requirements of the latest editions of the Florida Fire Prevention Code and the Orange County Utilities Standards and Construction Specifications Manual.
- (b) Sites without central water supply
  - (1) Non-single-unit developments without a central water system must provide either:
    - a. An on-site stored water supply that complies with the Florida Fire Prevention Code; or
    - b. An alternate method of fire protection that is approved by the Office of the Fire Marshal.
  - (2) When required by the Florida Fire Prevention Code, certain high-risk developments must provide additional fire hydrants and other urban fire protection features.

**SEC. 40-225 RESERVED.****SEC. 40-226 RESERVED.****SEC. 40-227 RESERVED.****SEC. 40-228 RESERVED.****SEC. 40-229 RESERVED.****SEC. 40-230 RESERVED.**

## ***DIVISION 4: CIVIC AND OPEN SPACE***

### ***SEC. 40-231 GENERAL.***

- (a) Civic and open spaces must comply with the standards of this Division.
- (b) Landscaping within civic space and open space must meet the requirements of the [Article 3, Division 5: Landscape Standards](#).
- (c) Where a civic space or open space abuts existing or planned shared use paths, pedestrian, or bicycle ways, continuity of the abutting facility must be provided, extending pedestrian and bicycle connectivity with the same facility type and width, or transitioning in a way that is consistent with the Context Classification and the user type.
- (d) Civic space and open space ownership and access is subject to the following:
  - (1) Civic space and open space may be shared between multiple property owners;
  - (2) All civic spaces must be reasonably accessible to the public, and not inhibited by locked or limited access enclosure except outside of reasonable hours of operation;
  - (3) Civic space and open space must be maintained by the property owner, such as an approved Property Owners Association, Homeowners Association, or via Municipal Services Taxing Unit; and
  - (4) Only a County Park may be publicly owned and operated, and only if a developers agreement between the County and the developer is reached and a minimum of 20 developable acres land is conveyed to the County. Plazas, Squares, Pocket parks and other categories of civic space must be owned and operated by any other entity than the County.

### ***SEC. 40-232 OPEN SPACE.***

- (a) Open space may be provided in addition to any required civic space.
- (b) Structures are prohibited within open space, except: utility and stormwater infrastructure, play equipment, and open air pavilions.
- (c) Impervious surface in open space is limited to pedestrian and bike trails and paving supporting allowable structures. Semi-pervious surfaces should be utilized in place of impervious surfaces to the greatest extent possible.
- (d) Fencing & enclosure is subject to the following:
  - (1) Fencing is limited to a maximum height of 6 feet;
  - (2) Fencing must be greater than 50% transparent above the height of 4 feet; and
  - (3) Fencing must be installed outside of the right-of-way and is subject to sight distance criteria.
- (e) Parking is prohibited within open space.

### ***SEC. 40-233 CIVIC SPACE.***

#### ***(a) Civic Space Design.***

- (1) Civic spaces must be configured in accordance with one of the civic space types, as specified in this section. Each civic space type is limited in the percent of required civic space it may fulfill, resulting in multiple civic space types being required, specified as Overall Required Civic Space in [Table 117: Civic Space Credits](#).
- (2) Civic space must be reasonably accessible to the public, not inhibited by locked or limited access enclosure except outside of reasonable hours of operation.
- (3) Civic Spaces must comply with [Table 118: Civic Space Standards](#).
- (4) Greenways and wildlife corridors interrupted by roads but otherwise continuous are considered a single civic space. Wildlife corridor crossings of roads require special wildlife accommodations, as specified by the Environmental Protection Division.
- (5) Civic spaces must have roads along a minimum percentage of their perimeter; Where minimum road frontage is specified as a side of the civic space, sides are determined as the perimeter of the civic space within which

## CIVIC AND OPEN SPACE

- line segments meet at an angle greater than 135 degrees, as illustrated in [Figure 120: Measuring Civic Space](#).
- (6) Civic space dimensions and proportions are measured as specified in [Figure 120: Measuring Civic Space](#) and as follows:
    - a. Civic spaces are measured to the property line of the civic space, not including roads;
    - b. Greenways that occur within road rights-of-way or easements are measured from the back of sidewalk to the adjacent property line;
    - c. Irregular civic spaces are dimensioned by inscribed rectangle;
    - d. Minimum dimensions apply to both dimensions of a civic space or inscribed rectangle;
    - e. For triangular spaces, proportion is measured as the ratio of the shortest edge length to the longest edge length;
    - f. For irregular spaces, proportion is measured using an inscribed rectangle; and
    - g. For County Parks, a minimum of 20 developable acres of developable land, free of encumbrances and approved by the Parks Manager via a Developers Agreement needs to be conveyed. County Parks will be designed and Master Planned by the Orange County Parks and Recreation Division.
  - (7) The Zoning Manager may permit alternative civic space types by Minor Deviation, as specified in [Sec. 40-24 Minor Deviations](#).
  - (8) Upland Conservation Parks are subject to the following:
    - a. The minimum size is exclusive of natural surface water bodies and wetlands;
    - b. Must include areas of existing or constructed upland native plant communities, comprising a minimum of 75% of the total park area;
    - c. Existing or constructed native plant communities must comprise a minimum of 2,000 contiguous square feet and a minimum of 20 feet in any dimension; and
    - d. Non-native and invasive plants must be removed without the use of heavy equipment. Utilization of combination of approved herbicide, biological control and hand removal is encouraged.
  - (9) Semi-pervious surface allowances are in addition to the maximum impervious surface. Semi-pervious surfaces may exceed the semi-pervious surface maximum, but the excess above that maximum is counted towards the impervious surface maximum on a 1-1 basis.
  - (10) For engineering purposes, semi-pervious surfaces are counted as impervious.
  - (11) Other civic space types permitted by Minor Deviation by the Zoning Manager are subject to improvement requirements as set forth in [Table 5: Minor Deviation Review Criteria](#).
  - (12) Buildings within civic space are limited to the following:
    - a. Building height is limited to 2 habitable stories, additional non-habitable elements are limited to a maximum of 40 feet;
    - b. Building footprint is limited as specified under the heading of "Coverage by Buildings" in the table of standards;
    - c. Building uses are limited to: open air and screened pavilions, restroom facilities, interpretive centers, community centers, clubhouses, pools and support facilities, play equipment, concessions and cafes less than 800 square feet enclosed, athletic support facilities and field houses, and other uses that support the social or recreational use of civic space, as determined by the Zoning Manager.

**(b) Natural Surface Waters, Wetlands, and Stormwater Areas.**

- (1) Stormwater areas are limited in the amount that they count towards minimum civic space requirements, as specified in [Table 117: Civic Space Credits](#), and are subject to the following:
  - a. Stormwater areas that include approved low impact development (LID) methods per Public Works, except biosorption activated media (BAM);
  - b. Wet stormwater retention ponds may count only the area landward from the Top of Bank, where providing access in compliance with [Chapter 34 Section 250 \(Open Drainage Facilities\) of the Orange County Code](#), and including, at a minimum, a shared use pathway, subject to approval by the County Engineer; and
  - c. The maximum allowable stormwater area is calculated as a percentage of the area of the total civic space.
- (2) Natural surface waters and wetlands within civic spaces are limited by civic space type as specified in [Table 117: Civic Space Credits](#) and the following:
  - a. Natural surface waters are measured from the Normal High Water Elevation for lakes. Streams are measured from the Safe Upland Line; and
- (3) Alternative civic space types permitted by the Zoning Manager are subject to open water and stormwater limitations as set forth in [Table 5: Minor Deviation Review Criteria](#).

**(c) Uses within Civic Spaces.**

- (1) Required and permitted uses are as specified in [Table 119: Uses Within Civic Spaces](#).



- (2) Required uses must be provided within each civic space by type; permitted uses are optional.
- (3) Any construction within wetlands requires a permit from the Environmental Protection Division and any relevant state or federal agencies.
- (4) Alternative civic space types permitted by the Zoning Manager are subject to accommodation requirements as set forth in [Table 5: Minor Deviation Review Criteria](#).
- (5) Any construction within floodplain is subject to [Chapter 19 \(Floodplain Management\) of the Orange County Code](#) and requires approval from the County Flood Plain Administrator.

**(d) Fencing & Enclosures.**

- (1) Fencing is permitted, subject to the following:
  - a. Fencing is limited to a maximum height of 6 feet, except fencing for sports courts and fields which may be the customary height for such fencing;
  - b. Fencing must be greater than 50% transparent above the height of 4 feet;
  - c. Fencing must be masonry, metal, or a combination of both, except for sport courts and fields, which may have chain linked fencing;
  - d. Wood fencing and wildlife fencing is permitted within greenways, parks, and county parks, and upland conservation parks subject to approval of the Environmental Protection Division in addition to standard permits for fencing; and
  - e. Fencing must be installed outside of the right-of-way and is subject to sight distance criteria.
- (2) The following civic spaces may be fully enclosed along their perimeters, except at pedestrian entries which may not be gated: pocket park, cross-block pedestrian walkway, plaza, and square.
- (3) Dog parks must be fully enclosed and gated.
- (4) Playgrounds may be fully enclosed and gated.

**(e) Parking within Civic Spaces.**

- (1) Permanent parking areas within civic spaces do not contribute to minimum civic space requirements.
- (2) Temporary parking areas may contribute to required civic space when the following conditions are met:
  - a. Temporary parking areas are only used during occasional events such as a farmers' market, wedding, not to exceed a total of 12 hours per week;
  - b. Temporary parking within plazas are not permanently striped or signed;
  - c. Temporary parking in all civic space types except plazas are no more than 25% impervious; and
  - d. Temporary parking areas do not exceed 40% of the civic space area.

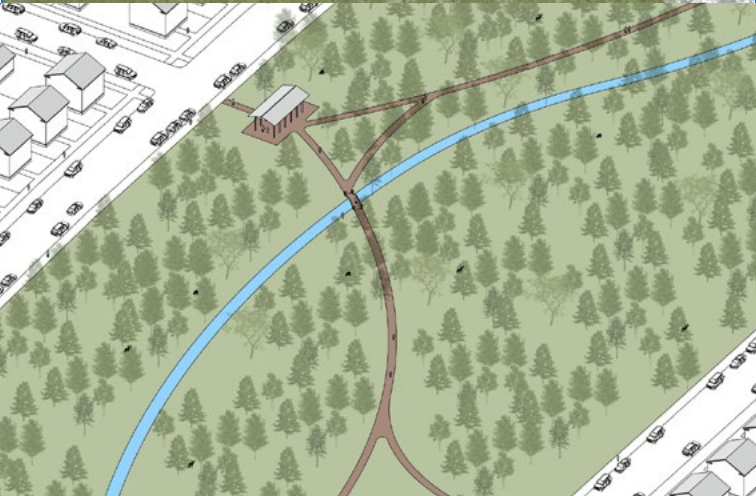
**SEC. 40-234 CIVIC AND OPEN SPACE LIGHTING.**

- (a) Lighting is subject to [Chapter 9 Article XVI \(Exterior Lighting Standards\) of the Orange County Code](#) in addition to the requirements of this section.
- (b) Lighting must include controls to automatically extinguish lighting when sufficient daylight is available.
- (c) Lighting fixtures are subject to the following:
  - (1) Lighting must be LED with correlated color temperature (CCT) between 3,000°K and 4,000°K;
  - (2) Light from LED luminaires should be diffused and shielded from direct view; and
  - (3) Lighting must be angled or shielded to limit vertical projection of light beyond 90 degrees, restricted to 100 lumens per fixture.
- (d) Total lighting is limited as follows:
  - (1) Total lighting within open spaces is limited to 0.5 lumens per square feet of hardscape; and
  - (2) Total lighting within civic spaces is limited by the lighting zone specified in [Table 118: Civic Space Standards](#), and as follows:
    - 1. LZ-0: 0.5 lumens per square feet of hardscape;
    - 2. LZ-1: 1.25 lumens per square feet of hardscape;
    - 3. LZ-2: 2.5 lumens per square feet of hardscape; and
    - 4. LZ-3: 5.0 lumens per square feet of hardscape.

**Table 117: Civic Space Credits**

| Civic Space Type               | Maximum Area Credited Towards Required Civic Space    |                                                        |                      |                                                 |                                  |
|--------------------------------|-------------------------------------------------------|--------------------------------------------------------|----------------------|-------------------------------------------------|----------------------------------|
|                                | Overall Required Civic Space                          |                                                        |                      | Natural Surface Waters and Wetlands             | Stormwater Areas & LID Practices |
|                                | Plans Over 40 Acres                                   | Plans 10 to 40 Acres                                   | Plans Below 10 Acres |                                                 |                                  |
| Upland Conservation Park       | 40% total                                             | 50% total                                              | n/a                  | n/a                                             |                                  |
| County Park                    | 40% total or 80% if within 2,640 ft. of all dwellings | n/a                                                    | n/a                  | Subject to Parks and Recreation Division review |                                  |
| Park                           | 60% total                                             | 60% total or 100% if within 1,320 ft. of all dwellings | n/a                  | n/a                                             | 20% max.                         |
| Wildlife Corridor              | 20% total                                             | 30% total                                              | n/a                  | Subject to EPD review                           |                                  |
| Greenway                       | 25% total                                             | 30% total                                              | 40% total            | n/a                                             | 20% max.                         |
| Compact green                  | 20% total                                             | 40% total                                              | 50% total            | n/a                                             | 10% max.                         |
| Green                          | 30% each<br>60% total                                 | 60% total                                              | 100% total           | n/a                                             | 20% max.                         |
| Square                         | 25% each<br>75% total                                 | 80% total                                              | 100% total           | n/a                                             | 10% max.                         |
| Plaza                          | 25% each<br>75% total                                 | 80% total                                              | 100% total           | n/a                                             | 5% max.                          |
| Pocket Park                    | 20% total                                             | 25% total                                              | 30% total            | n/a                                             | 20% max.                         |
| Cross-block pedestrian walkway | 10% total                                             | 15% total                                              | 20% total            | n/a                                             |                                  |
| Alternative Open Spaces        | Minor Deviation as approved by the Zoning Manager.    |                                                        |                      |                                                 |                                  |

**Table 118: Civic Space Standards**

| Upland Conservation Park (natural preserve)                                      |                        |                                                                                                                         |
|----------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------|
|  | Zones                  | Any                                                                                                                     |
|                                                                                  | Road Frontage, minimum | 20% of civic space perimeter                                                                                            |
|                                                                                  | Size                   | 0.5 acres, minimum                                                                                                      |
|                                                                                  | Dimension, minimum     | n/a                                                                                                                     |
|                                                                                  | Proportions            | n/a                                                                                                                     |
|                                                                                  | Impervious Surface     | Limited combined to a maximum of 0.25 acres or 12% of the civic space, which-ever is less. Additional 5% semi-pervious. |
|                                                                                  | Semi-pervious Surface  |                                                                                                                         |
|                                                                                  | Coverage by Buildings  |                                                                                                                         |
|                                                                                  | Landscaping            | » Native, turf prohibited<br>» 1 canopy tree per 4,000 sf., minimum                                                     |
|                                                                                  | Seating                | Subject to Environmental Protection Division review                                                                     |
| Lighting                                                                         |                        |                                                                                                                         |

| County Park | | |
|  | Zones | Any |
| Road Frontage, minimum | Subject to Parks and Recreation Division review |
| Size | 20 acres, minimum |
| Dimension, minimum | 400 ft. |
| Proportions | n/a |
| Impervious Surface | Subject to Parks Manager review |
| Semi-pervious Surface |
| Coverage by Buildings |
| Landscaping |
| Seating |
| Lighting |  |
| Park | | |
|  | Zones | Any |
| Road Frontage, minimum | 1 side, minimum |
| Size | 1 acre, minimum |
| Dimension, minimum | 400 ft. |
| Proportions | n/a |
| Impervious Surface | 20% maximum |
| Semi-pervious Surface | +15% maximum |
| Coverage by Buildings | 5% maximum |
| Landscaping | 1 canopy tree per 8,000 sf., minimum |
| Seating | 1 bench per 2,000 sf., minimum |
| Lighting | Required, zone LZ-1; Athletic field lighting subject to Planning Manager review. |



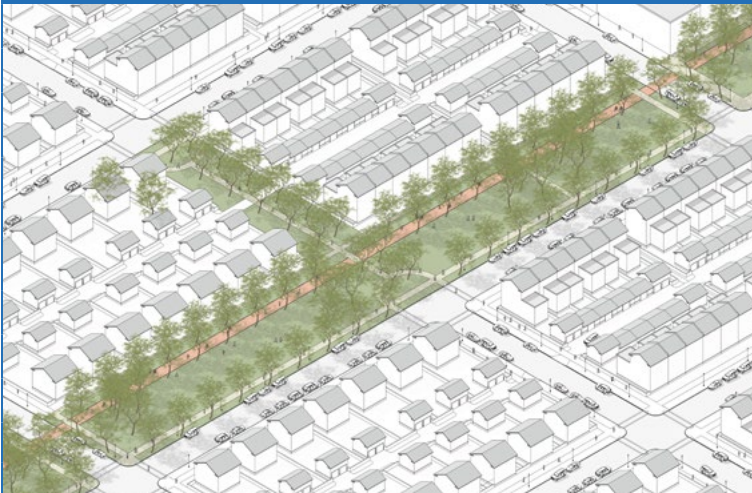
**Table 118: Civic Space Standards**

Wildlife Corridor



|                        |                                                                                                                       |
|------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Zones                  | Any                                                                                                                   |
| Road Frontage, minimum | n/a                                                                                                                   |
| Size                   | 2 acres, minimum<br>(may be interrupted by roads)                                                                     |
| Dimension, minimum     | 600 ft.                                                                                                               |
| Proportions            | n/a                                                                                                                   |
| Impervious Surface     | Limited combined to a maximum of 0.10 acres or 2% of the civic space, whichever is less. Additional 2% semi-pervious. |
| Semi-pervious Surface  |                                                                                                                       |
| Coverage by Buildings  |                                                                                                                       |
| Landscaping            | » Native, turf is prohibited<br>» 1 canopy tree per 2,000 sf., minimum                                                |
| Seating                | Subject to Environmental Protection Division review                                                                   |
| Lighting               |                                                                                                                       |

Greenway



|                        |                                                   |
|------------------------|---------------------------------------------------|
| Zones                  | Any                                               |
| Road Frontage, minimum | 50%                                               |
| Size                   | 2 acres, minimum<br>(may be interrupted by roads) |
| Dimension, minimum     | 40 ft. minimum                                    |
| Proportions            | n/a                                               |
| Impervious Surface     | 15%, maximum                                      |
| Semi-pervious Surface  | +15%, maximum                                     |
| Coverage by Buildings  | 3%, maximum                                       |
| Landscaping            | 1 canopy tree per 3,000 sf., minimum              |
| Seating                | 1 bench per 4,000 sf., minimum                    |
| Lighting               | Required along trails, except in T2; zone LZ-1    |

Green

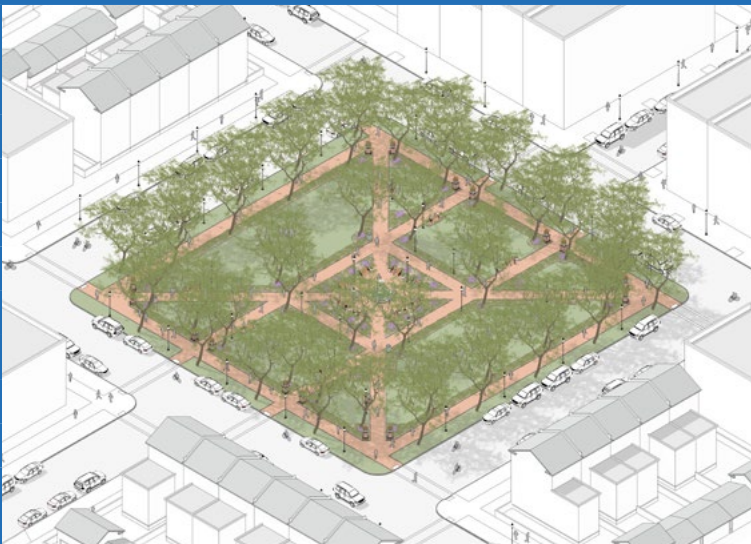


|                        |                                                                                 |
|------------------------|---------------------------------------------------------------------------------|
| Zones                  | T3, T4, T5, SZ-EN, SZ-ED, SZ-MH, CZ-OS                                          |
| Road Frontage, minimum | 2 sides, minimum                                                                |
| Size                   | 0.5 - 5 acres                                                                   |
| Dimension, minimum     | 80 ft. minimum                                                                  |
| Proportions            | 0.2:1 - 1:1                                                                     |
| Impervious Surface     | 20%, maximum                                                                    |
| Semi-pervious Surface  | +10%, maximum                                                                   |
| Coverage by Buildings  | 5%, maximum                                                                     |
| Landscaping            | 1 canopy tree per 2,000 sf., minimum                                            |
| Seating                | 1 bench per 3,000 sf., minimum                                                  |
| Lighting               | Required other than T3; zone LZ-1 in T3, T4, and SZ-OS, and LZ-2 in all others. |

**Table 118: Civic Space Standards**



|                               |                                                                                                                    |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Zones</b>                  | T3, T4, T5, T6, SZ-EN, SZ-ED, SZ-MH, CZ-OS                                                                         |
| <b>Road Frontage, minimum</b> | 1 side, minimum                                                                                                    |
| <b>Size</b>                   | 0.25 - 1 acre                                                                                                      |
| <b>Dimension, minimum</b>     | 40 ft. minimum                                                                                                     |
| <b>Proportions</b>            | n/a                                                                                                                |
| <b>Impervious Surface</b>     | 15%, maximum                                                                                                       |
| <b>Semi-pervious Surface</b>  | +10%, maximum                                                                                                      |
| <b>Coverage by Buildings</b>  | 3%, maximum                                                                                                        |
| <b>Landscaping</b>            | 1 canopy tree per 2,000 sf., minimum                                                                               |
| <b>Seating</b>                | 1 bench per 2,000 sf., minimum                                                                                     |
| <b>Lighting</b>               | Required in T4, T5, and T6; Zones: LZ-1 in T3, T4, SZ-MH and SZ-OS; LZ-2 in T5 and SZ-ED; and LZ-3 in T6 and SZ-EN |



|                               |                                                                                       |
|-------------------------------|---------------------------------------------------------------------------------------|
| <b>Zones</b>                  | T4, T5, T6, SZ-EN, SZ-ED, CZ-OS                                                       |
| <b>Road Frontage, minimum</b> | 4 sides, may include roads and non-vehicular ways                                     |
| <b>Size</b>                   | 0.2 - 3 acres                                                                         |
| <b>Dimension, minimum</b>     | 80 ft. minimum                                                                        |
| <b>Proportions</b>            | 0.25:1 - 1:1                                                                          |
| <b>Impervious Surface</b>     | 35%, maximum                                                                          |
| <b>Semi-pervious Surface</b>  | +15%, maximum                                                                         |
| <b>Coverage by Buildings</b>  | 25%, maximum                                                                          |
| <b>Landscaping</b>            | 1 canopy tree per 2,000 sf., minimum                                                  |
| <b>Seating</b>                | 1 bench per 2,000 sf., minimum                                                        |
| <b>Lighting</b>               | Required; Zones: LZ-1 in T4 and SZ-OS; LZ-2 in T5 and SZ-ED; and LZ-3 in T6 and SZ-EN |



**Table 118: Civic Space Standards**

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**Table 119: Uses Within Civic Spaces**

| Use                                                | Upland<br>Conserva-<br>tion Park | County<br>Park | Park | Wildlife<br>Corridor | Greenway | Compact<br>Green | Green | Square | Plaza | Pocket Park | Cross-<br>block<br>Walkway |
|----------------------------------------------------|----------------------------------|----------------|------|----------------------|----------|------------------|-------|--------|-------|-------------|----------------------------|
| <b>Active Recreation</b>                           |                                  |                |      |                      |          |                  |       |        |       |             |                            |
| Athletic Fields (structured)                       |                                  | P              | P    |                      | P        |                  |       |        |       |             |                            |
| Athletic Fields (unstructured)                     |                                  | P              | P    |                      | P        | P                | P     | P      |       |             |                            |
| Camping                                            |                                  | P              |      |                      |          |                  |       |        |       |             |                            |
| Community Garden                                   |                                  | P              | P    |                      | L        | P                | L     | L      | L     | P           |                            |
| Dog Park                                           |                                  | P              | P    |                      | L        | P                | P     | L      |       | P           |                            |
| Exercise Equipment                                 |                                  | P              | P    |                      | P        | P                | P     | P      |       | P           |                            |
| Fishing                                            |                                  | P              | P    |                      | P        |                  |       |        |       |             |                            |
| Performance space                                  |                                  | P              | P    |                      |          |                  | P     | P      | P     |             |                            |
| Playground                                         |                                  | P              | R    |                      | P        | P                | P     | P      |       | P           |                            |
| Paths (walking)**                                  | P*                               | P              | R    | P*                   | R        | R                | R     | R      | R     | R           | R                          |
| Paths (cycling)                                    | P*                               | P              | R    | P*                   | R        | P                | P     | P      | P     | P           | P                          |
| Paths (equestrian)                                 | P*                               | P              | P    | P*                   | P        |                  |       |        |       |             |                            |
| Specialized sports facilities                      |                                  | P              | P    |                      |          |                  |       |        |       |             |                            |
| Skate Park                                         |                                  | P              | P    |                      |          |                  | L     | L      | L     |             |                            |
| Swimming Pool                                      |                                  | P              | P    |                      | P        | P                | P     | P      |       |             |                            |
| Similar Uses as determined by the Planning Manager | P                                | P              | P    |                      | P        | P                | P     | P      | P     | P           | P                          |
| <b>Passive Recreation</b>                          |                                  |                |      |                      |          |                  |       |        |       |             |                            |
| Concerts                                           |                                  | P              | P    |                      |          |                  | P     | P      | P     |             |                            |
| Farmers Market                                     |                                  | P              | P    |                      | P        | P                | P     | P      | P     | P           | P                          |
| Festivals                                          |                                  | P              | P    |                      |          |                  |       |        |       |             |                            |
| Furniture Games                                    |                                  | P              | P    |                      | P        | P                | P     | P      | P     | P           | P                          |
| Outdoor Dining                                     |                                  | P              | P    |                      |          | L                | L     | L      | P     | P           | P                          |
| Food Sales                                         |                                  | P              | P    |                      |          |                  | P     | P      | P     |             | P                          |
| Public Art                                         | P                                | P              | P    |                      | P        | P                | P     | P      | P     | P           | P                          |
| <b>Other Uses</b>                                  |                                  |                |      |                      |          |                  |       |        |       |             |                            |
| Restroom Facilities                                | P                                | P              | R    |                      | P        |                  | P     | P      | P     |             |                            |
| Water Features                                     |                                  | P              | P    |                      | P        | P                | P     | P      | P     | P           | P                          |

(P) Permitted (R) Required (L) Limited to no more than 25% of the civic space area

\* Uses and path locations require approval from the Environmental Protection Division (EPD).

\*\* Paths must be constructed with pervious type materials.

**Figure 120: Measuring Civic Space**

**Illustrated: Measurements Of Irregularly Shaped Civic Spaces**



**A:** Corners separating 2 sides of the civic space

**B:** Obtuse angles that do not separate sides of the civic space

**C:** Inscribed rectangle defining civic space proportion, measured to the edge of the road

**X & Y:** Edges of the inscribed rectangle

**SEC. 40-235** *RESERVED.*

**SEC. 40-236** *RESERVED.*

**SEC. 40-237** *RESERVED.*

**SEC. 40-238** *RESERVED.*

**SEC. 40-239** *RESERVED.*







# ARTICLE VI–DEFINITIONS



## ***DIVISION 1: APPLICABILITY***

### ***SEC. 40-240 APPLICABILITY, GENERAL.***

- (a) This Article provides definitions for terms used in this Code that are technical in nature or that otherwise may not reflect a common usage of the term.
- (b) The definitions apply to all Articles in this Code, unless specified otherwise.
- (c) If any of the definitions conflict with definitions in other provisions of the County Code, these definitions control for the purposes of this Chapter.
- (d) Terms used throughout the Code may also be illustrated in this Chapter 40 of County Code.

## ***DIVISION 2: DEFINITION OF TERMS***

### ***SEC. 40-241 DEFINITIONS, GENERAL.***

**A-street:** a framework street designated, in coordination with B-street designations, as a way of greater pedestrian importance than associated B-streets, which requires that hypothetical lots along them be held to the full standards of this Code.

**Abutting:** any property immediately adjacent to or contiguous to property, including property located immediately across any road or public right-of-way. (syn: adjacent)

**Accessory structure or accessory use:** a subordinate building or structure situated on the same lot as the principal building or structure, or a subordinate use of land, and which building, structure, or use is customarily incidental to and typically found in association with such principal building or use.

**Accessory dwelling unit (ADU):** a separate additional dwelling unit, including kitchen, sleeping, and full bathroom facilities, attached or detached from the primary residential unit, on a single-unit lot, and subordinate in size, location, and appearance to the primary dwelling unit.

**Active interior spaces:** interior spaces that are in regular use by people, such as lobbies, retail interiors, seating for food and beverage, classrooms, offices, meeting rooms, and living spaces.

**Adult entertainment establishment:** definition as specified in the Chapter 3, County Code.

**Agricultural storage and distribution:** a site where agricultural products, including produce, are stored and distributed following production elsewhere.

**Air curtain incinerator:** a portable or stationary combustion device that directs a plane of high velocity forced draft air through a manifold head into a pit with vertical walls in such a manner as to maintain a curtain of air over the surface of the pit and a recirculating motion of air under the curtain. Use of an air curtain incinerator is considered open burning for the purposes of this ordinance. For air curtain incinerator facility, see definition of wood waste incinerator facility.

**Aircraft:** a weight-carrying structure for navigation of the air that is supported either by its own buoyancy or by the dynamic action of the air against its surfaces.

**Airport:** any area of land or water designated and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purpose.

**Alley:** a narrow right of way, that may be private or public, to provide access to the side or rear of individual land parcels.

**Amenities, minimal:** a field which may lack the specialized facilities found in structured fields, such as bleachers or lighting.

**Animal services:** animal service uses including: domestic animal or pet hospitals, pet boarding, and veterinarian facilities. Excludes livestock.

## DEFINITION OF TERMS

**Apartment:** a residential unit in a multi-unit or mixed-use building.

**Arable farming:** the practice of growing crops and fields that have been plowed before planting, such as wheat and barley.

**Arcade:** an arched or covered passageway within a building or attached to a building and supported on at least one side by columns. An arcade may extend over the sidewalk or a pedestrian walkway within the site.

**Arterial Road:** an arterial road is as defined by F.S. 334.03 as a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance. In addition, every United States numbered highway is an arterial road.

**Articulation:** the visible expression of architectural or landscape elements through form, structure or material that break up the scale of buildings and spaces to achieve human scale.

**Artistic crosswalk (marking):** a non-standard crosswalk marking design often used to provide visual interest to intersections in themed areas, typically with high pedestrian volumes. Because artistic crosswalk markings are non-standard, the FHWA maintains specific standards to ensure their design does not appear to be that of a standard crosswalk marking.

**Assisted living facility:** any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, excluding a "nursing home" as defined in this section, or other residential facility, whether operated for profit or not, which is licensed by the State of Florida and undertakes through its ownership or management to provide housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

**Athletic field, structured:** a field designed for specific sports or activities with defined boundaries, markings, and dimensions adhering to the rules of the specific sport. Typically have surfaces optimized for the sport, such as grass, turf, clay, or synthetic materials and often include additional facilities like bleachers, scoreboards, lighting, and locker rooms.

**Athletic field, unstructured:** a field with a flexible layout for general recreational use, without specific markings or dimensions for any particular sport typically of natural surfaces such as grass or dirt, providing a natural and versatile playing surface.

**Attic:** the unfinished space between the ceiling and the roof of the story below that would not be used as living area for a dwelling unit.

**Automobile service station:** buildings and premises designed so as to cater principally to automobiles, where gasoline, oils and greases, batteries, tires and automobile accessories may be supplied and dispensed at retail (or in connection with a private operation), and also where the following services may be rendered: (1) Sale and servicing of spark plugs, batteries and distributors. (2) Tire repair and servicing, but no recapping. (3) Replacement of mufflers and tailpipes, water hoses, fan belts, brake fluid, lightbulbs, floor mats, seat covers, wiper blades, windshield wipers, and replacement of grease containers, and wheel bearings. (4) Radiator cleaning and flushing. (5) Washing and polishing. (6) Greasing and lubrication. (7) Exchanging fuel oil pumps and installing fuel lines. (8) Minor servicing and replacing of carburetors. (9) Emergency wiring repairs. (10) Adjusting and repair of brakes. (11) Minor adjustment of engines, not involving removal of head. (12) Sale of cold drinks and packaged foods as accessory only to principal operations. (13) Towing service as an incidental use provided there is no storage of vehicles on-site. Only one tow truck shall be allowed.

**Auto related commercial:** a place of business serving auto-related needs including, but not limited to: car rental, repairs, retail sales such as auto parts, tire store, car sales, and car wash.

**Aviary:** an enclosure for holding birds, excluding poultry, in confinement.

**Awning:** a cover or screen, usually consisting of canvas fabric, supported and stiffened by a rigid frame, extending over or before windows, doors, outside walks, or the like, and providing shelter or protection against the elements.

**B-street:** a framework street designated, in coordination with A-street designations, to alleviate them alleviation from frontage occupation requirements such that they can function as service streets.

**Balcony:** a balustrade or railed elevated platform projecting from the wall of a building.

**Basement:** a portion of a building located partly or wholly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

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**Bay window:** a window built to project outward from an outside wall.

**Beacon light:** any light with 1 or more beams, capable of being directed in any direction or directions, or capable of being revolved automatically, or having any part thereof capable of being revolved automatically.

**Beacons:** traffic safety or traffic control devices defined as such in the U.S. Department of Transportation Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices or as defined and authorized through interim approvals issued by FHWA.

**Bed and breakfast facility:** use in which no more than 3 guest rooms in the principal residential structure are set aside for guest clients and where breakfast is traditionally provided at no extra cost; lengths of stay of guest clients range from 1 day to seasonal; and the owner/operator of the principal structure resides on-site. A bed and breakfast facility does not include uses such as motels, hotels, health or group living facilities, boarding or lodging houses, apartment dwellings, guest cottages or single dwelling transient rental.

**Bed and breakfast homestay:** use to a single dwelling unit in which no more than 6 rooms in the principal residential structure are set aside for guest clients and where breakfast is traditionally provided at no extra cost; lengths of stay of guest clients ranges from 1 day to 30 days; and the owner/operator of the principal structure resides on-site. Bed and breakfast homestay does not include uses such as motels, hotels, community residential homes, boardinghouses, apartment dwellings, guest cottages or single dwelling transient rental.

**Bed and breakfast inn:** a dwelling unit in which 7 to 12 rooms in the principal residential structure are set aside for guest clients. Breakfast may be served on-site only to guest clients. The length of stay of guest clients ranges from one day to a season; and the owner/operator of the principal structure resides on-site.

**Bicycle parking, long term:** secured storage intended to be used for durations of 4 hours and greater, typically serving residents, employees, and overnight guests that provides a secure location in addition to individual bike locks and provides increased protection from weather.

**Bicycle parking, short term:** intended to be used for less than 4 hours, typically serving customers or other short-term visitors, is visible and easily accessible to the intended users, and allows for bicycles to be individually secured.

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

**Bikesharing:** a system in which a shared fleet of bicycles, in docking stations at dispersed locations or unattended self-service facilities within a service area, is made available for hourly or daily rental use without a separate written agreement required for each bicycle reservation or use by members of the bikeshare group, who may consider membership an alternative to car ownership.

**Bikeway:** a general term to describe any bike lane, cycle track, multi-use path, or other route specifically designed and designated for bicycle travel including marked routes shared with other users.

**Billboard:** a large sign intended to advertise to people in vehicles, typically mounted on a pole, and whose copy is not directly related to or associated with the site on which the sign is located.

**Biosolids:** the solid, semisolid, or liquid residue generated during the treatment of domestic wastewater in a domestic wastewater treatment facility, also known as "domestic wastewater residuals," "residuals," or "sewage sludge".

**Biosolids application site:** a property where biosolids or septage are applied to land.

**Biosolids storage facility:** a facility where biosolids, including Class AA biosolids distributed and marketed as a fertilizer, are

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staged or stored longer than 7 days; excluding facilities where only Class AA biosolids in leak-proof bags or shipping containers of up to one metric ton each are stored; and excluding bona fide agricultural operations enrolled and in compliance with a relevant Florida Department of Agriculture and Consumer Services (FDACS) Best Management Practices program.

**Biosolids treatment facility:** a facility that treats biosolids from other facilities before use or land application.

**Biomedical “bio-hazardous” waste incinerator facility:** property, structures and other appurtenances and improvements on the land used for incineration of the following: any solid or liquid waste which may present a threat of infection to humans. The term includes, but is not limited to, non-liquid tissue and body parts from humans and other primates; laboratory and veterinary waste which contains human disease-causing agents; used discarded sharps; and blood, blood products and body fluids from humans and other primates. The following are included: Used, absorbent materials such as bandages, gauzes, or sponges supersaturated, having the potential to drip or splash, with blood or body fluids from areas such as operating rooms, delivery rooms, trauma centers, emergency rooms or autopsy rooms; devices which retain visible blood adhering to inner surfaces after use and rinsing such as intravenous tubing, hemodialysis filters and catheters; and other contaminated solid waste materials which represent a significant risk of infection because they are generated in medical facilities which care for persons suffering from diseases requiring strict isolation criteria and listed by the U.S. Department of Health and Human Services, Centers for Disease Control, “CDC Guideline for Isolation Precautions in Hospitals,” July/August, 1983. (Reference to be retained on file in the zoning and environmental protection departments.) Note: This definition includes wastes generated from medical, dental or other similar facilities.

**Biological waste incinerator facility:** a property, structures, and other appurtenances and improvements on the land used for incineration of solid waste that causes or has the capability of causing disease or infection and includes, but is not limited to, deceased or dead animals and human remains capable of transmitting pathogens to humans or animals. This definition is intended to include facilities used for the incineration of dead human bodies or animals in conjunction with a laboratory, animal service facility, and human or animal medical facility.

**Block:** a term collectively describing the lots, alleys, civic spaces, and open areas bounded by roads or other bounding elements as specified in [Article 5, Division 1: Site Development](#).

**Block face:** the extent of the bounding line of a block along one block edge, including angles above 135 degrees.

**Block perimeter:** the total length of a line enclosing the block along road right-of-ways and lot frontages.

**Boardinghouse:** an owner-occupied dwelling used for the purpose of providing meals or lodging or both for more than 5 and fewer than 12 persons other than members of the owner’s family. This definition shall not include a nursing home or community residential home.

**Bottle Club:** any establishment operated for pecuniary gain in which no alcoholic beverages are sold, but where patrons are permitted to bring alcoholic beverages upon the premises for consumption.

**Breezeway:** a roofed open-sided or enclosed passageway, connecting the principal structure on a site with another part of the principal structure or accessory building(s) on a single property.

**Brewpub:** a restaurant that is licensed by the Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco to produce malt beverages for on site consumption.

**Buffer, landscape:** a designated area of land, including landscaping, berms, walls, fences, and building setbacks, used as a visual and ambient screen to protect a property of lower intensity uses from impacts of other higher intensity uses.

**Buildable area:** the portion of a lot remaining after required setbacks have been provided. Buildings may be placed in any part of the buildable area, but other requirements such as impervious area or lot occupation may limit use of buildable area.

**Building:** any structure designed or built for the support; enclosure; shelter; and/or protection of persons, animals, or property of any kind, excluding trailers and tents as hereinafter defined.

**Building configuration:** the form of a building based on its massing, private frontage, and height.

**Building height:** the vertical extent of a building measured in stories or feet.

**Building placement:** the placement of a building on its lot.

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**Building, principal:** the main building or buildings on a lot, usually located toward the frontage.

**Building scale:** the relationship between the mass of a building and its surroundings, including the width of street, nearby open space, and the mass of buildings on adjacent properties.

**Bulletin board:** a permanent sign with removable letters, words, numerals, fliers, and other materials that may be displayed for a limited duration.

**Bus, school:** any motor vehicle that complies with the color and identification requirements of F.S. Ch. 234 and is used to transport children to or from school, or in connection with school activities.

**By right:** characterizing a proposal or component of a proposal for a community plan, development plan or building plan that complies with the Code and is permitted and processed administratively.

**Caliper:** a measurement of the diameter of a tree at a predetermined point. Trees with trunk diameters up to and including 4 inches are measured 6 inches above existing grade. Trees with trunk diameters greater than 4 inches are measured 12 inches above the existing grade.

**Camping trailer:** a portable recreational vehicle mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational camping or travel use.

**Canopy:** a fixed-roofed overhanging structure, which provides shade or protection and is in whole or in part self-supporting with open sides.

**Canopy tree:** a tree species which features a minimum mature canopy spread of at least 25 feet, as described in the Florida Friendly Plant List. At the time of installation, each shade tree must be a minimum of 10 feet tall, with a minimum caliper of 3 inches. Depending on the proposed location and growing conditions, other tree species not listed in the Florida Friendly Plant List may be considered by the Orange County Zoning Manager or designee.

**Carsharing:** a system in which a shared fleet of vehicles, in parking spaces at dispersed locations or unattended self-service facilities within a service area, is made available for hourly or daily rental use without a separate written agreement required for each vehicle reservation or use by members of the carshare group, who may consider membership an alternative to car ownership.

**Carsharing space:** a parking space that is designated for the parking of a carsharing vehicle and unavailable for general rental use as indicated through pavement marking and signage. Signage should indicate non-carsharing vehicles may be towed and should be consistent with the requirements of Chapter 35, Article II, Division 3, County Code.

**Car wash:** an establishment engaged in the business of washing vehicles with self-serve, automated, or staffed facilities. An automated facility is limited to an automatic computerized cashier and in-bay rolling washing machine and dryer. Car washes may also include hand detailing operations, whether such operations are the primary use of a parcel or incidental to a primary use.

**Center (Master Plans):** as it relates to a Master Plan, a Center is a division of the Master Plan site area, shaped and sized according to Pedestrian Shed requirements, which has a Neighborhood Center, Urban Center, Urban Core, or Regional Center future land use Place Type assignment.

**Centerline:** a line drawn along the center of roads, framework streets, and non-vehicular ways used to determine their length. Centerlines are segments that end where the centerline intersects another centerline, or at the center of a cul-de-sac.

**Centerline length:** a measurement of the length of all road, framework street, and non-vehicular way centerlines, individually by type (road, framework street, or non-vehicular way) or cumulative of all types, as specified within the regulatory text.

**Certificate of Occupancy:** an official document evidencing that a building satisfies the requirements of the County for the occupancy of the building.

**Chicken coop and pen area:** collective areas for keeping domestic chickens. The coop is a covered enclosure designed for roosting of chickens that provides ventilation and protection from drafts, sunlight, the effects of weather, and predators. The pen area is an area around the chicken coop used by chickens for exercising and foraging.

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**Civic:** the general term defining services dedicated to the public, typically including culture, education, recreation, government, transit, and municipal parking.

**Civic building:** a building dedicated to culture, education, recreation, government, and transit, or for use approved by the public.

**Civic facility:** a building or complex owned by a government entity, a utility provider, or a non-profit entity as approved through a Special Exception, that is used for public benefit or governmental operations.

**Civic space:** open space designed to specific standards which are structured to support recreational use of the space or the protection of natural assets.

**Civic space type:** civic spaces organized by their physical characteristics, including size, location, and surface material.

**Clean dry wood:** wood (including lighter pine), lumber or tree and shrub trunks, branches and limbs which are free of paint, penthuchlorophenol, creosote, tar, asphalt or other wood preservatives and which when burned do not emit excessive visible emissions.

**Clearing:** defined by Chapter 15, Article VIII (Tree Protection and Removal) of Orange County Code.

**Clubs (Fraternal/Civic Organization):** association of persons for social or recreational purposes, including those organized chiefly to promote friendship and welfare among its members, or an establishment where people with similar interests come together to socialize or participate in activities, but not operated primarily for profit or to render a service which is customarily carried on as a business.

**Collection bin:** any stationary or free-standing container, receptacle, or similar device that is located outdoors on any property within the County and is used for the collection of donated items, such as clothing, books, shoes or other non-perishable personal property.

**Collector road:** a collector road is as defined by F.S. 334.03, means a route providing service which is of relatively moderate average traffic volume, moderately average trip length, and moderately average operating speed. Such a route also collects and distributes traffic between local roads or arterial roads and serves as a linkage between land access and mobility needs.

**College/university:** a post high-school, higher learning educational facility within a dedicated site or on several buildings throughout urban area or a facility for post-secondary education that grants associate, bachelor, master, or doctoral degrees, and may include research functions or professional schools.

**Commercial:** this category is intended to collectively define non-residential workplace land-use such as office, retail, food establishments, entertainment and leisure establishments.

**Common entry:** a single collective primary building entrance to a multi-tenant lobby.

**Common use facility (vertiport-related):** a facility that allows the shared use of the vertiport infrastructure by any airline or operator desiring to operate at the vertiport.

**Communication antenna:** an antenna designed to transmit or receive communications as authorized by the Federal Communications Commission.

**Communication tower:** a tower greater than 35 feet in height and which does not exceed 300 feet in height (including antenna) which supports communication (transmission or receiving) equipment. The term communication tower shall not include amateur radio operators' equipment, as licensed by the Federal Communications Commission (FCC). Design examples of communication towers are described as follows: self-supporting lattice; guyed; and monopole.

**Community center/social development center:** buildings where members of the local community may gather for group activities, social support, public information, and other related purposes. Community centers are generally located within the core of the neighborhood with easy accessibility for both vehicles and pedestrians.

**Community facility:** a building or complex which may be publicly or privately owned for use by the members of a residential community or the general public.

**Community garden:** a grouping of garden plots within civic space available for small-scale cultivation.



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**Community residential home:** a dwelling unit licensed to serve clients of the State of Florida pursuant to F.S. Ch. 419, which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care by support staff as may be necessary to meet the physical, emotional, and social needs of the “residents.” The term “resident” as used in relation to community residential homes shall have the same meaning as stated in F.S. § 419.001(1)(e), as may be amended or replaced. Community residential homes are separated into those which include 7 to 14 residents and those which include less than 7 residents, with separate standards applicable to each.

**Compact green:** a small, publicly accessible green space within an urban or suburban setting, designed to provide an open area for community use. Typically under an acre in size, these spaces are intended to offer residents a convenient place to enjoy greenery, engage in leisure activities, and foster community connections. Compact greens are integral to urban landscapes, promoting both environmental and social well-being

**Conservation area:** Reference Chapter 15 Article X.

**Contiguous:** sharing part of a common property or boundary line, not separated by a street.

**Continuous planter:** a planting and furnishing zone configuration, in the roadway border (between the curb and sidewalk), that is principally landscaped, with trees and grass or other groundcover.

**Cord of wood:** a unit of quantity for fuel wood equal to a stack measuring 4 feet wide by 4 feet high by 8 feet long equaling 128 cubic feet.

**Cornice:** an ornamental molding that finishes or crowns the top of a building, wall, arch, etcetera.

**Correctional facility:** holding cells, jails, and juvenile correction centers of any kind.

**Cottage food operation:** a natural person or an entity that produces or packages cottage food products at the residence of the natural person or at the residence of a natural person who has an ownership interest in the entity, and sells such products in accordance with Section 500.80, Florida Statutes.

**Courtyard building:** a building that may occupy the boundaries of its lot while internally defining one or more private courts.

**Craft distillery:** an establishment that is licensed by the Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco to produce distilled spirits. The establishment may also include a tasting room and retail space to sell spirits produced on the premises along with related retail items and food.

**Crematory facility, human and animal:** property, structures and other appurtenances and improvements on land used solely for the incineration of dead human or dead animal carcasses for funeral or burial purposes.

**Cross-block Passage:** a way providing pedestrian circulation through long blocks in order to reduce the distance that pedestrians would have to walk or roll to circulate around the block.

**Cul-de-sac:** a street or passage that is closed at one end.

**Cultural center:** a building where culture and arts are promoted. Cultural centers can be neighborhood community arts organizations, private facilities, or government-sponsored. A cultural center acts as a hub of activity by addressing the needs of people and their social, cultural, and environmental values. They may include arts/performing arts, gallery space, visitor welcome centers and amphitheater space. A visitor/welcome center provides visitors to a location with information on the area's attractions, lodgings, maps, and other items relevant to tourism.

**Curb:** the edge of the vehicular pavement that may be raised or flush to a swale. It usually incorporates the drainage system.

**Curb return radius:** the curvature of the curb line when 2 streets intersect.

**Day care center, adult or child:** a structure in which the owner or operator, for compensation, provides supervision and temporary care for more than 10 persons, who are not related by blood or marriage and not the legal wards or foster children of the owner or operator.

**Day care home, adult or child:** a structure in which the owner or resident of the structure resides in that structure and, as a home occupation for compensation, provides supervision and temporary care for 10 persons or less, including those who are related by blood, marriage or are the legal wards or foster children of the owner/resident

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**Decibel:** a unit of measurement of the intensity of sound pressure.

**Decorative metal:** metal that provides architectural decoration but has no structural value. Metal can be formed into countless shapes while still retaining many advantageous properties. A wide variety of metals and alloys can be used, including aluminum, brass, steel, tin, silver, gold, and wrought iron.

**Density:** the total number of residential dwelling units divided by the developable land area.

**Developable land:** the portion of land within a given area that is suitable for development after accounting for various constraints such as environmental factors, infrastructure availability, zoning regulations, topography, and legal restrictions.

**Developable land area:** the gross land area less natural surface waterbodies and wetland areas.

**Developed property:** a lot or parcel of land, or portion thereof, that has undergone site improvements or building construction in accordance with a required permit or permits, and that has received a certificate of completion or certificate of occupancy, where applicable.

**Development order:** an issued or approved site plan, building permit, zoning permit, preliminary Subdivision Plan, Subdivision Plan, development plan, or any other official action of Orange County having the effect of permitting the development of land, that has not expired and has received final approval.

**Diameter at breast height (DBH):** defined by Chapter 15, Article VIII (Tree Protection and Removal) of the Orange County Code.

**Dispensing facility:** any area in unincorporated Orange County designated in the MMTC's application to the Florida Department of Health to be used for the dispensing of marijuana.

**Drip line:** a vertical line from the horizontal extremity of the canopy of a tree to the ground. For trees with canopies set off-center from the trunk, an area bounded by the average diameter of the drip line will be centered on the point at which the trunk of the tree is rooted.

**Drive-through:** a place of business that include a drive-through windows for the sale of products or the provision of services for occupants of automobiles. They includes such uses as: eating and drinking establishments, banks, pharmacies, dry cleaning establishments.

**Driveway:** a vehicular lane within a lot, often leading to a garage or parking area.

**Dual rear wheel vehicle:** a motor truck, trailer, semitrailer or tractor/trailer combination and any other vehicle operating over the public streets of the County and used as a means of transporting persons or property and propelled by power other than muscular power which has more than or is designed to have more than 4 weight-bearing wheels, except that a dual rear wheel pick-up truck not used for commercial purposes is not deemed to constitute a dual rear wheel vehicle. A fire rescue, law enforcement, or other government vehicle used for emergencies or a handicapped service vehicle with more than 4 weight-bearing wheels shall not be deemed to constitute a dual rear wheel vehicle. A tow truck or a utility service provider truck is not considered a government vehicle used for emergencies.

**Dumpster, construction:** a large, open-top container equipped with wheels, designed for storing and transporting waste from construction sites and various other projects.

**Dumpster, recycling:** a large container used to collect recyclable materials before they are transported to a recycling center, playing a crucial role in environmental preservation and resource conservation. These dumpsters are often color-coded to specify the types of waste they accept: blue dumpsters are for recycling materials such as paper, cardboard, plastic bottles and containers, glass bottles and jars, and metal cans; green dumpsters are designated for yard waste, including grass clippings, leaves, garden trimmings, and small tree branches and twigs; and brown dumpsters are intended for general trash.

**Dumpster, waste disposal:** a portable waste container designed to be transported by a specialized collection vehicle or a bin that is lifted, emptied into a garbage truck's hopper, and lowered back to the ground at the location.

**Duplex:** see "dwelling, single-unit, semi-detached."

**Dust and particulate matter compliance and compatibility study:** a study prepared by a qualified professional that through modeling and/or field study demonstrates that under the most adverse conditions expected the proposed project,

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including any emissions abatement plan, will comply with the opacity and unconfined emissions of particulate matter regulations in Chapter 15 Article III, and provides a comparison to background dust and particulate matter levels within surrounding properties, and also other properties within the same class of transect or special zone.

**Dwelling (unit):** a building or portion thereof, designed or used exclusively for residential occupancy, with a kitchen, but not including a hotel, lodging house, or mobile home.

**Dwelling, duplex:** 2 dwellings located on a single lot, or 2 buildings attached to each other each containing a single dwelling.

**Dwelling, multi-unit:** a building, or buildings located on a single lot which include 3 or more dwelling units.

**Dwelling, single:** a detached dwelling containing one kitchen and complete housekeeping facilities unit for 1 household, designed for or occupied exclusively by 1 household for usual domestic purposes, and having no enclosed space or cooking or sanitary facilities in common with any other dwelling. All rooms shall connect to a common area within the dwelling and there shall be 1 main front door entry.

**Dwelling, single-unit detached:** a free-standing building designed containing only a single dwelling.

**Dwelling, townhouse / townhouse unit:** a building containing 3 or more dwellings or a series of 3 or more buildings attached to each other, each containing a single dwelling which is designed and constructed so that the unit and the lot on which it is located may be individually owned and each dwelling provided an individual entrance at the ground floor

**Dwelling, triplex:** a building containing 3 dwellings.

**Eave:** the edge of the roof that meets or overhangs the walls of a building.

**Educational institution:** a premises or site upon which there is an institution of learning for minors, whether public or private, which conducts regular classes and/or courses of study required for eligibility to certification by, accreditation to, or membership in the State Department of Education of Florida, Southern Association of Colleges and Secondary Schools, or the Florida Council of Independent Schools. The term "educational institution" includes a premises or site upon which there is a nursery school, kindergarten, elementary school, junior high school, senior high school, or any special institution of learning. However, the term "educational institution" does not include a premises or site upon which there is a vocational institution, professional institution or an institution of higher education, including a community college, junior college, four-year college or university.

**Emergency utility vehicle:** any vehicle owned by a public or private utilities service which is used in the event of emergencies requiring immediate attention.

**Emission:** the act of passing into the atmosphere an air contaminant or gas stream which contains or may contain an air contaminant; or the material so passed into the atmosphere.

**Encroachment:** an extension of a building or building elements into the area of the required setback, or any physical action which may jeopardize the health and longevity of a natural feature.

**Entertainment & resort district special district:** see Special Zone, entertainment & resort district.

**Entrance, principal:** the main point of access of pedestrians into a building.

**Equestrian:** the land and buildings related to the riding and boarding of horses.

**Erect:** to build, construct, assemble, attach, hang, place, affix, create, paint, draw, or in any other way bring into being or establish a sign or structure.

**Established sector:** see "Sector, established."

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**Explosive compound:** any chemical compound, mixture, or device, the primary or common purpose of which is to function by the substantially instantaneous release of gas and heat.

**Façade, building:** the exterior wall of a building.

**Family day care home:** an occupied residence in which child care is regularly provided for children from at least 2 unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit.

**Family:** an individual; or 2 or more persons related by blood, marriage or adoption, exclusive of household servants, occupying a dwelling and living as a single housekeeping unit or 4 or fewer persons, not related by blood, marriage or adoption, exclusive of household servants, occupying a dwelling and living as a single housekeeping unit, in either case as distinguished from persons occupying a boardinghouse, lodging house, rooming house, nursing home, community residential home, or hotel, as herein defined.

**Family day care home:** as defined in F.S. § 402.302, as it may be amended from time to time.

**Family foster home:** a private residence licensed by the state department of health and rehabilitative services pursuant to F.S. § 409.175, in which children, who are unattended by a parent or legal guardian, are provided twenty-four-hour care. Such homes include emergency shelter family homes, family foster group homes, and specialized foster homes for children with special needs. A family foster home shall have no more than 5 children, including the foster parent's own children (except as waived by HRS for special circumstances in order to keep siblings together).

**Farmers market:** a non-permanent open-air market typically associated with the sale of vegetables, prepared foods, and craft goods.

**Fence:** a structure that functions as a boundary or barrier for the purpose of safety, to prevent entrance, to confine, or to mark a boundary.

**Festival:** an outdoor gathering of people at a specified place and time, usually a planned event designed to bring individuals together for a public or private performance, entertainment, affair, function, occasion, or special event.

**Finished grade:** the final elevation and contour of the ground at the building, structure, or vehicular surface area.

**Fire facility:** a structure, such as a fire station, or other area for storing firefighting apparatuses such as fire engines and related vehicles or facilitating training for firefighters. It may include working and living spaces for firefighters and support staff.

**Fireworks:** shall be given the same definition as provided for in F.S. § 791.01, as it may be amended from time to time.

**Flag:** a piece of fabric or other material of distinctive design.

**Floating solar facility:** a solar facility which is located on wastewater treatment ponds, abandoned limerock mine areas, stormwater treatment ponds, reclaimed water ponds, or other water storage reservoirs.

**Floor area, gross:** the sum of the horizontal areas of a building or buildings, measured from the exterior faces of the exterior walls or from the centerline of walls which separate buildings. Included within such sum shall be the areas of all stories; interior balconies or mezzanines; and any other space reasonably capable of being used for any purpose except parking, no matter where located within a building. This term does not include the area of any parking garage structure, but does include all other interior spaces, including those that are not heated or air conditioned.

**Floor area, net:** the occupied area of a building not including hallways, elevator shafts, mechanical rooms, stairways, restrooms, and wall thicknesses. Net Floor Area is typically used for parking requirement calculations.

**Floor area ratio (FAR):** the gross floor area divided by the developable land area expressed in acres of the lot or parcel.

**Floor plate:** the total indoor and outdoor floor area of any given story of a building, measured to the exterior of the wall or balcony.

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**Florida Friendly Landscaping:** an approach to gardening and landscaping that emphasizes environmentally sustainable practices tailored specifically for the unique climate, soil conditions, and native flora of Florida. It aims to conserve water, reduce pollution, and create habitats for native wildlife while maintaining attractive and functional outdoor spaces. Key principles include selecting native and drought-tolerant plants, using efficient irrigation methods, minimizing the use of fertilizers and pesticides, recycling yard waste, and promoting biodiversity.

**Food and beverage:** a premises used for the sale of prepared foods and drinks, for immediate consumption either on the premises or to take away. Including cafés, takeaways, bars, and restaurants, but excluding businesses principally selling packaged foods such as convenience stores and grocery stores.

**Food sales:** within civic space, areas either dedicated for the sale of prepared foods and drinks or for occasional sales by vendors, as arranged by the civic space operator, for immediate consumption either on the premises or to take away. Food sales areas are typically adjacent to outdoor dining areas within the same civic space.

**Forestry:** the practice of caring for and managing forests.

**Framework street:** a way for vehicles, pedestrians, cyclists, and other means of mobility within a development site, resembling roads in dimension and in the presence of common roadway and border elements such as parallel parking and a planting and furnishing zone. Within non-residential developments, framework streets are often located between buildings and associated parking lots, and between parking lots. Within non-subdivided residential developments, framework streets are often the pathways residents use to access their units by car. Framework streets connect with other framework streets within development sites and with adjacent roads, forming a network.

**Frontage, building:** the length of that portion of a building facing a primary or secondary frontage.

**Frontage, primary:** the lot line towards which building façades and setback area design are most prominently featured, including the most ornate details, main entrances, higher degree of glazing, primary signage, and other elevated details. The primary frontage is typically assigned where pedestrian activity is most frequent. Regulations associated with the primary frontage are intended to support the pedestrian experience, lining that lot line with building facades, active interior spaces, and other elements that enhance the walking experience. Corner lots and large or oddly shaped lots have secondary frontages in addition to the primary frontage, separately defined.

**Frontage, secondary:** lot lines along roads, framework streets, non-vehicular ways, pedestrian passages, and civic and open spaces other than the lot line designated as the primary frontage. Secondary frontages require building and site designs that support pedestrian comfort, but are not deemed as critical as the primary frontage and therefore are not as strictly regulated, able to have gaps without building façades and parking areas along them, however they are still regulated with screening and other requirements to support pedestrian comfort.

**Frontage line:** the property line along a primary or secondary frontage.

**Frontage occupation:** the percentage of a frontage line that has building façades located along it, situated between the minimum and maximum setback associated with that frontage line.

**Frontage parking lane:** a drive aisle with associated parking located between buildings and frontage lines, enabled in limited conditions, allowing for parking in front of a building within automobile oriented conditions while reducing the negative impact of excessive surface parking by ensuring buildings are located relatively near to the frontage. Frontage parking lanes are subject to parking configuration and landscape requirements not otherwise applied to drive aisles and are additionally intended to provide cross-access between properties to reduce curb cuts along arterials and collectors.

**Frontage setback area:** the portions of a property located between the primary and secondary frontage lines and the nearest buildings, streetscreens, privacy fencing, or parking areas other than driveways.

**Fruit and vegetable garden:** an area of land used for the production of food crops for personal consumption.

**Fuel terminal:** a storage and distribution facility for fuel, supplied by pipeline or marine vessel, which has the capacity to receive and store a bulk transfer of fuel, is equipped with a loading rack through which fuel is physically transferred into tanker trucks or rail cars, and is registered with the Internal Revenue Service as a terminal.

**Functional classification:** the assignment of roads into systems according to the character of service they provide in relation to the total road network using procedures developed by the Federal Highway Administration.

## DEFINITION OF TERMS

**Furniture games:** public art installations that are both functional, interactive and beautifully designed.

**Gallery:** a covered walkway attached to a building and supported on at least one side by columns with no enclosed building space above.

**Government civil support:** this category is intended to collectively define the basic facilities that are necessary to support the day to day life of communities. Government service facilities are typically provided by the public sector agencies. Includes the following uses: Cemetery, Orange County Governmental Facilities and Uses, Courts, Public Order and Safety, and US Postal Service.

**Garage, J-Load:** vehicle access to the garage is parallel to the front façade.

**Garage, mechanical:** a building or buildings and premises where the functions and services performed relate to the maintenance, service and repair of automobiles and other motor vehicles, such as trucks and buses. However, this term does not include a building or buildings and premises where the functions and services performed involve: (1) Storage of vehicles, including for the purpose of using parts of such vehicle for sale or repair; or (2) Any condition which may be classified as a junkyard.

**Gasoline:** a flammable and combustible liquid commonly used as a motor fuel.

**Gasoline station, or gas station:** a place of business offering gasoline for retail sale.

**Green:** a civic space type for unstructured recreation.

**Greenway:** a civic space type consisting of a corridor in largely natural conditions, which may include trails for bicycles and pedestrians.

**Green roof:** an engineered, multi-layered roofing system sustaining the growth of plants on a rooftop while protecting the integrity of the underlying structure. The components of a green roof consist of a waterproofing membrane, root barrier, drainage layer, retention layer, filter fabric, growing medium and plants.

**Groundcover:** plants used in mass to replace a lawn or create variety in landscape design, usually not having a mature height over 2 feet tall and as listed in the Florida Friendly Plant List. This term does not include turf, turf grass, artificial grass, or sod.

**Habitable space:** the total air conditioned or heated floor area of all dwelling units measured to the interior surfaces of exterior walls, but excluding exterior halls and stairways.

**Hardscape:** the paved features of a lot, such as walkways, patios, driveways, and other paved areas.

**Hazardous waste incinerator facility:** property, structures and other appurtenances and improvements on land used for the incineration of: solid waste, or a combination of solid wastes, which because of its quantity, concentration or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed, These wastes are typically defined as hazardous by the U.S. Environmental Protection Agency and the Florida Department of Environmental Regulation. (Reference to be retained on file in the zoning and environmental protection departments.)

**Health and medical:** a facility or establishment that is devoted to the diagnosis and care of outpatients by one person or a group of persons, practicing any form of healing or health services to individuals, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists, or any such profession the practice of which is lawful in the state, excluding pain management clinics.

**Heavy industrial special district:** see "Special District, Heavy Industrial."

**Hedge:** A close woody evergreen planting of pruned shrubs which forms a compact, dense, living barrier which protects, shields, separates or demarcates an area from view and which is 80% opaque within 12 months from planting. Material used shall not be less than 30 inches in height at the time of planting, unless otherwise specified.

**Home-based business:** a business operated, in whole or in part, from a residential property, and meeting the criteria of Section 559.955(3), Florida Statutes, as it may be amended from time to time.



## DEFINITION OF TERMS

**Home improvement center:** a retail commercial establishment whose merchandise consists primarily of construction materials, hardware, and other home improvement items.

**Home Owner's Association or Property Owners Association:** a private, non-profit organization established by a real estate developer for the purpose of marketing, managing, and selling homes and lots in a residential subdivision. The HOA is responsible for the management and oversight of the community, including the enforcement of covenants, conditions, and restrictions (CC&Rs), as well as the maintenance and management of common areas and amenities within the development.

**Hospital:** a licensed institution providing medical care and health services to the community. These services may be located in one building or clustered in several buildings and may include laboratories, in-and-out patient facilities, training facilities, medical offices and staff residences, food services, pharmacies and gift shop.

**Hotel:** a structure used and maintained as a place where sleeping accommodations are supplied to transient guests. Hotels include timeshares that have a divided form of ownership where multiple owners are considered transient guests receiving ownership rights for a period of time less than one year. Hotels are considered short-term rentals.

**Household:** family or 4 or fewer persons, not related by blood, marriage or adoption, exclusive of household servants, occupying a dwelling and living as a single housekeeping unit, in either case as distinguished from persons occupying a boardinghouse, lodging house, rooming house, nursing home, community residential home, or hotel, as herein defined.

**Household hazardous waste:** certain potentially toxic, flammable, and reactive solid and/or liquid wastes as defined by state department of environmental regulations and the United States Environmental Protection Agency that typically can be generated from residential housing units. Such wastes can be discarded residues of pesticides, paints, cleaners, and fuels (i.e., used motor oil and automotive fluids), etc.

**Hypothetical lot:** an illustrative land division drawn on a site plan which is used to determine compliance with zoning standards, especially building setbacks, frontage occupation, and parking location restrictions, and site development standards, in instances where a site will not be subdivided but will include the development of multiple buildings such as an apartment complex or shopping center.

**Impervious surface:** a constructed surface such as sidewalks, roads, parking lots, driveways, or buildings covered by water impenetrable materials such as asphalt, concrete, pavers, stone, roofs, or highly compacted soils, including the water surface area of a swimming pool, and excluding dry bottom stormwater facilities and wood decks over soil (with spaces between planks).

**Impervious surface ratio (ISR):** measurement to quantify the proportion of land covered by impermeable materials. Impervious surfaces include pavements, roads, rooftops, and other constructed surfaces that prevent water from infiltrating into the soil. The ISR is calculated as the ratio of the total area of impervious surfaces to the net land area of a given region.

**Incinerator:** as defined in the Chapter 32, Article V (Solid Waste Management Ordinance) of County Code.

**Industrial:** collectively define land uses and structures used for light and heavy manufacturing, assembly, fabrication, repairing, warehousing, storage, processing of raw materials, and craftsmanship work.

**Industrial, agricultural:** the processing of raw agricultural materials and the production and distribution of goods produced from those materials. Uses include but not limited to: bakery products; beverages; canned fruits, vegetables, preserves, jams, and jellies; canned, frozen, and preserved fruits & vegetables; dairy products; farm and garden machinery and equipment; fats & oils; fresh fruits and vegetables; groceries and related products; ice cream & frozen desserts; leather products; meat packing plants / animal slaughtering; meats and meat products; sugar & confectionery products; tobacco products; washing & packaging of fruit & vegetables; wholesale meat & produce and soft drink bottling distribution; wood chipping, mulching, and composting.

**Industrial, craft & light:** activities connected with a business involving small-scale manufacturing, production, assembly, or repair with little to no noxious by-products, noise, odor, or traffic generation. Uses include but not limited to: apparel and finished fabric products, artist studio, bakery and confections, beverages (including beer, wine, liquor, soft drinks, coffee, microbreweries, microwineries), botanical products, brooms and brushes, canning and preserving food, commercial scale copying and printing, construction special trade contractors, cut stone and cast stone, dairy products, electronics assembly, engraving, electrical fixtures, fabricated metal products, film making, furniture and fixtures, glass, greenhouse, household textiles, ice, jewelry (watches, clocks or silverware), leather products, meat and fish products (no processing), musical instruments and parts, pasta, pottery (ceramics or related products), printing (publishing and allied industries), shoes and boots

## DEFINITION OF TERMS

(manufacturing and repair), signs and advertising, small goods manufacturing, seamstress, taxidermy, textile (fabric and cloth), toys and athletic goods, upholstery, and woodworking.

**Industrial, heavy:** activities involving manufacturing, production, assembly and repair, often using heavy machinery and result in increased levels of environmental degradation and usually requiring large areas of land. Such activities are to be located away from residential and other sensitive areas due to pollution by way of gas, dust, particulates, noise, odor, or traffic generation.

**Infill corridor:** a redeveloped commercial corridor within an urbanized or vacant area typically consisting of T4, T5, and/or T6 zones. An Infill Corridor is permitted by right in the Intended Growth (IG) Sector.

**Infill neighborhood:** a community type within an urbanized or vacant area typically consisting of T3, T4, and/or T5 zones. An Infill Neighborhood is permitted by right in the Intended Growth (IG) Sector.

**Infill urban center:** a community type within an urbanized or vacant area typically consisting of T4, T5, and/or T6 zones. An Infill Urban Centre is permitted by right in the Intended Growth (IG) Sector.

**Institutional:** public and quasi-public uses such as, but not limited to, hospitals, schools (public or private with state approved academic curriculum), and places of assembly.

**Intensity:** the bulk, mass, or size of a non-residential use on a single lot or parcel of land as expressed by the total floor-to-area ratio (FAR) of building size to the net land area.

**Junkyard:** an area where used or secondhand goods, equipment and/or machinery is bought, sold, exchanged, maintained, stored, or disassembled, including, but not limited to, wrecked or inoperable automobiles, scrap iron and other metals, plumbing fixtures, electrical fixtures, and lumber. Junkyard shall include specifically, but not by way of limitation, automobile wrecking yards, and used appliance wrecking and/or storage yards, and shall expressly exclude any type of landfill and recycling of solid waste or recovered materials operations.

**Kennel:** any building, lot, structure or premises wherein animals, excluding livestock and exotic animals regulated by the Florida Game and Freshwater Fish Commission, are kept for sale, breeding, boarding, buying, letting for hire, or training for a fee. The following are specifically excluded from this definition of kennel: animal or pet hospitals; veterinarian facilities; pet beauty parlors; breeding at a residence of 2 or less litters per calendar year, provided that no more than 20 animals are housed at the residence at any one time; and housing of 20 or fewer animals at a residence at any one time for noncommercial purposes only.

**Kitchen:** the facilities and equipment used in the preparation and serving of food. This may include, but is not limited to, stoves, microwave ovens, hot plates, sinks, refrigerators, cabinets and/or pantry-like shelves, a 220 V outlet, a dishwasher, or other food preparation equipment, or any combination thereof; this may not include wet bars, outside grilling facilities, outside sinks or refrigerators, or other items determined by the zoning division manager as not constituting a kitchen.

**Labor pools and labor halls:** definition as provided for in F.S. § 448.22(1) and (3), respectively, as either or both may be amended from time to time, but subject to the exclusions set forth in F.S. § 448.23, as it may be amended from time to time.

**Landscape architect:** shall have the meaning as ascribed in F.S. (2009) ch. 481, pt. II.

**Landscape berm:** landscaped berms are intended to provide an opaque visual screen measured from the finished grade elevation of the site, parking lot, or structure meant to be screened. An earthen mound completely covered land with shrubs, sod or other landscape quality living groundcover, with a maximum slope of three-to-one (3:1, horizontal:vertical) intended to provide a buffer and/or visual screen.

**Landscape plan:** a site plan that demonstrates compliance with landscape standards, as specified in Article 2.

**Landscaping:** the use of plants, construction and grading to create a desired effect. Landscaping elements may consist of, but are not limited to, turf and other groundcovers, shrubs, vines, hedges, trees, berms, and complementary structural landscape features such as rock, fountains, sculpture, decorative walls and tree wells.

**Large scale installation:** a solar facility engaged in the generation, transmission, and/or distribution of electric energy.

**Light industrial special district:** see "Special District, Light Industrial."

**Limit of work:** the limit of clearing, grubbing, filling, or areas to be excavated and is not more than the area(s) required for the completion of the work for construction.

**Limited access highway:** a street, road or highway especially designed for through traffic (including an expressway or an interstate highway), and over, from, or to which owners or occupants of abutting land or other persons have no right or easement, or only a limited right or easement, of access, light, air, or view, by reason of the fact that their property abuts upon such limited access highway or for any other reason.

**Linear park:** a highly accessible and visible larger park for structured active and passive recreation. Park configuration can be lineal, creating or following natural corridors.

**Liner building:** a building or part of a building with habitable space, specifically designed to face a public space, masking an inactive use, such as, but not limited to, a parking lot, parking garage or storage facility.

**Live-work:** a property that contains a residential use and a small scale commercial, office, or light industrial.

**Livestock farming & husbandry:** the practice of raising, managing and breeding of animals for use or for pleasure.

**Living area:** the total air conditioned or heated floor area of all dwelling units measured to the interior surfaces of exterior walls, but excluding exterior halls, stairways and non-habitable service areas.

**Local road:** a local road is as defined by F.S. 334.03 as a route providing service which is of relatively low average traffic volume, short average trip length or minimal through-traffic movements, and high land access for abutting property.

**Long block:** a block which has a length that requires a cross-block passage, as specified in site development standards.

**Lot:** a parcel of land occupied or intended for occupancy by a use permitted in this chapter.

**Lot area, gross:** the land area included in the legal description of a property.

**Lot area, net:** the land area included in an individual lot, excluding rights-of-way, easements, wetlands, and water bodies.

**Lot, corner:** a lot with a primary frontage and secondary frontage that meet at a single point.

**Lot coverage:** the gross area of all covered buildings and structures that occupy a lot.

**Lot, double frontage:** the lot having a frontage on 2 nonintersecting streets as distinguished from a corner lot.

**Lot, frontage:** referring to primary and secondary frontages.

**Lot frontage, non-residential zones (including agricultural):** all the non-residential property on the width of the lot abutting the street with the highest volume of vehicular traffic.

**Lot frontage, residential zones:** all the property on the narrow width of a lot abutting a street right-of-way.

**Lot, interior:** a lot other than a corner lot.

**Lot, reversed corner:** a corner lot, where the rear yard abuts an adjacent primary frontage yard, and where the secondary frontage lot line of which is substantially the continuation of the primary frontage lot line of the first lot to its rear.

**Lot, reversed frontage, non-residential:** a corner lot where the lot frontage does not abut the street with the highest volume of vehicular traffic.

**Lot, reversed frontage, residential:** a corner lot where the lot frontage is all the property on the wider width of a lot abutting a street right-of-way.

**Lot, through:** the lot having a frontage on 2 non-intersecting streets as distinguished from a corner lot.

**Lot depth:** the distance measured from the midpoint of the front line to the midpoint of the opposite rear line of the lot.

**Lot of record:** a lot which is a part of a subdivision, the plat of which has been lawfully recorded in the office of the clerk of the circuit court of the County, or land, the deed of which was lawfully recorded in the office of the clerk of the circuit court of the County on or before October 7, 1957.

## DEFINITION OF TERMS

**Lot width:** the horizontal distance between the side lot lines, measured at right angles to the depth at the primary frontage setback line.

**Low impact development (LID) technique:** an approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product.

**LID Manual:** County's current version of the Low Impact Development Design Manual.

**Low-THC cannabis:** has the same meaning provided at F.S. § 381.986(1), as may be amended from time to time.

**Main civic space:** the primary outdoor gathering place for a community. The main open space is often, but not always, associated with an important community facility building.

**Major street plan:** a plan for existing or proposed traffic roads for the County, as amended.

**Major transportation hub:** any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

Major transportation or infrastructure corridor: limited access highway or rail corridor.

**Manufactured home:** a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act

**Marijuana delivery device:** has the same meaning provided at F.S. § 381.986(1), as may be amended from time to time.

**Marijuana:** has the same meaning given to it by F.S. § 381.986(1), as may be amended from time to time, and shall include Low-THC cannabis.

**Marquee:** a structure, including a hood, canopy, or awning, normally composed of rigid material projecting from a building, which fully or partially covers an entrance, sidewalk, or other pedestrian way.

**Masonry wall:** a wall and footing constructed of masonry material and meeting the requirements of the Florida Building Code.

**Massing:** the 3 dimensional form of a building or structure.

**Master Plan structure map:** a submittal document required for Master Plans that depicts aspects of the Master Plan application, including natural site features, circulation, blocks, civic spaces, public facilities, stormwater and other Master Plan details in order to demonstrate compliance with site development standards.

**Mechanical equipment:** any heating, cooling, venting, filtering, or similar equipment or appurtenance serving a structure, including permanent generators, air conditioning equipment, pool or spa equipment, water treatment equipment, above ground fuel tanks, and associated appurtenances or any other motorized or powered device or machinery.

**Medical marijuana cultivation facility:** any area in unincorporated Orange County designated in the MMTC's application to the Florida Department of Health to be used for the cultivation of marijuana.

**Medical Marijuana Treatment Center (MMTC):** has the same meaning provided at Rule 1-1.01, Florida Administrative Code, as may be amended from time to time.

**Medical use:** has the same meaning provided at F.S. § 381.986(1), as may be amended from time to time.

**Membership warehouse club:** a commercial establishment which sells products in large quantities, or in bulk, on a whole-sale and/or retail basis to business and individual members, and which charges membership dues, or otherwise restricts merchandise sales to customers or members who pay a periodic access fee.

**Mesh fence construction banner:** a fence banner, fence wrap or other such mesh fence banner that is installed or affixed to a fence surrounding a construction site for the purpose of displaying construction-related signage, and is limited in size to the fence area.

## DEFINITION OF TERMS

**Mews:** designed to accommodate residential structures where the front façade faces a green space, park, or square and where all vehicular access is provided from a rear alley that is designed to function as a roadway by accommodating emergency vehicle access and required public utilities.

**Mezzanine:** an intermediate, partial floor that projects between 2 floors of a building and therefore typically is not counted among the overall floors of a building.

**Micro brewery:** an establishment that is licensed by the Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, to manufacture malt beverages. The establishment may include a tasting room and retail space to sell malt beverages produced on the premises along with related retail items and food.

**Micro winery:** an establishment that is licensed by the Florida Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, to produce wine. The establishment may include a tasting room and retail space to sell wine produced on the premises along with related retail items and food.

**Mixed use:** a type of development designed to encourage a diversity of compatible land uses, which include a mixture of two or more of the following uses: residential, office, retail, institutional, recreational, light industrial, and other miscellaneous uses. Mixed use development may be applied horizontally or vertically to a building, lot, block.

**Mobile home:** a structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. For tax purposes, the length of a mobile home is the distance from the exterior of the wall nearest to the drawbar and coupling mechanism to the exterior of the wall at the opposite end of the home where such walls enclose living or other interior space. Such distance includes expandable rooms, but excludes bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments that do not enclose interior space. In the event that the mobile home owner has no proof of the length of the drawbar, coupling, or hitch, then the tax collector may in his or her discretion either inspect the home to determine the actual length or may assume 4 feet to be the length of the drawbar, coupling, or hitch.

**Mobile service operation:** a business that operates from a vehicle, cart, tent, or other non-permanent structure, such as food trucks, vending carts, and mobile groomers.

**Mobility hub:** locations that offer various services, amenities, and/or access to mobility options near transit service

**Modular home:** a factory-built home constructed in compliance with the (local or) state building code and consistent with the Florida Department of Business and Professional Regulation as applicable to modular housing. Modular homes shall be subject to the same standards as site-built homes.

**Motor home:** a vehicular unit which does not exceed the width and length limitations provided by Florida Motor Vehicle Statutes, is built on a self-propelled motor vehicle chassis, and is primarily designed to provide temporary living quarters for recreational camping, or travel use.

**Multi-tenant structure:** a building used, designed or constructed for occupation by more than 1 tenant.

**Multi-tenant parcel:** a parcel of property, or parcels of contiguous property, existing as a unified or coordinated project, with a multi-tenant structure. Ground leased out-parcels shall be deemed as part of a multi-tenant parcel.

**Municipal separate storm sewer system (MS4):** a municipal separate storm sewer system (MS4) means a conveyance or system of conveyances (including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) owned or operated by a local government that discharges to waters of the County or connects to other MS4s, that is designed solely for collecting or conveying stormwater, and that is not part of a publicly owned treatment works (POTW) as defined by 40 CFR 122.2.

**National defense:** any land use or building operated and managed by a Federal agency and dedicated to providing national security and defense to the nation.

**Natural features:** the physical characteristics of a property that is not man-made.

**Neighborhood (Master Plans):** as it relates to a Master Plan, a Neighborhood is a division of the Master Plan site area, shaped and sized according to Pedestrian Shed requirements, which has a Suburban Neighborhood, Suburban Mixed

## DEFINITION OF TERMS

Neighborhood, or Traditional Neighborhood future land use Place Type assignment.

**Net zero buildings:** buildings that achieve a balance between the carbon emitted into the atmosphere and the carbon removed from the atmosphere, considering both construction and operations

**Noise compliance and compatibility study:** a study prepared by a qualified professional that through modeling and/or field study demonstrates that under the most adverse conditions expected the proposed project, including any proposed noise abatement plan, will comply with the noise regulations in Chapter 15, Article V of County Code, and provides a comparison to background noise levels, durations, and characteristics (e.g., continuous, intermittent, impulsive, and tone/frequency) within surrounding properties, and also other properties within the same class of transect or special zone.

**Non-conforming structure:** A structure that does not comply with the applicable provisions in this chapter.

**Non-conforming use:** any use of a building or land lawfully existing at the time of passage of this chapter or amendments thereto that does not conform after the passage of this chapter or amendments thereto with the use regulations of the district in which it is located.

**Nonprofit organization:** any group operating as a registered non-profit organization serving a public purpose or providing a public service, including such organizations as clubs, lodges, theater groups, recreational and neighborhood associations, cultural activities and private, non-profit schools.

**Non-vehicular way:** a tract or easement fronted by buildings which is intended to provide for pedestrian circulation throughout an area, in a similar manner as a road, and may also provide for bicycle circulation and open space. Non-vehicular ways do not accommodate cars but may be designed to allow for emergency service access.

**Normal High Water Elevation:** the landward edge of any natural surface water body during normal hydrological conditions and is an elevation determined by the public works director or their designee.

**Noxious matter:** material which is capable of causing injury to living organisms by chemical reaction.

**Nursery:** land and buildings where the cultivation, sale, storage, and display of plants takes place, and where mechanical equipment for landscaping, maintenance of parks and gardens and farming is displayed and sold.

**Nursing homes:** any facility which provides nursing services as defined in part I of chapter 464 and which is a licensed home for the aged, convalescent, chronically ill, or incurable persons, in which 2 or more persons not of the immediate family are received, kept or provided with food and shelter or care; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

**Occupancy:** the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

**Odor compliance and compatibility study:** a study prepared by a qualified professional that through modeling and/or field study demonstrates that under the most adverse conditions expected the proposed project, including any proposed odor abatement plan, will comply with the objectionable odor regulations in Chapter 15, Article III, and provides a comparison to background odor levels (e.g. dilution-to-threshold (D/T)), hedonic tone, and odor descriptors (e.g. using an odor wheel) within surrounding properties, other properties within the same zone and/or as determined by the Environmental Protection Division.

**Office:** a building use in which administrative, business, clerical, or professional activities are undertaken. Visits by members of the public are accessory to the main activity of the occupier.

**Open air market, including a flea market:** multiple vendors and/or businesses operating simultaneously who are exclusively or primarily engaged in wholesale and/or retail sales, and the operation is conducted outdoors. However, for purposes of this chapter, a farmer's market or other semi-frequent market as identified in the definition of a special event shall not be considered an open air market and should instead follow the requirements in this chapter for special events. An open air market is a separate and distinct entity that is not ancillary to a principal place of business (i.e., is not outdoor sales ancillary and subordinate to a principal use).



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**Open drainage:** a system of managing surface water runoff using open channels, ditches, or similar structures that allow water to flow freely along the surface

**Open space:** land open to the sky and set aside for: the protection of natural resources (such as uplands, wildlife habitats, wetlands, and groundwater recharge areas); areas unsuitable for development due to natural hazards (such as wetlands, floodplains and areas of unsuitable soils); civic spaces; stormwater areas; and areas dedicated to the enhancement of the urban environment (including buffer areas and landscaped areas). Civic spaces are a specific type of open space, separately defined.

**Open storage:** see "Outdoor Storage".

**Open water:** ponds, lakes, waterways, and similar natural or constructed facilities. For the purpose of this Code, open water is defined in order to control minimum setbacks and to limit the amount of open water that may qualify as civic space where civic space is required.

**Outdoor dining area:** an open-air space related to a food and beverage establishment that accommodates dining but not food preparation. Outdoor dining areas may be covered but not enclosed.

**Outdoor storage:** storing materials, goods, equipment, or vehicles in an uncovered, exposed manner, without the protection of buildings or structures.

**Overlay district:** a defined geographic area that imposes zoning regulations or guidelines in addition to those imposed by Transect Zones or Special Zones.

**Owner:** the owner of the fee simple title of record, a vendee under a contract or agreement for deed or a lessee under a written lease whose remaining term at the time of application for hearing is more 10 years.

**Pain management clinic:** has the meaning ascribed in F.S. § 458.3265 or F.S. § 459.0137, as applicable, and is a clinic that is required to register with the Florida Department of Health pursuant to F.S. § 458.3265 or F.S. § 459.0137.

**Parapet:** the extension of a false front or wall above a roof line.

**Parcel:** a part or portion of a development which may be synonymous with a lot.

**Park:** a tract of land within a municipality or unincorporated area which is kept for ornament and/or recreation and which is maintained as public property.

**Park trailer:** a transportable unit which has a body width not exceeding 12 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior walls at the level of maximum dimensions and including any bay window that extends to the floor line, does not exceed 400 square feet constructed to ANSI A119.5 code or 500 square feet HUD standards. The length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

**Parking garage:** a structure consisting of one or more levels used for the parking of motor vehicles.

**Parking lot:** an outdoor area used for the storage or parking of motor vehicles, other than a driveway.

**Parking, off-street:** a land area used for parking motor vehicles which is not located on a public or private road.

**Parking, shared:** an area dedicated to the parking of motor vehicles which is shared between more than one use, wherein day/night and weekday/weekend schedules allow a reduced number of parking spaces to sufficiently service multiple uses.

**Parking, Structured,** see "Parking Garage".

**Parking, tandem:** a space where one vehicle parks behind another, so that one vehicle must be moved before the other can be accessed.

**Passage:** a pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long blocks and connect rear parking areas to frontages.

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**Particulate matter:** material which is suspended in or discharged into the atmosphere in a finely divided form either as a liquid or a solid.

**Paved surface:** a constructed area covered with a durable, impermeable material such as asphalt, concrete, pavers, or similar substances, intended to support vehicular or pedestrian use, or to provide a stable surface for other land uses. Stabilized or compacted base materials, gravel, or other pervious or semi-pervious surfaces are not considered paved surfaces.

**Pedestrian forecourt:** a frontage yard type where a portion of the building is close to the frontage line and the central portion is set back, that creates a yard which is not used for motor vehicles.

**Pedestrian shed:** a circular delineation of a geographic area sized in approximation of the distance an average person can walk within a period of time.

**Pedestrian walkway:** a linear way on private property faced with buildings on both sides and typically landscaped, which provides pedestrian and bicycle access to properties but does not provide vehicular access.

**Performance standard:** a criterion established to control such matters as, but not limited to, noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, glare, and heat generated by or inherent in uses of land or buildings.

**Pharmacy:** the same as that term is defined in F.S. § 465.003 as it may be amended from time to time.

**Photo-voltaic glazing:** glass used in windows, awnings, and other applications on building façades or rooftops which utilizes solar radiation to generate an electric current.

**Physician certification:** the same meaning provided at F.S. § 381.986(1), as may be amended from time to time.

**Place of assembly:** a commercial facility for public gathering including, but not limited to: conference facilities, convention centers, community centers, exhibition halls, social clubs, and religious institutions.

**Place type map:** a submittal document required for Master Plans that depicts the boundary and specifies details of one or more place type areas proposed within the Master Plan to demonstrate compliance with site development standards.

**Plaza:** an open space that is primarily paved.

**Pocket park:** a small open space designed for passive or active recreational activities.

**Point of sale purchase display:** advertising of a retail item accompanying its display, e.g., an advertisement on a product dispenser.

**Porch:** an open air space attached to a building, with a floor and roof but no walls.

**Portable food vendor & vending cart:** a food truck, vehicle, or vending carts that sells or distribute food or beverages.

**Poultry:** domestic fowl, including chickens, roosters, turkeys, ducks, geese, pigeons, but excluding wild or non-domestic birds regulated by the fish and wildlife conservation commission.

**Preexisting:** having existed prior to the effective date of this Code, as specified in [Sec. 40-43 Alterations, Maintenance, and Expansions](#).

**Pre-existing lot or parcel:** any platted or existing lot or parcel that is part of a preliminary Subdivision Plan approved prior to November 6, 2001.

**Premium transit stop:** a designated location within the public transit network served by multiple transportation options that include rail, bus rapid transit, or streetcar and that provides higher comfort, capacity, speed and frequency compared to standard transit stops.

**Preserved tree:** a tree that is designated to remain after construction and count toward replacement requirements specified in Chapter 15, Article VIII (Tree Protection and Removal) of the Orange County Code.

**Processing facility:** any area in unincorporated Orange County designated in the MMTC's application to the Florida Department of Health to be used for the processing of marijuana.

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

**Project(ion):** to break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a setback, into the public frontage, or above a height limit.

**Property line:** means the boundary that legally and geometrically demarcates a lot.

**Property frontage:** the length of the property line along the public right-of-way on which the property borders, excluding limited access highways, unopened rights-of-way, vacated rights-of-way, easements, and retention ponds.

**Property owner:** the owner of fee simple title of record or the owner's authorized agent.

**Public facility (vertiport related):** a publicly or privately-owned facility that is open for use by the public.

**PVC Tent:** PVC (polyvinyl chloride) is a synthetic polymer widely used in the production of outdoor shelters, including tents and tarps, due to its durability and weather-resistant properties. It is waterproof and fire retardant, thanks to the chlorine content, making it a reliable material for various applications. PVC tents typically feature a cotton canvas body with a PVC-coated roof for added protection. In comparison to polyethylene (PE), another common tent material, PVC offers superior durability and better resistance to UV rays, although PE is lighter and more environmentally friendly.

**Qualified professional:** for projects other than single-unit and duplex on individual lots, qualified professionals can be an engineer, architect or landscape architect registered in the state of Florida or any nurseryman, nursery stock dealer, or agent as defined by F.S. Ch. 581, who is required under ch. 581 to hold a valid license issued by the division of plant industry of the department of agriculture and consumer services and who does hold a valid license to engage in the selling of nursery stock in this state, insofar as he or she engages in the preparation of plans or drawings as an adjunct to merchandising his product, so long as he or she does not use the title, term or designation "landscape architect," "landscape architectural," "landscape architecture," "L.A.," "landscape engineering," or any description tending to convey the impression that he is a landscape architect unless he or she is registered as provided in F.S. Ch. 481, or is exempt.

**Qualifying medical condition:** has the same meaning provided at F.S. § 381.986(1), as may be amended from time to time.

**Rail, regional:** high-speed rail transit with infrequent stops, typically more than 10 miles apart, providing access to major destinations and city centers within and outside of the local region. BrightLine is considered a Regional Rail system.

**Rail, commuter,** moderate-speed rail transit with regular stops, typically less than 5 miles apart, providing access to major and minor employment and population centers. SunRail is considered a Commuter Rail system.

**Rain garden:** a bio-retention area; a shallow surface depression designed to accept runoff from adjacent surfaces and retain or detain stormwater before it is infiltrated or discharged downstream, planted with specially selected native vegetation to capture and treat runoff.

**Reclaimed water:** except as specifically provided in Chapter 62-610, F.A.C., means water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility.

**Reuse:** The deliberate application of reclaimed water, in compliance with Department and Water Management District rules, for a beneficial purpose. Criteria used to classify projects as "reuse" or "effluent disposal" are contained in Rule 62-610.810, F.A.C.

**Recreation, active:** a use located in civic spaces which require physical alteration to the area in which they are performed. Such areas are intensively used and include, but are not limited to, playgrounds, ball courts, golf courses and swimming pools.

**Recreation, passive:** those recreational pursuits which can be carried out with little alteration or disruption in the area in which they are performed. Such uses include, but are not limited to, walking, hiking, sitting, and picnicking.

**Recreation, athletic:** a facility for recreation and amusement activities, including, but not limited to: playgrounds (soccer, baseball), athletic fields, various types of courts (tennis, basketball, racketball), and swimming pools.

**Recreational vehicle park:** a place set aside and offered by a person or public body for the parking and accommodation of recreational vehicles or tents utilized for sleeping or eating; and this term also includes buildings, and sites set aside for

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group camping and similar recreational facilities.

**Religious institution:** a premises or site which is used primarily or exclusively for religious worship and may include related or attendant religious oriented activities, such as education, recreation, or outreach. A religious institution includes, but is not limited to, a church, mosque, synagogue, or temple.

**Renewable energy:** the production of energy from a source that does not deplete when generated such as solar, wind, or hydro power.

**Residential:** this category is intended to collectively define land use and buildings used for permanent housing.

**Residential care facility:** establishments primarily engaged in providing some nursing and/or health-related care to patients who do not require the degree of care and treatment that a skilled or intermediate care facility is designed to provide. Patients in these facilities, because of their mental or physical condition, require some nursing care, including the administering of medications and treatments or the supervision of self-administered medications in accordance with a physician's orders.

**Restaurant and cafes:** any establishment where food is served for consumption off the premises or within an enclosed building.

**Retail and services, general:** a place of business providing the sale and display of goods or sale of services directly to the consumer. Retail goods include, but are not limited to: clothing, food, furniture, pharmaceuticals, books, works of art and the like. Retail services are also included, such as: barber shops, pet shops, pet beauty parlors, beauty salons, travel agencies, retail banking, estate agent, retail dry cleaning, express delivery service, photo studios; and repair service establishments for domestic products and the like.

**Retail and services, specialized:** a place of business providing goods and services that are not usually considered part of a continuous pedestrian retail environment, including but not limited to pawn shops, and funeral homes.

**Retail sale of sparklers:** a business engaged in the sale of sparklers to consumers at retail.

**Rezoning:** a change of zoning designation on a lot.

**Right-of-way, public:** land held publicly between property lines, including the sidewalks, on-street parking area, and the roadway, street and/or highway.

**Road:** includes streets, sidewalks, shared use paths and paved trails within rights-of-way of streets, alleys, highways and other ways open or unopened to travel by the public, including the roadbed, right-of-way, and all culverts, drains, sluices, ditches, water storage areas, waterways, embankments, slopes, retaining walls, bridges, tunnels and viaducts necessary for the maintenance of travel.

**Roof line:** the top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys or minor projections.

**Roof overhang:** the section of the roof that extends beyond the face of the building wall.

**Rural retail:** the sale of goods on the site from which the goods are grown, produced, or raised.

**Scale:** the spatial relationship among structures along a street or block front, including height and massing relationships. Scale also refers to the proportional relationship of the size of parts to one another and to the human figure.

**Schools (charter):** those schools organized as a non-profit organization which have applied for and received authorization from the Orange County School Board to operate as a charter school for kindergarten, elementary and/or secondary school grades in accordance with the Florida Statutes pertaining to charter schools which became law in 1996, as that statute may be amended or replaced.

**Schools (elementary):** public or private schools offering education to students in kindergarten through 5th grade, and optionally prekindergarten, as specified by the Florida Department of Education.

**Schools (middle):** public or private schools offering education to students in 6th grade through 8th grade, as specified by the Florida Department of Education.

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**Schools (high):** public or private schools offering education to students in 9th grade through 12th grade, as specified by the Florida Department of Education.

**Schools (private):** any non-public school offering kindergarten, elementary and/or secondary school grades on a full-time, regular attendance basis; such private schools include, but are not limited to, parochial, religious or denominational schools and private institutions supported in whole or in part by tuition charges or by endowments or gifts.

**Schools (public):** sometimes referred to or known or referred to as traditional public schools: publicly supported and controlled schools under the jurisdiction of the Orange County School Board consisting of kindergarten, elementary and/or secondary school grades.

**Scramble (crosswalk marking):** markings that accompany a crosswalk type that includes a dedicated pedestrian phase allowing pedestrians to cross an intersection diagonally. Often referred to as a pedestrian scramble, the crosswalk type is appropriate for very high pedestrian volumes and low vehicular volumes.

**Screen enclosure:** an aluminum structure supporting screen walls and a screen top.

**Screening:** visually shielding or obscuring one structure or use from another by a liner building, fencing wall or densely planted vegetation.

**Screen room:** a nonhabitable structure consisting of solid aluminum roof panels, attached to the principal structure. Such room shall be open and unenclosed on the projecting 3 sides, supported by aluminum columns. The aluminum columns may only support screen mesh, solid aluminum kick panels up to 24 inches in height above the floor of the room and/or vinyl panels which are seasonal, nonpermanent and removable. The screen mesh shall be the type not less than 55% open.

**Seasonal events:** are events organized to sell seasonal products such as pumpkins, trees, and sparklers, or celebrate seasonal milestones.

**Secondary frontage:** see "Frontage, secondary."

**Semi-pervious surface:** materials that are suitable in durability for anticipated traffic flow, meet ADA compliance if applicable, and allow for drainage.

**Septage:** a mixture of sludge, fatty materials, human feces, and wastewater removed during pumping of an on-site sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.

**Septage management facility:** A stationary facility that treats only domestic septage or combinations of domestic septage, food establishment sludges, wastes removed from portable toilets, and wastes removed from holding tanks associated with boats, marinas, and on-site sewage treatment and disposal systems.

**Service area:** a building equipment area, loading area or dock, solid waste refuse or trash collection area, trash compaction area, service vehicle parking area, recycling area, or other similar area related to servicing indoor or outdoor equipment or refuse related to a private property. Service areas typically provide space for service equipment and machinery, related storage, and vehicular areas associated with servicing outdoor or indoor mechanical equipment and solid waste refuse, other than standard parking spaces within a parking lot dedicated to service uses. Service areas do not apply to public utilities.

**Setback (lot lines):** the area of a lot measured from the property line towards the interior of the lot that is required to be clear of specific structures.

**Shallow yard:** a frontage yard type with the building façade close to the primary frontage.

**Shared parking:** see "Parking, shared."

**Shared space street:** see "Street, shared space."

**Shared stormwater:** see "Stormwater, shared-use stormwater areas."

**Shopfront:** a frontage used for retail use, with glazing. The façade is often close to the property line with the building entrance at sidewalk grade.

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**Shopping cart:** a basket mounted on wheels, or a similar device, which is generally used in a retail or wholesale establishment by a customer, or by an employee of such establishment, for the purpose of transporting goods of any kind

**Shopping center:** one or more retail stores or service establishments containing a minimum of 15,000 square feet of floor space.

**Short-term rental:** where the length of stay under the rental or lease arrangement is 179 consecutive days or less within a year. Examples of non-residential uses requiring short-term rental include hotels, motels, time-shares, condominium hotels, resort rental, resort residential, resort villa, and transient rental.

**Sidewalk:** a paved path for pedestrians in the right-of-way.

**Sign:** any surface, fabric, device, name, identification, image description, message, display or illustration using graphics, symbols, words, letters, or numbers which is affixed to, painted on, or represented directly or indirectly upon a building, structure, or parcel of property, and which directs attention to an object, product, place, activity, facility, service, event, attraction, person, issue, idea, institution, organization, development, project or business for the purpose of advertising, identifying or conveying information to the public. The definition of sign shall not be construed to mean a sign located in the interior of any building or structure which sign is not visible from outside the structure, or dynamic art as defined in [Orange County Code Chapter 38, Article VII, Division 4.5 \(I-Drive District Code\)](#). A sign may include the sign face and sign structure.

**Sign, a-frame:** a portable sign not secured or attached to the ground or surface upon which it is located, typically constructed in such a manner as to form an "A" or tent-like shape, and primarily intended to advertise to pedestrian traffic.

**Sign, animated:** a sign which uses movement or change of lighting to depict action or to create a special effect or scene.

**Sign, awning:** a sign consisting of information painted on, sewn on, imprinted on, or attached to the surface of an awning.

**Sign, banner:** a sign that consists of a sign face composed of nonrigid material that is secured or mounted at both ends.

**Sign, bench:** any sign attached to a bench or seat.

**Sign, canopy:** a sign that is part of, or attached to, a canopy.

**Sign, copy:** the linguistic or graphic content or message of a sign.

**Sign, copy area:** the advertising display surface area encompassed within any sign.

**Sign, digital billboard:** an off-site changeable copy sign capable of displaying multiple static images controlled by electronic communications.

**Sign, electronic message center (EMC):** an on-site changeable copy sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means.

**Sign, embellishment:** extension of the perimeter of a sign face, which is irregular in shape, and which is added solely for the purpose of accomplishing a creative design. Any portion of an embellishment which contains copy shall be deemed copy area.

**Sign, externally lit:** a sign that is illuminated solely from an external light source that shines onto the face of the sign. No light sources are present behind any portion of such a sign. (Syn: face lit sign)

**Sign face:** the part of a sign, including trim, embellishments, and background which contains the copy.

**Sign, flashing:** a sign displaying a pattern of changing light illumination where the sign illumination alternates between illuminated and various levels of illumination for the purpose of drawing attention to the sign.

**Sign, freestanding:** a sign which is not attached to a building or the ground and is readily movable. Such a sign is typically on display during business hours and is stored when the business is not open.

**Sign, freestanding canopy:** a sign attached to the vertical planes of a free standing canopy roof structure.

**Sign, ground:** a free standing sign supported by uprights or along its bottom, placed on or near ground level, often referred to as a monument sign.



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**Sign, hanging:** a sign located within an arcade/colonnade or gallery which is hung from the ceiling over the pedestrian walkway, typically by chains, cable, or fixed pipes, in front of the business with which it is associated.

**Sign, halo lit:** a sign where the entire face and returns (sides) of individual halo sign letters, numbers, and graphics are opaque (but may be colored). Individual letters, number, and graphics are free-standing (typically, not connected at their faces) and mounted, with stand-offs, a short distance (generally, 3 to 5 inches) from the supporting wall or other mounting surface. The face and returns of individual letters, numbers, and graphics are opaque and constructed of sheet metal, aluminum, or other opaque/heat resistant material. Lighting sources (LED or other) are mounted on the rear of individual letters, numbers, or graphic faces, and pointed backward toward the mounted wall (or other) surface. The backward-pointed lighting sources flood the supporting wall surface behind the individual letters, numbers, or graphics, allowing reflected illumination to spill sideways, around the edges of the individual letters, numbers, or graphics, and onto the surface of the supporting wall or surface. A "halo" visual effect results around the edges of the individual letters, numbers, or graphics.

**Sign, illuminated:** a sign which is lighted by an artificial light source, either internal or external to the sign, for the purpose of illuminating the sign.

**Sign, incidental:** a small sign, emblem, or decal.

**Sign, inflatable:** an inflated balloon-type device composed primarily or wholly of nonrigid material.

**Sign, internally lit (internal sign illumination):** a sign (either pole-mounted, ground-mounted, wall-mounted, or projected style) of which any portion of the sign face (e.g., individual letters, numbers, or graphics, or a portion of the surrounding cabinet background or sides) utilizes a transparent or translucent (e.g., polycarbonate, acrylic, or other) surface through which an internal or rear light source travels. (Syn: back lit sign, rear lit sign, cabinet lit sign)

**Sign, marquee:** a canopy or rigid roof-like projection located at the entrance to a building, usually bearing a sign on its face and sides along with changeable copy. Marquee signs may or may not include a vertical sign element.

**Sign, multi-tenant:** a sign which pertains to the uses of a parcel of property, or parcels of contiguous property, where 2 or more separate establishments exist on the parcel of property.

**Sign, neon or fiber optic:** a sign that uses neon or fiber optic tubing to spell out words, state a graphic message, outline a sign, or is otherwise used in conjunction with a sign (within 6 inches of the edge of the sign).

**Sign, off-site directional:** a sign which is used solely for the purpose of indicating the direction or physical location of any sale, object, place, use, business, event, service or area which is not located on the same parcel as the sign. A sign that does not include the physical location or street address of a sale, object, place, etcetera, such as a sign with the name of a sale, business, event, or service and only a corresponding telephone number, website, and/or an email address, or a sign with the name of a sale, business, event, or service and only a corresponding telephone number and directional arrow, does not fall within the meaning of this definition.

**Sign, off-site:** a sign which is not directly related to or associated with the property on which the sign is located.

**Sign, on-site:** a sign which advertises or identifies a use, establishment, development, project, commodity, service, activity or identity which is directly related to or associated with the property on which the sign is located.

**Sign, permanent:** a sign located on a parcel of property which is not a temporary sign.

**Sign, pole:** a sign supported by at least one upright pole or post that is secured to the ground.

**Sign, portable:** a sign, excluding an A-frame sign, which is not permanently secured or attached to the ground or to a structure.

**Sign, projecting:** a sign affixed to a building which projects in such a manner that both sides of the sign are visible.

**Sign, public service message:** an electronically or electrically controlled sign which only conveys public service information such as time, date, temperature or atmospheric conditions.

**Sign, roof:** a sign that is erected on the roof of a building.

**Sign, rotating:** a pole sign which has a revolving sign face.

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**Sign, snipe:** a sign which is attached to a utility pole, tree, or similar object.

**Sign, special event:** a sign, including a window sign, grand opening display, cold air inflatable sign, searchlight and poster sign, which is used to advertise a promotional venture such as the opening of a business or a special sale.

**Sign, structural alteration:** any physical change to any part of the sign structure, including the support poles or posts, the foundation, or the sign canister. Copy, mechanical or electrical changes within the existing sign or changes that do not change the physical structural characteristics of the sign shall not constitute a structural change.

**Sign structure:** the parts of a sign, exclusive of the sign face, such as beams, buttresses, poles, cables, and stringers, which support the sign face.

**Sign, swinging:** a projecting sign which has a swinging sign face.

**Sign, temporary:** a sign erected on a for a period of limited duration and for a specialized purpose.

**Sign, unsafe:** any sign that becomes insecure or is in danger of falling or is otherwise deemed unsafe by the building official.

**Sign, visible:** a sign which, whether or not legible, is capable of being seen without visual aid by a person of normal visual acuity.

**Sign, wall:** a sign erected on the wall of a building, or a sign which is affixed to or painted on the wall.

**Sign, wall banner:** a sign that consists of a sign face composed of non-rigid material that is secured or mounted at both ends. It is a type of banner sign that is intended to be relatively large and serve the purpose of advertising for special events on tall buildings that would not benefit as much from regular size banner signs described under [\(b\) Restrictions by Sign Type](#).

**Sign, window:** a sign graphic, or design which is painted, mounted, or otherwise displayed within 3 feet of a window in a manner to present a message to or attract attention of the public on adjoining streets.

**Simulated gambling establishment:** an establishment conducted or operated for commercial or pecuniary gain or for the collection of donations or gifts that simulates a casino-type atmosphere, or has any simulated casino game, any simulated gambling device, or simulated slot machine, including the use of video or other machines or games appearing to be the same, or substantially similar, to those machines or games typically or commonly used in casinos or casino venues.

**Single dwelling transient rental:** the renting or leasing of a single-unit for a period of less than 30 days.

**Single room occupancy:** a multi-unit dwelling providing single bedrooms for rent to 5 or more persons with shared facilities that may include kitchens, bathrooms, and common areas. This definition shall not include a nursing home or community residential home.

**Site:** a plot of land suitable or set apart for some specific use.

**Site structure plan:** a submittal document required for development plans that depicts aspects of the development application, including buildings, drainage, natural site features, civic and open spaces, parking, service areas, and vehicular, pedestrian, and bicycle facility locations and dimensions to demonstrate compliance with site development standards.

**Solar facility:** a production facility for electric power in adherence to the criteria of FS § 163.3205.

**Solar panel:** a collection of modules mechanically fastened together, wired, and designed to provide a field-installable unit.

**Solid waste:** sludge unregulated under the federal Clean Water Act or Clean Air Act, sludge from waste treatment work or water supply treatment plant or air pollution control facility, or garbage, rubbish, refuse, special waste, or other discarded material including solid, liquid, semisolid or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural or governmental operations. For the purposes of this article, this term does not include infectious/medical waste, or hazardous waste as defined in chapter 62-730, F.A.C., or recovered materials.

**Solid waste disposal facility:** as defined in the Chapter 32, Article V (Solid Waste Management Ordinance) of County Code.

**Solid waste incinerator facility:** property, structures and other appurtenances and any improvements on the land used for the incineration of: Garbage, refuse, yard trash, clean debris, white goods, special waste, ashes, sludge or other discarded material including solid, liquid, semisolid or contained gaseous material resulting from domestic, industrial, commercial,

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mining, agricultural or governmental operations. Solid waste does not include: nuclear source or by-product materials regulated under F.S. Ch. 404, or under the Federal Atomic Energy Act of 1954 as amended; suspended or dissolved materials in domestic sewage effluent or irrigation return flows or other regulated point source discharges; regulated air emissions; and fluids or wastes associated with natural gas or crude oil exploration or production.

**Solid waste management facility:** as defined in the Chapter 32, Article V (Solid Waste Management Ordinance) of County Code.

**Sparkler:** the same definition as provided for in F.S. § 791.01, as it may be amended from time to time.

**Special event:** an event held partially or entirely outdoors on private property, promoted or advertised to the public (regardless of whether an admission fee is or will be charged), attended or expected to be attended by one hundred (100) or more people at any point in time during the event, and is unlike or beyond the scope of customary or usual activities associated with the site or zone upon which the event is taking place, including, but not limited to, an exhibition, a celebration, a party, a festival, a concert, a ceremony, a show, a rally, a parade, a carnival, a farmer's market, or any other semi-frequent or one-time event taking place within a defined area. For purposes of this chapter, a special event shall not include an open air market, seasonal tent sales, or non-seasonal tent sales, as defined by this chapter.

**Special Zone (SZ):** a zone intended to accommodate uses, which because of their specialized performance, scale, or impact should not be incorporated into the Transect zones specified in this Code.

**Special Zone, Education (SZ-ED):** areas dedicated predominantly to public and private educational uses.

**Special Zone, Entertainment & Resort District (SZ-EN):** areas dedicated predominantly to the most frequent and intense tourist activity.

**Special Zone, Heavy Industrial (SZ-HI):** areas dedicated predominantly to heavy industrial uses.

**Special Zone, Light Industrial (SZ-LI):** areas dedicated predominantly to light industrial uses.

**Special Zone, Mobile Homes (SZ-MH):** areas dedicated predominantly to mobile homes.

**Special exception:** a use that may be permitted by exception in certain zones, if it conforms to specific criteria and submission requirements, and as determined by the Board of Zoning Adjustment or Board of County Commissioners.

**Specified anatomical areas:** (1) less than completely and opaquely covered: a. Human genitals or pubic region; or b. Cleavage of the human buttocks; or c. That portion of the human female breast encompassed within an area falling below the horizontal line one would have to draw to intersect a point immediately above the top of the areola (the colored ring around the nipple). This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed. (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**Specified sexual activities:** (1) human genitals in a state of sexual stimulation, arousal or tumescence; or (2) Acts of human anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia or zoerasty; or (3) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breast; or (4) Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3).

**Square:** a civic space type designed for unstructured recreation and civic purposes, consisting of paths, lawns, and trees formally disposed.

**Street, framework:** see "Framework Street".

**Street, shared space:** a road intended for pedestrians, bicycles, and vehicles to share the same space within the roadway for the purpose of movement, facilitated by extremely low speed automobile movement through traffic calming measures.

**Street, special:** includes yield streets, non-vehicular ways and shared-space streets.

**Street, yield:** a residential street for living activities and movement at low speeds and volumes, with a roadway that requires vehicles to yield to one another to pass.

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**Stepback:** a building setback of a specified distance that occurs at a prescribed number of stories above the ground.

**Stoop:** an exterior stair and landing at the entrance to a building, which may be roofed.

**Storage & distribution:** sites and buildings used for receiving, dispatching, repackaging, cross-docking, or consolidating materials, articles or goods destined for a retail outlet, trader or manufacturer. Such facilities can also be used for receiving, dispatching, or consolidating goods in transit by road, rail, air, or sea.

**Storefront:** the façade or entryway of a retail store located on the ground floor of a building.

**Story:** that portion of a building included between the surface of any floor and the surface of the floor directly overhead or, if there is no floor directly above, then the space between such floor and the ceiling above it, this may not include an attic.

**Story, half:** a floor level in a building that is situated partly within the roof space. This level is characterized by sloping ceilings and often has reduced ceiling height compared to full stories. It may be used for living space, storage, or other purposes, depending on the design of the building.

**Streetscape:** the physical components of streets, composed of: the pavements for vehicles, bicycles and pedestrians; landscape such as trees and plantings, and furnishings such as streetlights, bollards, and benches.

**Streetscreen:** a freestanding wall, fence, or opaque landscape area built along the frontage line, or aligned with the façade, which masks parking and service areas from the sidewalk or strengthens the spatial definition of the street space.

**Stormwater, shared-use stormwater area:** a stormwater area that provide stormwater detention or water quality Best Management Practices (BMP) in a format that allows other uses of the area when not inundated, such as passive recreation.

**Structure:** all permanent or temporary, fixed or movable construction, including buildings, stands, poles, signs and billboards, erected independently or affixed to exterior walls or roofs; provided, however, that utility owned poles and lines are not to be considered a structure.

**Student housing:** any multi-unit development regardless of the number of bedrooms per dwelling unit, where the dwelling units marketed to students attending a local college, university, community college, or private school, and, for those dwelling units with more than 1 bedroom, where the bedrooms are leased separately. (To the extent this definition may conflict with a definition of "student housing" found elsewhere in the County Code, this definition shall control and apply.)

**Subdivision:** the division of land into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivision; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

**Substantial modification:** alteration to a building that is valued at more than 50% of the replacement cost of the entire building, if new.

**Swale:** a natural or slightly depressed channel or other low-lying stretch of land which collects or carries surface water runoff.

**Swept path analysis:** the evaluation and calculation of the space required when a vehicle makes turning maneuvers.

**Swimming pool:** a structure designed for swimming or wading, constructed either below or above the ground, and designed to contain over 24 inches in depth of water or with a surface area exceeding 250 square feet.

**Temporary portable storage container:** a structure temporarily used for storage that is not attached to a dwelling and does not have any water or electrical fixtures.

**Temporary retail:** the sale of goods at a site for a determined period of time.

**Temporary structures:** the construction or location of a building or use for a determined period of time, such as construction trailers, sales trailers or temporary portable storage containers.

**Tent:** a portable unit constructed with flexible material for folding compactly when not in use, and when unfolded, providing shelter from rain, sun, or wind.

**Tent, PVC Pipe:** a lightweight, portable structure primarily composed of PVC pipes or similar materials, covered with fabric, plastic, or tarpaulin, typically used for temporary storage, vehicle shelter, or shading purposes and are not designed for

permanent use.

**Terrace:** a level paved area or platform next to a building.

**Theater/conference center:** a building providing spaces for entertainment or conferencing, including adaptable spaces to house plays, musical performances, dance, religious events, conferences, delegations, speeches, and other similar activities.

**Theme Park:** a destination for a wide variety of entertainment-related activities and associated uses such as retail, dining, lodging, maintenance, management, transportation, parking, which is typically access controlled.

**Through connection:** a vehicular, pedestrian, and optionally bicycle way providing access between two existing roads, within a site with frontage along both roads, in order to increase transportation connectivity.

**Ticket booth:** a booth, kiosk, stand, or similar structure situated outdoors or affixed to the exterior of another structure at which tickets, coupons, timeshares, and/or real estate are marketed. Does not include a structure serving the same purpose which is located within a primary structure, such as a hotel, retail establishment, restaurant, or the like.

**Tourist commercial:** public or private or commercial operations associated with the hospitality industry which are intended to provide services primarily to visitors to the central Florida area.

**Tract:** land not occupied or not intended for overnight occupancy by a use permitted in this chapter.

**Traffic study:** a traffic engineering analysis conducted to evaluate the potential impact of a proposed development or land use change on the surrounding transportation system. It is required for new developments to determine whether there is insufficient capacity on the roadways needed to serve the project or if the project generates more than 50 net new p.m. peak hour trips. It typically includes data collection, evaluation of existing conditions, traffic volume projections, project's trip distribution, transportation capacity analysis, and identifying the improvements needed to accommodate the increased traffic and mitigate adverse impact on the transportation system. The study should be conducted in accordance with applicable FDOT and County standards and guidelines.

**Transect:** a zoning paradigm which organizes uses by their density and intensity, and correlates other zoning standards with those differences in intensity, with the purpose of establishing compatibility between standards and intensity and between adjacent zones.

**Transient rental, single-family dwelling:** the renting or leasing of a single dwelling for a period of less than 30 days.

**Transit facility:** sites and equipment owned, used, constructed, maintained, controlled, or operated to provide mass transportation for passengers or to provide for the movement of people. Rail transit facilities include rail lines, platforms, passenger waiting areas, passenger parking lots, passenger parking structures, passenger pickup and drop-off areas, tracks, bridges, tunnels and accessory retail, including areas for sales of fares. Bus transit facilities include bus stops, bus terminals, passenger waiting areas, passenger parking lots, passenger parking structures, passenger pickup and drop-off areas and retail including areas for sales of fares.

**Transit stop, premium:** a designated location within the public transit network that offers superior service quality, infrastructure, and amenities compared to standard transit stops. These stops are strategically situated to facilitate higher frequency and capacity transit services, thereby supporting higher-density and mixed-use developments.

**Transparency:** the quality or state of being transparent or sheer enough to be seen through.

**Transportation and infrastructure:** This category is intended to collectively define a facility, a structure, or land related to the provision of roads, water and sewer lines, electrical, telephone and cable transmission, and all other utilities and communication systems necessary to the functioning of a community.

**Trash, Junk, and Debris:** items that are considered to be worthless, litter, clutter, or no longer in use. Generally, any discarded material left exposed to the environment. The remains of something that has been broken up or destroyed. Including, but not limited to old or discarded metal, glass, paper, boxes, bins, rags, carts, appliances, building materials, furniture, rubbish, tires, non-living plant material, and/or vehicle parts. Debris can include trash left over after a disaster as well.

**Travel trailer:** a vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use (includes a "fifth-wheel travel trailer").

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**Tree:** any living, woody self-supporting perennial plant that normally grows to a minimum height of 15 feet.

**Tree well, standard:** a planting and furnishing zone configuration, in the roadway border (between the curb and sidewalk), that is principally paved and includes trees within tree wells (or tree pits), typically with a metal grate at the level of the sidewalk. Tree wells are common in higher intensity areas like main streets that have high pedestrian volumes.

**Tree well, long:** a planting and furnishing zone configuration, in the roadway border (between the curb and sidewalk), that is partially paved and includes trees within rectangular tree planting areas that are longer along the sidewalk than a standard tree well. Long tree wells are common in relatively high pedestrian use areas like around apartments and townhouses. Long tree wells provide more soil volume for tree roots than standard tree wells and prevent trampling of landscape areas.

**Triplex:** see "dwelling, triplex"

**Truck stop or truck terminal:** a building or buildings and premises designed to cater primarily in the fueling, servicing, repair, or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers, or restaurant facilities primarily for the use of truck crews, but not include the storage of vehicles for the purpose of using parts of such vehicles for sale or repair.

**Truck camper:** a truck equipped with a portable unit designed to be loaded onto or affixed to the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping, or travel use.

**Turf:** means a mat layer of monocotyledonous plants such as Bahia, Bermuda, Centipede, Paspalum, St. Augustine, and Zoysia.

**Understory tree:** an acceptable species means a tree species which features a maximum mature canopy spread of no more than 20 feet, as described within the Florida Friendly Plant List. At the time of installation, each understory tree must be a minimum of 7 feet tall, with a minimum caliper of 2 inches as measured 6 inches above the root ball. Depending on the proposed location and growing conditions, other tree species not listed in the Florida Friendly Plant List may be considered by the Orange County Zoning Manager or his/her designee.

**Unit paver:** individual precast concrete, brick, stone, or other materials used in pavement construction.

**Upland conservation park:** an open space area intended to promote preservation, enhancement, or construction of native uplands and other areas of natural value to the County.

**Use, accessory:** see "Accessory structure or accessory use."

**Use, conditional:** a use allowed on a lot subject to certain conditions and requiring specific approval.

**Use, special exception:** see "Special exception."

**Use, permitted:** a use allowed on a lot.

**Use, permitted with additional standards:** a use allowed on a lot, subject to compliance with additional standards.

**Use, principal:** the main use of land or buildings as distinguished from a subordinate or accessory use.

**Use, prohibited:** a use not allowed on a lot.

**Utilities:** land and structures and infrastructure associated with the distribution essential services to the community. Uses include but not limited to: electric, gas, and sanitary services; lime stabilization and dewater, septage, and wastewater sludges; power plants; refuse storage sites; septic disposal sites; substations; telephone switch stations; transfer stations; wastewater and water plants.

**Utility appurtenances:** ancillary structures, equipment, or facilities that are necessary for the operation and maintenance of utility services such as water, sewer, electricity, gas, telecommunications, and similar infrastructure.

**Utility trailer:** an enclosed or unenclosed vehicle which is not motorized or self-propelled, which is designed to be towed by a motor vehicle, but not designed for human occupancy, and which may include, but is not limited to a car trailer or horse trailer. For the purposes of this chapter, any vehicle that would meet the definition of a dual rear wheel vehicle, as defined elsewhere in this chapter, shall not be considered a utility trailer and shall be considered a dual rear wheel vehicle. Also, a



boat trailer shall not be deemed to be a utility trailer.

**Vacant land:** any real property not containing an existing principal land use. Those properties that have active or unexpired building permits for accessory uses only without a principal land use, such as but not limited to, fences, signs, septic tanks and wells, and accessory and storage buildings, shall constitute vacant land. However, properties that have active or unexpired building permits for a principal land use shall not constitute vacant land.

**Vehicular accessway:** any private driveway, alley, local street, or collector street, or any public local, collector, or arterial street or highway.

**Vehicular forecourt:** a frontage yard type where a portion of the building is close to the frontage line and the central portion is set back, that creates a yard which is used for temporary motor vehicle access.

**Vehicular use area:** any ground surface area (paved or unpaved) used for storage, display, temporary parking, or maneuvering of vehicles.

**Vertiport:** an area of land or water used, or intended to be used, to support the landing, takeoff, taxiing, parking, and storage of powered-lift aircraft or other aircraft that vertiport design and performance standards established by the Federal Aviation Administration can accommodate, including appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use. This includes vertistops, vertipads, or similar specialized areas for vertical takeoff and landing with no aircraft charging facilities.

**Veterinary services for livestock:** land and buildings dedicated to the treatment of animals used for agricultural purposes.

**Vocational:** Facilities that offer instruction and training in trades or specialty occupations.

**Waiver:** a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its intent.

**Warehousing, distribution:** a use where goods are received, processed, and/or stored for delivery to the ultimate customer at remote locations.

**Warehousing, flex:** warehousing space designed to be subdivided into smaller tenant spaces that may be air conditioned, with the capability to add office, assembly, showroom or other business activities besides principal distribution.

**Water-efficient landscaping:** landscaping that maximizes the conservation of water, via the application of one or more of the principles of Xeriscape™.

**Wellhead protection area:** has the same meaning as defined in 62-521.200 FAC. [An area designated by the Florida Department of Environmental Protection consisting of a 500 foot radial setback distance around a potable water well where ground water is provided the most stringent protection measures to protect the ground water source for a potable water well and includes the surface and subsurface area surrounding the well.]

**Wet bar:** a hand sink and under-the-counter refrigerator with no overhead cabinets.

**Wholesale sale of fireworks:** a business engaged in the wholesale sale of fireworks to a bona fide sales tax exempt retailer.

**Window sign:** a sign, graphic, or design which is painted, mounted, or otherwise displayed within 3 feet of a window in a manner to present a message to or attract attention of the public on adjoining streets. The sign area is a bounding rectangle around the sign copy and graphics.

**Wireless communication facility:** any unstaffed facility for the transmission and/or reception of wireless communication services, usually consisting of an antenna array or micro facility, connection cables, an equipment facility and a support structure or attachment structure to achieve the necessary elevation.

**Wireless communication service:** any personal wireless service as defined by the Telecommunications Act of 1996, which includes FCC licensed commercial wireless telecommunications services, including cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and similar services that currently exist or that may in the future be developed.

**Wood waste incinerator facility:** (including air curtain incinerator facility) a stationary facility as permitted by EPD; such

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facility includes property, structures and other appurtenances and any improvements on the land used for the controlled incineration of clean dry wood, as herein defined. A temporary wood waste incinerator facility shall be a facility which complies with each of the following three (3) criteria: (1) The facility is exempted from EPD permit requirements; (2) The facility otherwise complies with Article III, Chapter 15 (Air Quality Control Ordinance), Sec. 15-96 of County Code and, F.A.C., Ch. 62-256, as may be amended; and (3) Use of the facility shall be for only clean dry wood generated on-site; and shall be allowed in any zones. Clean dry wood (including lighter pine) is lumber or tree and shrub trunks, branches and limbs which are free of paint, pentachlorophenol, creosote, tar, asphalt or other wood preservatives and which when burned do not emit excessive visible emissions. Any visible emissions shall comply with Article III, Chapter 15 (Air Quality Control Ordinance), Sec. 15-89.1 of County Code.

**Work of art:** a tangible creation by an artist or artists, including but not limited to paintings, sculptures, stained glass, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments and fountains; provided, however, that any work of art that either contains text or conveys information visually or to attract the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise shall be considered a "sign" and shall comply with the requirements of this chapter, and provided that dynamic art, as defined in [Orange County Code Chapter 38, Article VII, Division 4.5 \(I-Drive District Code\)](#), shall not be deemed a 'work of art' under Chapter 40, Article 3, Division 6 (Signs).

**Xeriscape™ or Florida friendly landscaping:** a set of design and maintenance principles which reduce non-point source pollution and promote good horticultural practice and economic and efficient use of water. The terms Xeriscape and Florida friendly landscape may be used interchangeably in this Code; however, for purposes of determining or certifying when Florida friendly landscaping is used in landscape planning the term shall be more specifically defined in that Article of Code so as to be consistent with F.S. (2009) § 373.185(1)(b).

**Yard:** an open space between a buildings and property lines. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard (primary or secondary), or the depth of a rear yard, the minimum horizontal distance between the lot line and the extreme support of the roof of the building is used.

**Yard, front:** a yard extending across the front of a lot between the side lot lines, and being a minimum horizontal distance between the street line and the principal building or any projections thereof other than the projections of uncovered steps, uncovered balconies, or uncovered porches.

**Yard, rear:** a yard extending across the full width of the lot at the rear of the principal building, measured between the rear lot line and the nearest point of the principal building, or any projections thereof, other than projections of uncovered steps, uncovered balconies, or uncovered porches

**Yard, side:** a yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projection thereof.

**Yard, side street (secondary frontage):** a yard extending across the side of a corner lot between the rear line of the front yard and the front line of the rear yard, and between the principal building and the street right-of-way line, and being the minimum horizontal distance between the principal building or any projections thereof other than the projections of uncovered steps, uncovered balconies or uncovered porches, to the right-of-way line.

**Yard trash processing facility:** as defined in the Chapter 32, Article V (Solid Waste Management Ordinance) of County Code.

**Yield street:** a road intended for very low speed two-way movement, facilitated by a roadway too narrow for 2 vehicles to pass each other, requiring one of the vehicles to move into the parking lane in order to allow the other vehicle to pass.

**Zoning map:** the official map or maps that are part of the zoning ordinance and delineate the boundaries of zones and districts.



# ARTICLE VII—APPENDIX

## DIVISION 1: USE CONSOLIDATION

Uses from the previous zoning code for Orange County, Florida have been reduced in number, with multiple existing uses now within the same consolidated category. Table A-1 provides a reference list of existing uses and their new use category.

**Table 121: Table A-1: Use Consolidation**

| Residential                                        |                                                                                                                                                     |
|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| Dwelling, Single                                   | Single Family & Modular Homes with Customary Accessory Units                                                                                        |
|                                                    | Single-unit Housing                                                                                                                                 |
|                                                    | Single-unit Transient Rental                                                                                                                        |
| Dwelling, Duplex                                   | Attached or Detached Duplex                                                                                                                         |
| Dwelling, Townhouse                                | Townhouses and 4-unit buildings with Fee Simple Units                                                                                               |
| Dwelling, Triplex                                  |                                                                                                                                                     |
|                                                    | Multi-unit with Customary Accessory Units                                                                                                           |
| Multi-unit, 6 or less                              | Multi-unit Residential Buildings in Excess of One Story in Height within 100 ft of the Property Line of any Single Family Dwelling District and Use |
|                                                    | Multi-unit with Customary Accessory Units                                                                                                           |
| Multi-unit, more than 6                            | Multi-unit Residential Buildings in Excess of One Story in Height within 100 ft of the Property Line of any Single Family Dwelling District and Use |
| Accessory Dwelling Unit                            | Accessory Dwelling Unit                                                                                                                             |
|                                                    | Guest House                                                                                                                                         |
| Adult & Child Day Care Home                        | Adult/Child Day Care Homes                                                                                                                          |
| Adult & Child Day Care Center                      | Adult/Child Day Care Center                                                                                                                         |
|                                                    | Family Day Care Center                                                                                                                              |
| Assisted Living                                    |                                                                                                                                                     |
| Community Residential Home (<6 Residents)          | Community Residential Homes (max. 6)                                                                                                                |
| Community Residential Home (7-14 Residents)        | Community Residential Homes (7-14)                                                                                                                  |
| Family Day Care Home                               | Family Day Care Home                                                                                                                                |
| Live-Work                                          | Single Family Use in Conjunction with a Commercial Use                                                                                              |
| Mobile Home                                        |                                                                                                                                                     |
| Home Based Business                                |                                                                                                                                                     |
| Student Housing                                    | Student Housing                                                                                                                                     |
|                                                    | Boarding Lodging and Rooming Houses                                                                                                                 |
| Boarding House                                     | Transient Rental Units                                                                                                                              |
| Lodging                                            |                                                                                                                                                     |
| Bed & Breakfast / Single Dwelling Transient Rental | All bed & Breakfast                                                                                                                                 |
| Campgrounds & Recreational Vehicle Parks           | Camps & RV Parks                                                                                                                                    |
|                                                    | Timeshare Units or Similar                                                                                                                          |
| Hotels, Timeshares & Short-term Rentals            | Hotel                                                                                                                                               |
|                                                    | Motel                                                                                                                                               |
| Single-Room Occupancy                              |                                                                                                                                                     |
| Commercial                                         |                                                                                                                                                     |
| Adult Entertainment                                | Adult Entertainment                                                                                                                                 |
| Animal Services                                    | Animal Specialties Services / Domestic Veterinary Services / Domestic Pets                                                                          |
| Assisted Living                                    | Community Residential Homes (14+)**                                                                                                                 |

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**Table 121: Table A-1: Use Consolidation**

|                                |                                             |
|--------------------------------|---------------------------------------------|
| <b>Auto Related Commercial</b> | Golf Cart Sales and Service                 |
|                                | Drive-in Theaters                           |
|                                | New and Used Car Dealers                    |
|                                | Gasoline Stations, except Truck Stops       |
|                                | Pump Islands for Gasoline Sales             |
|                                | Motorcycle Dealers                          |
|                                | Automotive Dealers                          |
|                                | Fuel Dealers                                |
|                                | Detective & Armoured Car Service            |
|                                | Passenger Car Rental                        |
|                                | Automotive Repair Shops                     |
|                                | Automotive Transmission Shops               |
|                                | General Automotive Repair Shops             |
|                                | Automotive Services, except Repair          |
|                                | Big Box Developments                        |
|                                | Civic Organization                          |
|                                | Social and/or Fraternal Organization        |
| <b>Big Box Retail</b>          | Eating Places                               |
| <b>Clubs</b>                   | Drinking Places                             |
| <b>Food &amp; Beverage</b>     | Simulated Gambling Establishments           |
| <b>Gaming</b>                  | Coin Operated Amusement Centers             |
| <b>Health &amp; Medical</b>    | Skilled Nursing Care Facility               |
| <b>Hospital</b>                | General, Medical, and Surgical              |
|                                | Psychiatric Hospitals                       |
|                                | Hospital                                    |
| <b>Office</b>                  | Airline, Bus, Rail, and Ticket Agencies     |
|                                | 62: Security & Commodity Brokers            |
|                                | 63: Insurance Carriers                      |
|                                | 64: Insurance Agents & Brokers              |
|                                | Title Abstract Office                       |
|                                | Subdividers & Developers                    |
|                                | Investment Offices                          |
|                                | Trusts                                      |
|                                | Advertising Agencies                        |
|                                | Photocopying                                |
|                                | Secretarial & Court Reporting               |
|                                | Employment Agencies                         |
|                                | Security Systems Services                   |
|                                | Business Services                           |
|                                | Offices & Clinics of Medical Doctors        |
|                                | Offices & Clinics of Dentists               |
|                                | Offices of Osteopathic Physicians           |
|                                | Specialty Outpatient Facilities             |
|                                | Attorneys Services & Offices                |
|                                | Engineering Services                        |
|                                | Architectural Services                      |
|                                | Accounting, Auditing, and Bookkeeping       |
|                                | Research & Development and Testing Services |
|                                | Management Consulting Services              |
|                                | Public Relations Services                   |
|                                | Business Consulting                         |
|                                | Services, Authors, and Composers            |
|                                | Executive Offices                           |
|                                | Contractors Offices                         |
|                                | Data Processing                             |



Table 121: Table A-1: Use Consolidation

|                         |                                                                                                                                |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Open Air Market         | Open Air Sales of Agricultural or Farm Products                                                                                |
|                         | Fruit & Vegetable Markets                                                                                                      |
|                         | Portable Food and Drink Vendors                                                                                                |
|                         | Newsstands                                                                                                                     |
|                         | Open Air Markets                                                                                                               |
| Place of Assembly       | Motion Picture Theaters                                                                                                        |
|                         | Dance Studios, Schools, and Halls                                                                                              |
|                         | Libraries                                                                                                                      |
|                         | Community Centers                                                                                                              |
|                         | Religious Institutions                                                                                                         |
| Recreational & Athletic | Museums & Art Galleries                                                                                                        |
|                         | Camps & RV Parks                                                                                                               |
|                         | Bowling Centers                                                                                                                |
|                         | Racing, including Track Operation                                                                                              |
|                         | Recreational Facilities Provided by the Employer of the District for Exclusive Use of Employees and Their Families and Friends |
|                         | Golf Courses                                                                                                                   |
|                         | Amusement Parks                                                                                                                |
|                         | Membership Sports & Recreation Clubs                                                                                           |
|                         | Youth Organizations                                                                                                            |
|                         | Amusement & Recreation                                                                                                         |
|                         | Sports Clubs                                                                                                                   |
|                         | Physical Fitness Facilities, Wellness                                                                                          |

## DEFINITION OF TERMS

**Table 121: Table A-1: Use Consolidation**

|                                         |                                                      |
|-----------------------------------------|------------------------------------------------------|
| <b>Retail and Services, General</b>     | Lawn and Garden Service                              |
|                                         | Pleating & Stitching                                 |
|                                         | 25: Furniture & Fixtures                             |
|                                         | Paint, Glass, and Wallpaper Stores                   |
|                                         | Hardware Stores                                      |
|                                         | Department Stores                                    |
|                                         | Grocery Stores                                       |
|                                         | Fruit & Vegetable Markets                            |
|                                         | Candy, Nut, and Confectionery Stores                 |
|                                         | Retail Bakeries                                      |
|                                         | Miscellaneous Food Stores                            |
|                                         | Auto & Home Supply Stores                            |
|                                         | Women's Clothing Stores                              |
|                                         | Family Clothing Stores                               |
|                                         | Furniture Stores, Vertical Blinds                    |
|                                         | Floor Covering Stores                                |
|                                         | Household Appliance Stores                           |
|                                         | Radio, TV, and Electronic Stores                     |
|                                         | Record & Tape Stores                                 |
|                                         | Drug Stores                                          |
|                                         | Used Merchandise Stores                              |
|                                         | Sporting Goods & Bicycle Shops                       |
|                                         | Book Stores                                          |
|                                         | Stationary Stores                                    |
|                                         | Jewellery Stores                                     |
|                                         | Hobby, Toy, and Game Shops                           |
|                                         | Camera & Photographic Supply Stores                  |
|                                         | Gift, Novelty, and Souvenir Shops                    |
|                                         | Luggage & Leather Products Stores                    |
|                                         | Non-Store Retailers                                  |
|                                         | Florists                                             |
|                                         | Tobacco Stores                                       |
|                                         | Optical Goods                                        |
|                                         | Sparklers Retail                                     |
|                                         | Indoor Markets                                       |
|                                         | Dry Cleaning                                         |
|                                         | Coin Operated Laundries                              |
|                                         | Carpet & Upholstery Cleaning                         |
|                                         | Tailoring                                            |
|                                         | Photographic Studios, Portraits                      |
|                                         | Beauty Shops, Beauty Salons, Spas                    |
|                                         | Barber Shops                                         |
|                                         | Shoe Repair & Shoeshine                              |
|                                         | Watch & Clock Repair                                 |
|                                         | Miscellaneous Personal Services                      |
|                                         | Computer Maintenance & Repair                        |
|                                         | Computer Related Services                            |
|                                         | Video Tape Rental                                    |
|                                         | Toys & Sporting Goods                                |
|                                         | 60: Depository Institutions                          |
|                                         | 61: Non-Depository Institutions                      |
|                                         | Travel Agencies                                      |
|                                         | Real Estate Agents & Brokers                         |
| <b>Retail and Services, Specialized</b> | Funeral Service, Except Crematoriums & Embalming     |
|                                         | Labor Pools & Labor Halls                            |
|                                         | Medical Marijuana Dispensary Facility                |
|                                         | Liquor Stores                                        |
| <b>Rural Retail</b>                     | Power Laundries                                      |
|                                         | Lawn and Garden Service                              |
|                                         | Veterinary Services                                  |
|                                         | Retail Nurseries & Garden Stores                     |
| <b>Temporary Retail</b>                 | Food Trucks, Non-Permanent Fruit & Vegetable Markets |

**Table 121: Table A-1: Use Consolidation**

| Industrial               |                                                                                          |
|--------------------------|------------------------------------------------------------------------------------------|
| Agriculture Industrial   | Washing & Packaging of Fruit & Vegetables                                                |
|                          | Woodchipping, Mulching, and Composting                                                   |
|                          | Canned, Frozen, and Preserved Fruits & Vegetables                                        |
|                          | Meat Packing Plants / Animal Slaughtering                                                |
|                          | Dairy Products                                                                           |
|                          | Ice Cream & Frozen Desserts                                                              |
|                          | Canned Fruits, Vegetables, Preserves, Jams, and Jellies                                  |
|                          | Bakery Products                                                                          |
|                          | Sugar & Confectionery Products                                                           |
|                          | Fats & Oils                                                                              |
|                          | Beverages                                                                                |
|                          | 21: Tobacco Products                                                                     |
|                          | 31: Leather Products                                                                     |
|                          | Wholesale Meat & Produce and Soft Drink Bottling Distribution                            |
|                          | Farm and Garden Machinery and Equipment                                                  |
|                          | Meats and Meat Products                                                                  |
|                          | Fresh Fruits and Vegetables                                                              |
|                          | Groceries and Related Products                                                           |
|                          | Signs & Advertising Specialties                                                          |
| Craft & Light Industrial | 22: Textile Mill Products                                                                |
|                          | Millwork                                                                                 |
|                          | Wood Kitchen Cabinets                                                                    |
|                          | 25: Furniture & Fixtures                                                                 |
|                          | 27: Printing & Publishing                                                                |
|                          | Pressed and Blown Glass                                                                  |
|                          | Pottery and Related Products                                                             |
|                          | Pottery Products                                                                         |
|                          | Optical Instruments & Supplies                                                           |
|                          | Watches, Clocks, and Parts                                                               |
|                          | Donation Bins                                                                            |
|                          | Aluminium Recycling Collection Drop-Off Sites                                            |
|                          | Carpet & Upholstery Cleaning                                                             |
|                          | Disinfecting & Pest Control Service                                                      |
|                          | Building Cleaning & Maintenance Services                                                 |
|                          | Photofinishing Laboratories                                                              |
|                          | Auto Painting; Paint and Body Shops                                                      |
|                          | Auto, Exhaust Repair Shops                                                               |
|                          | Carwashes                                                                                |
|                          | Radio & TV Repair                                                                        |
|                          | Refrigeration Service Repair                                                             |
|                          | Appliance Stores, Refrigerators, Ovens, Air Conditioners, and Parts with Outdoor Storage |
|                          | Appliance Repair                                                                         |
|                          | Reupholstery & Furniture Repair                                                          |
|                          | Drycleaning Plants                                                                       |
|                          | Repair Services, Locksmiths                                                              |

## DEFINITION OF TERMS

**Table 121: Table A-1: Use Consolidation**

|                  |                                                                                                 |
|------------------|-------------------------------------------------------------------------------------------------|
| Heavy Industrial | 10: Metal Mining                                                                                |
|                  | 12: Coal Mining                                                                                 |
|                  | 13: Oil & Gas Extraction                                                                        |
|                  | Crushed and Broken Limestone                                                                    |
|                  | Cement, Concrete, and Asphalt Plants                                                            |
|                  | Construction Sand and Gravel                                                                    |
|                  | Industrial Sand                                                                                 |
|                  | Phosphate Rock                                                                                  |
|                  | Borrow Pits                                                                                     |
|                  | Retention / Detention                                                                           |
|                  | Logging                                                                                         |
|                  | Sawmills & Planing Mills                                                                        |
|                  | Hardwood Dimension & Flooring Mills                                                             |
|                  | Hardwood Veneer & Plywood                                                                       |
|                  | Prefabricated Wood Buildings and Components                                                     |
|                  | Paperboard Mills                                                                                |
|                  | Medicinal Chemicals and Botanical Products                                                      |
|                  | Agricultural Chemicals                                                                          |
|                  | Petroleum Refining                                                                              |
|                  | Asphalt Paving & Roofing Materials                                                              |
|                  | Lubricating Oils & Greases                                                                      |
|                  | Plastics Products                                                                               |
|                  | Concrete Block & Brick                                                                          |
|                  | Concrete Products                                                                               |
|                  | 33: Primary Metal Industries                                                                    |
|                  | Metal Cans & Shipping Containers                                                                |
|                  | Plating & Polishing                                                                             |
|                  | Engines & Turbines                                                                              |
|                  | Farm & Garden Machinery                                                                         |
|                  | Mining Machinery Construction                                                                   |
|                  | Computer and Office Equipment                                                                   |
|                  | Miscellaneous Industrial Equipment                                                              |
|                  | Lighting Equipment                                                                              |
|                  | Instruments for Measuring and Testing of Electricity and Electrical Signals                     |
|                  | Semi-Conductors and Related Devices                                                             |
|                  | Storage and Primary Batteries                                                                   |
|                  | Motor Vehicles & Car Bodies                                                                     |
|                  | Boat Building & Repair                                                                          |
|                  | Aircraft & Parts                                                                                |
|                  | Transportation Equipment                                                                        |
|                  | Airports, Flying Fields, and Services                                                           |
|                  | Clean Wood and Yard Trash Processing Facility, Including Woodchipping, Mulching, and Composting |
|                  | Incinerators                                                                                    |
|                  | Junk Yards                                                                                      |
|                  | Petroleum and Petroleum Products Wholesalers                                                    |
|                  | Drycleaning Plants                                                                              |
|                  | Funeral Service Including Crematoriums & Embalming                                              |
|                  | Heavy Construction Equipment                                                                    |
|                  | Welding Repair                                                                                  |
|                  | Machine Shops                                                                                   |
|                  | Solid Waste Management Facilities                                                               |
|                  | Hazardous Waste Treatment, Storage, and Disposal Facilities                                     |
|                  | Yard Trash Processing                                                                           |

## DEFINITION OF TERMS

**Table 121: Table A-1: Use Consolidation**

|                                   |                                                                           |
|-----------------------------------|---------------------------------------------------------------------------|
| <b>Storage &amp; Distribution</b> | Recreational Vehicle or Boat Storage and Parking                          |
|                                   | Parking and Storage of Dual Rear Wheel Vehicles                           |
|                                   | Courier Services, Except Air                                              |
|                                   | Warehousing & Storage                                                     |
|                                   | Dead Storage Yard                                                         |
|                                   | Refrigerated Warehousing & Storage                                        |
|                                   | General Warehousing & Storage                                             |
|                                   | Special Warehousing & Storage                                             |
|                                   | Trucking Terminal Facilities                                              |
|                                   | Furniture and Home Furnishings                                            |
|                                   | Construction Materials                                                    |
|                                   | Wholesale Distribution of Electronic Parts and Equipment                  |
|                                   | Industrial Machinery Equipment                                            |
|                                   | Fireworks, Wholesale                                                      |
|                                   | Miscellaneous Durable Goods                                               |
|                                   | Wholesale Bakeries                                                        |
|                                   | Packaged Frozen Foods                                                     |
|                                   | Lumber and Other Building Materials                                       |
|                                   | Mobile Home Dealers                                                       |
|                                   | Boat Dealers                                                              |
|                                   | Recreational Vehicle Dealers                                              |
|                                   | Equipment Rental & Leasing                                                |
|                                   | Truck Rental & Leasing                                                    |
| <b>Government Services</b>        |                                                                           |
| <b>Correctional Facilities</b>    | Correctional Institutions                                                 |
| <b>Fire Facilities</b>            | Community Correction Centers; Juvenile Correction Homes                   |
| <b>Government Civil Services</b>  | Fire Protection                                                           |
|                                   | Individual & Family Services                                              |
|                                   | Residential Care                                                          |
|                                   | Cemetery                                                                  |
|                                   | Facilities Support Management Services                                    |
|                                   | Orange County Governmental Facilities and Uses                            |
|                                   | Courts                                                                    |
| <b>National Defence</b>           | Public Order and Safety                                                   |
|                                   | 43: US Postal Service                                                     |
|                                   | Uses of National Defence                                                  |
| <b>Institutional</b>              |                                                                           |
| <b>College / University</b>       | College & Universities                                                    |
| <b>Schools, Public K-12</b>       | Pre-Kindergarten & Kindergarten                                           |
|                                   | Elementary & Middle Schools                                               |
|                                   | Elementary                                                                |
|                                   | Charter Schools                                                           |
|                                   | Middle Schools                                                            |
|                                   | High Schools                                                              |
| <b>Schools, Private K-12</b>      | Pre-Kindergarten & Kindergarten                                           |
|                                   | Elementary & Middle Schools                                               |
|                                   | Elementary                                                                |
|                                   | Middle Schools                                                            |
|                                   | High Schools                                                              |
| <b>Vocational Education</b>       | Private Schools                                                           |
|                                   | Vocational Schools                                                        |
|                                   | Auto Driving Instruction                                                  |
|                                   | Job Training & Related Services                                           |
| <b>Agriculture</b>                |                                                                           |
| <b>Agriculture Storage</b>        | Outdoor Storage of Operative Agriculturally Related Equipment or Material |

## DEFINITION OF TERMS

**Table 121: Table A-1: Use Consolidation**

|                                            |                                                                                                                                                                            |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Arable Farming</b>                      | Cash Grains                                                                                                                                                                |
|                                            | Citrus Fruits                                                                                                                                                              |
|                                            | General Farms, Primarily Crops                                                                                                                                             |
|                                            | Commercial Aviculture                                                                                                                                                      |
|                                            | Crop Harvesting                                                                                                                                                            |
| <b>Forestry</b>                            | Timber Tracts                                                                                                                                                              |
|                                            | Forest Nurseries                                                                                                                                                           |
|                                            | Forestry Services                                                                                                                                                          |
|                                            | Woodchipping, Mulching, and Composting                                                                                                                                     |
|                                            | Silviculture                                                                                                                                                               |
| <b>Fruit &amp; Vegetable Garden</b>        | Vegetables & Melons                                                                                                                                                        |
| <b>Kennels</b>                             | Commercial Kennels                                                                                                                                                         |
| <b>Livestock Farming &amp; Husbandry</b>   | Boarding of Horses and Ponies and Riding Stables for Commercial Purposes; Raising of Horses and Ponies for Commercial Purposes                                             |
|                                            | Beef Cattle                                                                                                                                                                |
|                                            | Dairy Farms                                                                                                                                                                |
|                                            | Poultry & Eggs                                                                                                                                                             |
|                                            | Breeding, Keeping and Raising of Farm Animals for Sale or Profit                                                                                                           |
|                                            | Breeding, Keeping, and Raising of Farm Animals for Domestic Purposes Only                                                                                                  |
|                                            | Horses & Equines                                                                                                                                                           |
| <b>Nurseries</b>                           | Ornamental Nursery Products (Not for Sale - There is a Retail Nursery)                                                                                                     |
| <b>Veterinary Services for Livestock</b>   | Veterinary Services for Livestock                                                                                                                                          |
| <b>Transportation &amp; Infrastructure</b> |                                                                                                                                                                            |
| <b>Communication Towers</b>                | Radio Telephone Communications                                                                                                                                             |
|                                            | Tele Communications                                                                                                                                                        |
|                                            | Radio Broadcasting Sites                                                                                                                                                   |
|                                            | Communication Towers                                                                                                                                                       |
|                                            | TV Broadcasting Stations                                                                                                                                                   |
| <b>Public Parking</b>                      | Cable and Other Pay Television Services                                                                                                                                    |
| <b>Transit Facility</b>                    | Automobile Parking                                                                                                                                                         |
|                                            | 40: Railroad Transportation                                                                                                                                                |
|                                            | Mobility Hubs                                                                                                                                                              |
| <b>Renewable Energy</b>                    | Solar Farm                                                                                                                                                                 |
| <b>Utilities</b>                           | Substations, Telephone Switch Stations, Water Plants                                                                                                                       |
|                                            | Power Plants, Transfer Stations, Refuse Storage Sites, Wastewater and Water Plants, Septic Disposal Sites, Lime Stabilization and Dewater, Septage, and Wastewater Sludges |
|                                            | Electric, Gas, and Sanitary Services                                                                                                                                       |





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