

ORDINANCE NO. 2022-_____

AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA, BY AMENDING CHAPTER 38, ARTICLE VIII, DIVISION 8 (VILLAGE PD CODE) OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE

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

Section 1. Amendments to Chapter 38, Article VIII, Division 8 (Village PD Code).

Chapter 38, Article VIII, Division 8 (Village PD Code) is amended to read as follows, with additions being shown by underlines and deletions being shown by strike-throughs:

DIVISION 8

VILLAGE PLANNED DEVELOPMENT CODE

Sec. 38-1380. - Intent and purpose.

The intent and purpose of this division are as follows:

(1) To implement the goals, objectives and policies of the village land use classification of the Orange County Comprehensive Plan, future land use element;

(2) To ensure development in accordance with the ~~adopted specific area plan (SAP) for~~ Horizon West Special Planning Area Land Use Map (referred to throughout this Division 8 as the "SPALUM") and Comprehensive Plan provisions related to any particular village;

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

(4) To provide for development that has a variety of land uses and housing types in a compact integrated community

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pattern which creates opportunities for pedestrian, bike and transit use;

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

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

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

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

(9) _To provide that these Village PD Code 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.

Sec. 38-1381. -_Applicability.

(a)___ Except for those exemptions listed below, this village development code shall apply to all development occurring on lands within an adopted village SAP. ~~Each adopted village SAP is on file with the Orange County Planning Division, 201 S. Rosalind Avenue, Orlando, Florida 32801 as depicted on the Horizon West Special Planning Area and Village Boundary Map (Future Land Use Map Series - FLUM 3).~~

(1) Planned developments, approved prior to June 6, 1995, and located within an adopted village SAP, and vested developments, which have received a vested rights certificate for consistency with the Comprehensive Plan in accordance with chapter 30, article XI, of this Code, are not subject to this village development code. Subject to compliance with other provisions of this Code, any amendments to such previously approved planned developments will not require an ~~a~~ comprehensive plan amendment ~~to the SAP~~ and shall be considered consistent as long as the densities do not exceed those depicted on the future land use map as of June 6, 1995. Until such time as a property has been rezoned in accordance with the

76 | ~~adopted SAP and this~~ village development code, and the property
78 | has met the adequate public facilities requirements of chapter 30,
80 | article XIV, division 2, all properties within the adopted
82 | SAPvillage shall maintain the future land use designation existing
84 | prior to June 6, 1995. Development may proceed under the future
86 | land use and zoning designation existing prior to June 6, 1995;
88 | however, Orange County shall require that all such development
which requires special exception, variance, or preliminary
subdivision plan approval shall be evaluated on a case by case
basis to determine the effects of the development ~~on~~ in the
approved SAPvillage. Such developments may need to be
clustered or designed in such a way as to not adversely impact the
adopted village ~~SAP~~.

90 | (2) Any planned development land use plan or
92 | preliminary subdivision plan approved prior to June 2, 2009, that is
94 | consistent with and located within an adopted village ~~SAP~~, shall
96 | have the option of complying with either the original approval or
this division. The selection of which standard to comply with must
be made by June 2, 2011; if no selection is made by that date, the
applicant will be required to comply with their original approval.
Once such selection is made, the development must meet all of the
requirements of whichever standard is selected.

98 | After June 2, 2011, ~~the property owner of(s) within~~ an
undeveloped preliminary subdivision plan (PSP) or development
100 | plan (DP) located within a planned development that is subject to
102 | the requirements of chapter 38, Article VIII, Division 8 as ~~they-it~~
they-it existed prior to June 2, 2009 ("Original Village PD Code"), may
elect to subject the PSP or DP to compliance with the requirements
104 | of chapter 38, Article VIII, Division 8 ("Village PD Code"), as
~~they-it exists~~ at the time of the election is made. Such election shall
106 | be made through the PSP or DP submission and approval process,
either by applying for a new PSP or DP, or by applying for a
108 | change to an existing PSP or DP, and shall be subject to approval
by the board of county commissioners at a public hearing. Waivers
110 | to any development standard of Chapter 38 may be granted by the
board of county commissioners at a public hearing in conjunction
112 | with the approval for a PSP or DP, except as may be provided to
the contrary in section 38-1207 regarding changes to a PD land use
114 | plan. A revised PD land use plan (applicable to the specific PSP or
DP) shall be submitted with the PSP or DP application.
116 | Notification of waiver requests prior to the public hearing shall be
the same as that required for a substantial change to a PD land use
118 | plan, (e.g., including notice to owners of property within 300 feet
of the perimeter of the land use plan). The election to comply with
120 | this Division may require a substantial change to the PD land use

plan. Any related PD, PSP₂ or DP applications may also be considered by the board of county commissioners at the same public hearing; however, the effective date of an approved PSP or DP shall be subject to the applicable PD appeal period. Once the election has been made and the property has become subject to this Division by the PSP or DP submission and approval process, and has been approved at a board of county commissioners public hearing, the election is final.

Until such time as a property has been rezoned in accordance with the ~~adopted SAPSPALUM~~ and this village development code, and the property has met the adequate public facilities (APF) requirements of chapter 30, article XIV, division 2, all properties within the adopted SAPvillage shall maintain the future land use designation existing prior to June 2, 2009. Development may proceed under the future land use and zoning designation existing prior to June 2, 2011; however, Orange County shall require that all such development which requires special exception, variance, or preliminary subdivision plan approval shall be evaluated on a case by case basis to determine the effects of the development ~~on~~ in the approved SAPvillage. Such developments may need to be clustered or designed in such a way as to not adversely impact other areas within the adopted village-SAP.

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

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

164 designee shall review architectural and/or project design content and guidelines.

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

168 (a) ~~Consistency with the village-specific area plan~~
170 ~~(SAP) Horizon West Special Planning Area Land Use Map~~
172 ~~(SPALUM). The adopted SAP for any particular village~~ Horizon
174 West SPALUM establishes the land uses for all property within
176 the any particular village. The SAP shall also establish and
178 establishes the public facilities lands required by each
neighborhood and the village center. Development within any
specific neighborhood may be initiated only when the adequate
public facilities requirements in accordance with chapter 30, article
XIV, division 2, have been met. Any proposed amendments to the
land uses as established by the ~~SAP~~ Planned Development / Land
Use Plan (PD/LUP) are subject to the following conditions:

180 (1) Any amendment to ~~the a~~ village planned
182 development land use plan PD/LUP shall be subject to approval by
the board of county commissioners in accordance with this
division and Future Land Use Element Policy 4.1.79. Waivers
from the general development guidelines and standards within this
division may also be considered and approved at a public hearing
before the board of county commissioners at the time of
preliminary subdivision plan or development plan, and processed
as a non-substantial change to the ~~planned development land use~~
188 plan PD/LUP.

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

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

196 (4) The proposed amendment shall not preclude
the provision of any adequate public facilities, as identified
198 ~~within~~ on the approved SAP Horizon West SPALUM.

200 (5) Public school sites must be consistent with
the size and locations described in the Comprehensive Plan or as
202 designated on the approved village SAP School Horizon West
SPALUM. Alternative school site locations and configurations,
~~other than those indicated on the village SAP,~~ may be considered

204 through the planned development rezoning, land use plan
206 amendment or change determination process, provided they are
consistent with the provisions of Future Land Use Element Policy
FLU4.1.5.1 and FLU4.2.1 of the comprehensive plan.

208 (b) *Developable land area* shall be defined as the total
210 gross land area less natural surface waterbodies and designated
conservation areas (wetland areas). Net developable land area is
212 defined as developable land area less land for adequate public
facilities (as defined in section 30-710), public open space, upland
214 greenbelts, and stormwater facilities. The required density of each
district within the village shall be a minimum average based on the
net developable land area.

216 (c) *Village upland greenbelt.* In accordance with ~~the~~
218 ~~adopted SAP for any particular village~~ Future Land Use Element
Policy FLU4.5.1, a village upland greenbelt area has been provided
220 consistent with requirements of the village land use classification
of the comprehensive plan, future land use element. Transfer of
222 development rights may be applied to property designated as the
village upland greenbelt in accordance with chapter 30, article
224 XIV, division 3, of this Code. Development within the upland
greenbelt area shall be limited to a density of one (1) residential
dwelling unit per ten (10) acres and may include road crossings,
226 parks, golf courses, stormwater management areas and passive
recreational uses such as bike/pedestrian and equestrian trails, and,
228 to a limited extent, communication towers. In order to accomplish
the purpose of the upland greenbelt, residential development may
230 be clustered at an overall gross density of one (1) unit per ten (10)
acres on lots no smaller than one-fourth (1/4) ~~acre~~ acre, subject to
232 the requirements of chapter 37, article XVII, of this Code
regarding individual on-site sewage disposal. Areas for ~~Such~~
234 clustering or development of communication towers shall only be
permitted on upland areas within the upland greenbelt subject to
236 dedication of development rights for the balance of the property
and rezoning to planned development. Development rights shall be
238 dedicated to Orange County at the time of platting. Dedication of
the development rights will limit the use of the property to
240 agriculture as permitted in the county A-1 zoning district. A
twenty-five (25) foot setback at the village perimeter is required
242 for any PD located along the perimeter of a village except where
the boundary of the PD is adjacent to a village greenbelt in which
244 case no setback shall be required.

246 (d) *Village civic association.* Each village may
establish a civic association for the purpose of promoting civic
pride and community events within the village. The Village Civic

248 Association shall be authorized to charge reasonable fees for
250 participation in community events and to raise funds from
community activities. Each residential community association or
252 other property owners' association that is established in the village
should be a member of the Village Civic Association. Each
254 residential community association or other property owners'
association should designate a delegate to the Village Civic
256 Association. The Village Civic Association is not intended to have
any regulatory authority or architectural review authority over land
uses within the village.

258 (e) *Utilities.* ~~A plan to connect all~~ All development
parcels within each village shall connect to Orange County's
260 central water, wastewater and reclaimed water ~~shall be provided~~
~~with each particular village SAP facilities.~~ The County may require
262 all participating property owners within a village to sign a private
agreement addressing their proportionate share of funds for the
264 costs of all off-site and on-site master utilities, sized to the full
village needs. The agreement may be required prior to or
266 concurrent with the approval of ~~an SAP~~ the village or as part of a
planned development zoning.

268 (f) *Compatibility with the surrounding area.* Each
development shall be designed to consider compatibility with the
270 surrounding area and consistency with the densities and intensities
~~outlined in the adopted SAP~~ Comprehensive Plan. In addition, the
272 preliminary subdivision plan or development plan for any village
planned development which ~~is abuts~~ an existing subdivision that is
274 not zoned Village PD or is outside an ~~SAP~~ adopted village
boundary, or is located across a water body from an existing
276 subdivision may include measures to ensure compatibility
including one (1) or more of the following:

278 (1) Comparable living area and/or lot widths
with the existing subdivision; or

280 (2) Open space, retention facilities, conservation
areas, buffering, or an expanded village upland greenbelt to serve
282 as a separation from the existing and proposed development; or

284 (3) Other compatibility measures as deemed
appropriate by the board of county commissioners.

286 (g) *Reclaimed water.* All village planned developments
shall install reclaimed water lines in such a manner as to provide
service to each property of the development. The distribution
288 mains shall be extended across the total property frontage to

329 facilitate future extensions to other developments. The distribution
330 system shall be installed at the time of development along with the
331 water and wastewater systems. The system shall be designed and
332 sealed by an engineer registered in the state in accordance with
333 regulations of the county and the state department of
334 environmental protection. Costs for the installation of such
335 reclaimed water system shall be borne by the owner and/or
336 developer. Application for a development shall include, where
337 practical, a plan to take back reclaimed water in the same quantity
338 as wastewater is produced. The reclaimed water distribution
339 system for all village planned developments shall connect or cause
340 to be connected with the village SAP reclaimed water distribution
341 system. All irrigation connections to the reclaimed water system,
342 within a village planned development, shall be made in accordance
343 with polices and regulations of the county. If reclaimed water is
344 not available at the time of development, the reclaimed water
345 distribution system shall be installed as a "dry-line" system. At
346 such time that reclaimed water is made available, all existing
347 irrigation connected to the existing potable water system shall be
348 terminated and re-connected to the reclaimed distribution system.

349 (h) *Streets.* Standards for the streets within any
350 particular village shall be consistent with the intent ~~as set forth in~~
351 ~~the transportation section of an adopted SAP.~~ Variations to these
352 standards may be considered, on a case-by-case basis, by the
353 development review committee (DRC) as part of the land use plan
354 or preliminary subdivision plan/development plan approval of
355 Future Land Use Element Objective FLU4.3 and its underlying
356 policies.

357 (1) *Street type and pattern.* ~~The types~~ Consistent
358 with Future Land Use Element Policy FLU4.3.1 each village shall
359 be designed with a transportation network that encourages
360 connectivity between internal land uses and patterns allow
361 connection of all major streets into existing or planned streets
362 outside the village shall be in conformity with the transportation
363 section of the SAP. The location of streets ~~on the transportation~~
364 ~~plan is approximate.~~ Primary and primary access locations shall be
365 identified on the ~~land use plan~~ PD/LUP. Precise locations of
366 internal streets shall be determined in conjunction with the
367 approvals of the preliminary subdivision plans/development plans
368 for each village planned development ~~within the adopted SAP.~~

369 (2) All streets, alleys, and pedestrian pathways
370 shall connect to other streets within the village and to existing or
371 planned streets outside the village ~~in accordance with the approved~~
372 ~~village SAP~~ and shall include roadway connections that are in

334 compliance with all accessibility requirements of currently-adopted
336 editions of federal and state standards. Cul-de-sacs, T-turnarounds,
338 or dead-end streets are not permitted unless otherwise approved by
340 the county or where their use is in connection with preserving
342 wetlands, specimen trees, or ecologically significant vegetative
344 communities. To encourage the development of connected and
integrated communities within each neighborhood and village
center, the twenty-five (25) foot setback on the perimeter of the PD
is not required for those PDs that are internal to a neighborhood or
village center. The twenty-five (25) foot setback is required for
only that portion of the perimeter of the PD that is located on a
perimeter of a village.

346 (3) ~~In accordance with the adopted SAP,~~
348 ~~each~~Each preliminary subdivision plan or development plan within
350 ~~the SAPa village~~ shall provide for a circulation pattern of fully
connected and integrated streets, bicycle and pedestrian facilities to
reinforce the sense of community as required by the village
classification policies.

352 (4) Alleys are required for any block containing
354 any lots with a width of fifty (50) feet or less, exclusive of corner
356 lots. ~~Two-way~~Subject to County review and approval, all alleys,
358 ~~which require fire department or solid waste disposal access,~~ shall
360 be designed as a private easement (or tract) and shall have with a
362 minimum twenty (20) feet of clear and paved unobstructed and
364 drivable width. ~~One way alleys, which require fire department or~~
366 ~~solid waste disposal access, shall be seventeen (17) feet in clear~~
368 ~~and paved width. All alleys designed as required fire department~~
370 ~~access roadways, shall be posted 'no parking', and shall have a~~
372 ~~minimum thirty-five foot right turning radius easement on corner~~
374 ~~lots formed by alleys, or such other turning radius and mountable~~
376 ~~curb systems which may facilitate smaller turning radii, but which~~
must be approved by the Fire Rescue Department. For greater
pedestrian crossing safety, and subject to Fire Rescue Department,
Solid Waste Division approval, the turning radius of the curbs
formed by alleys may be reduced to fifteen (15) feet, if a right
turning radius easement is maintained which sufficiently
accommodates fire and solid waste disposal trucks. The right
turning radius easement may be created, for instance, by installing
mountable curbs, and/or by strategically arranging on street
parking and no parking zones. Where possible, and when not in
conflict with stop sign, stop bars, or driver visibility, the length of
marked pedestrian street or alley crossings should be shortened by
locating them just before the point of tangency with the
intersection curb. Driveway aprons shall have a minimum five-foot
turning radius.

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

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

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

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

388 d. Dedicated parallel parking spaces
shall be a minimum of seven (7) feet in width, including gutter
390 pan, and meet all applicable standards of Section 34-171;

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

396 f. Sidewalks shall be a minimum of
five (5) feet in width and shall be on both sides of all streets. In
398 Village Centers and Neighborhood Centers, sidewalks along the
front of commercial buildings shall be a minimum of ten (10) feet
400 in width to encourage safe pedestrian activity. (See sections 38-
1388 and 38-1389 for a description of required sidewalk widths
402 and utility easements within Neighborhood Center and Village
Center districts.)

404 g. All streets, including pedestrian and
bicycle facilities, that are or will become part of public rights-of-
406 way shall meet the applicable standards of Section 21-176,
including accessibility requirements.

408 h. All streets shall meet the
requirements of Section 30-248 unless approved by the County
410 Engineer.

412 i. All streets shall have signage and
pavement marking plans with details of installation consistent with
Traffic Engineering Division specifications.

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416 (6) Mews designs are generally designed
418 to accommodate residential structures where the front façade faces
residential units have only rear access (typically alleys) and which
420 front a green space, (park, or square) and where all vehicular
422 access is provided from a rear alley that is designed to function as
a roadway by accommodating emergency vehicle access and
424 required public utilities face another row of similarly developed
units. A mews green space, park, or square may accommodate a
sidewalk, path, or bike lane trail, (but not roads within the same
426 block) may bisect this green space area. Subject to county review
and approval, all rear alleys that serve mews developments shall be
428 recorded as a private easement (or tract) and meet the following
standards: Such developments may be approved on a case by case
430 basis, subject to emergency access review and approval. Projects
incorporating mews shall also address parking, street addressing,
green space area maintenance, front yard setbacks, and other issues
unique to this type of development.

432 a. Residential structures shall have a
434 42"-wide paved and unobstructed pedestrian access directly to
each residential unit from the mews alley.

436 b. For addressing purposes, mews
438 alleys shall be assigned street names that are reviewed and
approved by Orange County, with specific addressing located on
440 both the front and rear of each residential unit or garage, as
applicable.

442 c. A durable key map of doorway
444 locations with addresses for each attached residential unit shall be
installed at a visible location on both ends of each mews alley
446 accessing attached residential structure(s).

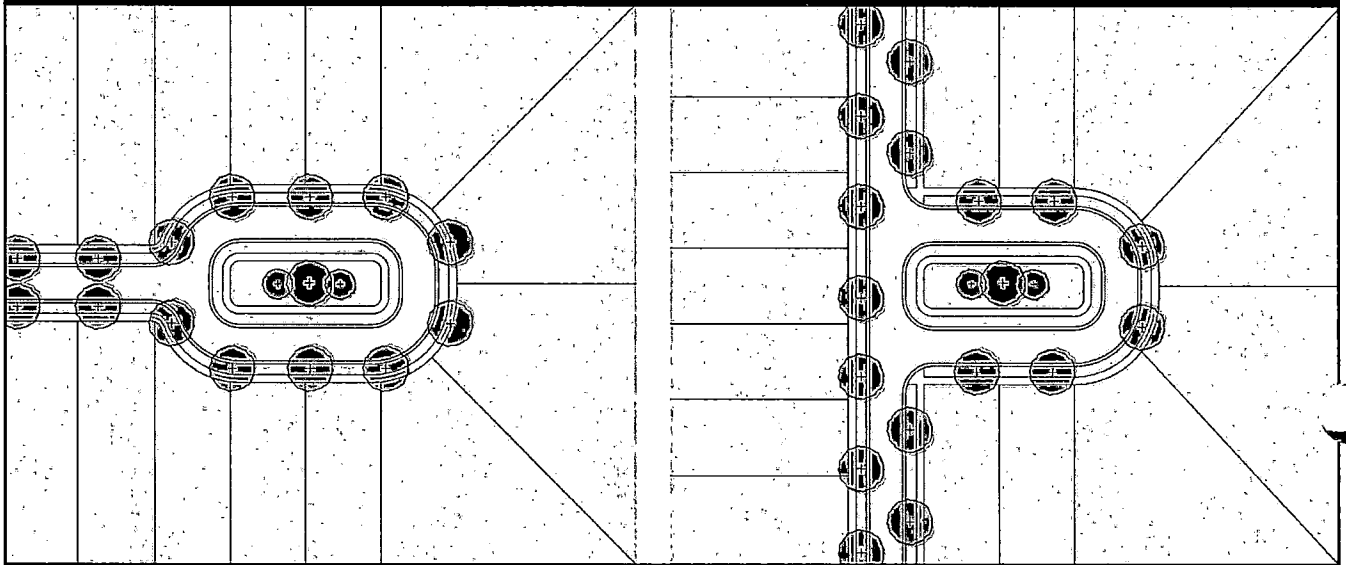
448 d. All mews alleys shall be consistent
with the design standards set forth in Section 38-1382(h)(4).

450 e. Mews developments may only be
452 considered and approved in neighborhoods where on-street parking
is provided on adjacent streets or blocks. All required parking for
454 each residential unit along a mews green space, park, or square,
and where all vehicular access is limited to the rear alley, shall be
456 provided on-site. Parking within the limits of the rear alley
easement or tract is prohibited to ensure safe and navigable
458 emergency vehicle access.

460 (7) Close Culs-de-sac. Where culs-de-sac are
approved by the county as referenced in Section 38-1382(h)(2),

462 they shall reflect a 'close' design that generally incorporates an
464 elongated center island and typically features turf, seating, shade,
466 and paved walkways. The roadway curbs along a close island
468 must maintain emergency vehicle minimum curve and curb radii
470 as well as a clear width between adjacent parked cars, and are
subject to review and approval by the Fire Rescue Department (See
Figure V1).

Figure (V1). 'Close' cul-de-sac alternatives



472 (i) *Public open space and public tracts.* In addition to
474 the adequate public facilities (APF) parks shown on the village
476 SAPHorizon West SPALUM, a minimum of seven and one-half
478 (7.5) percent of the developable land area of any development
480 project shall be permanently allocated to public open space tracts
482 in the form of neighborhood parks, squares, mews, greens, or
484 linear parks designed to augment the village pedestrian/bikeways
486 system and designed to create a focal point for the neighborhood.
488 These neighborhood parks and squares shall be distributed
throughout all land use districts within the village. The distribution
of neighborhood parks and squares should be generally
proportionate to the number of dwelling units within each area of
the development. Excluding the townhouse, apartment and
condominium open space standards respectively addressed in
Sections 38-1387.1(a)(7), 38-1387.2(a)(6) and 38-1387.3(a)(7), the
required seven and one-half (7.5) percent public open space may
be provided in lieu of that required by Section 38-1234. However,

490 such public open space shall be defined in accordance with section
492 38-1234(1)(c) of this chapter and shall be publicly accessible,
494 usable, and designed as an amenity. Aesthetically designed
"curvilinear shaped" stormwater ponds may count toward no more
than fifty (50) percent of the seven and one-half (7.5) percent open
space requirement.

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

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

520 (l) *Block Pattern.* ~~In addition to the submittal~~
522 ~~requirement of section 13-138_4(c), a~~ land use plan shall include
524 a graphically depicted conceptual block layout for a typical single
block showing the location, size, and layout of residential, non-
residential, and mixed-use developments. Subsequent preliminary
subdivision and development plans shall be generally consistent
526 with the conceptual block layout.

528 (m) *Screening.* Ground-level mechanical equipment,
530 outdoor storage areas and service areas, except those associated
with single-family detached units, shall be screened by a one
hundred (100) percent opaque buffer. Dumpsters or other refuse
532 areas shall be screened by one hundred (100) percent opaque
buffering, including a six-foot masonry wall with gate, and

landscaping with shrubs or vines around the entire walled area. The wall shall be designed with similar architectural features as the principle structure and the gate shall be opaque.

(n) *Communication Towers*: All communication towers shall comply with the requirements of section 38-1427 of the Orange County Code except that chain link fencing and opaque wall systems are prohibited. Decorative or ornamental metal fencing allowing transparency, with the exposed picket points for security, may be used around the base. Barbed wire, if any, should be on the interior side of the fence. Landscaping requirement may not be waived where adjacent to lands that may be developed or visible from a public right-of-way. In order to further the intent of Section 38-1427(n)(5), camouflage facilities for communication towers shall, when practicable, include architectural elements in building structures, such as church steeples, clock towers, bell towers, chimneys, rooftop cupolas, ~~as well as~~ or flagpoles. Communication towers may be a permitted use in the areas designated as APF parks and schools; and Office, Neighborhood Center and Village Center Districts ~~byon~~ the specific area plan (SAP) Horizon West SPALUM, and provided the planned development (PD) land use plan (LUP) has identified communication identifies such towers as a permitted use. Communication towers may also be permitted in areas designated Upland Greenbelt when a minimum 20-foot fee simple access between the tower and a dedicated public paved street is maintained, and when the tower is located on developable uplands. Communication towers shall be prohibited in all other residential districts, ~~designated upland greenbelts (perimeter upland buffers), wetlands (conservation areas), and wetland upland buffers,~~ designated wildlife corridors, and sites critical for Floridan Aquifer protection.

Sec. 38-1383. Aquifer recharge.

The data and analysis provided in support of the village land use classification amendment adopted by Orange County in June 1995 found that the area designated by the village land use classification on the future land use map of Orange County contains high recharge areas. Subsequent studies have shown that the existing stormwater management requirements for high recharge areas in the county provide an appropriate measure of protection for both water quality and water quantity. In addition, on December 19, 1996, the board of county commissioners adopted a high-water recharge protection tax assessment program, implementing the provisions of the Henry Swanson-Bruce McEwan Bluebelt Act of 1996, for protection of this vital natural

resource (Ordinance No. 96-38). This ordinance provides tax incentives for maintaining high recharge properties in a natural state. In addition to these requirements, the following measures are provided:

(1) *Water quality.* In accordance with Future Land Use Element Policy FLU4.2.1, and subsection 38-1382(~~de~~) of this division, all village planned developments shall be required to hookup to central sewer service. In addition, the village classification limits high risk land uses, such as heavy industrial and those uses which store chemicals requiring technical containment, except those uses otherwise allowed in the neighborhood center or village center.

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

Sec. 38-1384. General residential development standards.

(a) *-Density.* Density is calculated by dividing the total number of units by the developable land area. Net density is calculated by dividing the total number of units by the net developable land area. Regardless of the applicable Village PD Code, accessory dwelling units shall not be included in density calculations.

The net density required by the land use designation ~~on the approved SAP~~ may be increased or decreased ~~without amending the SAP~~ provided that an equivalent number of units (transfer of

620 development rights) have been purchased from uplands or
622 wetlands (sending areas) in the designated upland greenbelt and
624 wetland areas within the village in accordance with the provisions
626 of chapter 30, article XIV, division 3, transfer of development
628 rights (TDRs), and provided that the resulting overall net density
630 within the village ~~shall be~~ consistent with future land use element
632 policy 6FLU4.1.34. All ~~TDRs, including~~ TDR sending and
634 receiving areas, shall be identified on the ~~land use plan~~ affected
636 PD/LUP. If ~~authorized in the approved SAP~~ proposed, all wetlands
638 and upland greenbelts may be designated as TDR sending areas
640 and all development parcels may be designed as ~~sending and~~
642 ~~receiving areas~~. Development rights ~~for~~ from sending areas located
644 ~~outside~~ beyond the boundary of ~~at~~ the receiving area PD but within
646 the same village, must be ~~transmitted~~ transferred through a
648 ~~development~~ an executed agreement approved by the County prior
650 to or concurrent with approval of ~~at~~ the new or amended PD/LUP ~~or~~
652 ~~subdivision receiving the development rights~~. ~~Internal~~ land must be
654 consistent with the TDR Ordinance (Chapter 30, Article XIV,
656 Division 3, Orange County Code). The internal transfer of uses and
658 density within ~~any~~ a planned development may be approved
660 without using TDRs pursuant to sections 30-726(b)(2) and 38-
662 1207, so long as the ~~overall~~ resulting net density of the affected
planned development parcels is consistent with the ~~SAP~~ ranges
identified in Section 30-727, and provided that ~~transfer of uses~~
and ~~the~~ resulting density is consistent with the compatibility
requirement of this code and the comprehensive plan. The density
within a parcel shall be established with the initial PD ~~land use~~
plan. ~~Subsequent modification/LUP and subsequent modifications~~
to the established density shall be subject to the PD change
determination process.

(b) *Blocks.*

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

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

664 approved through the preliminary subdivision plan or development
plan review process.

666 (3) *Block face.* A block face shall be defined as
the linear street frontage on one (1) side of a block length, where
the lot fronts are oriented to that same street.

668 (4) *Block size and length.* Block size shall be
required as follows:

670 a. Blocks in and within one-fourth (1/4)
672 mile of a designated Village Center or Neighborhood Center
District shall have an average perimeter not to exceed one
674 thousand three hundred twenty (1,320) feet, measured at the
property/right-of-way line of surrounding streets or mews, and
excluding alleys.

676 b. Blocks in and beyond one-fourth (1/4)
678 mile of a designated Village Center or Neighborhood Center
District shall have an average perimeter not to exceed two
680 thousand six hundred forty (2,640) feet, measured at the
property/right-of-way line of surrounding streets or mews, and
excluding alleys.

682 c. Any blocks greater than ~~two one~~
684 ~~thousand one nine hundred and eighty~~ (2,100,1,980) feet in
perimeter shall include a minimum 15-foot wide mid-block
686 pedestrian passageway, that is—Such passageways are defined as a
narrow connector restricted to pedestrian tract (with limited
688 vehicular access) use and limited vehicular use that passes—extends
between residential lots buildings or between a building and a
690 public open space connects one side of the block to the opposite
692 side, or to an adjacent public open space tract. All mid-block
pedestrian passageways shall be designed to include a minimum 5-
694 foot wide walkway constructed of concrete, stamped or textured
concrete, or any other material as may be approved by the
development engineering manager.

696 d. Blocks or block faces located along
ecologically significant vegetative communities, or where
698 topography limits the ability to meet the block standards described
above, may be excluded from an average block perimeter
calculation.

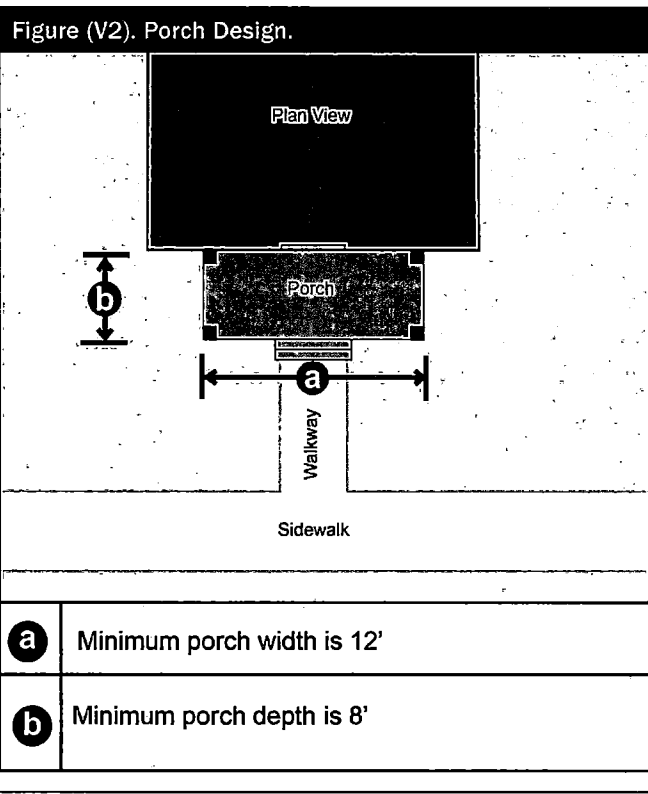
700 (c) *Landscaping of streets and alleys.*

702 (1) Street trees shall be planted along both sides
of all streets at an average maximum of forty (40) feet on center

and shall be located in planter strips between the curb and sidewalks, except as provided in the road cross-sections of an adopted SAP or approved planned development. Planter strips shall be irrigated by the abutting property owner. Reclaimed water shall be utilized when available. Street trees shall be canopy trees chosen from the recommended stock list as established in section 15-283. All street trees shall be Florida Grade #1, and shall have a clear trunk of six (6) feet and a minimum caliper of three (3) inches at the time of planting.

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

(d) *Front porch.* For the purposes of this village development code, a front porch is defined as an un-air-conditioned, roofed, raised above grade structure which is attached to the front of the building. Porches may wrap around the sides of structures as well. The minimum dimension of a front porch shall not be less than seven-eight (78) feet deep or less than eight-twelve (812) feet wide. (See Figure V2.) ~~Porches less than ten (10) feet wide shall include railings.~~



726

Front porches shall be required on fifty (50) percent of detached single-family lots of less than seventy-five (75) feet in width. Front porches that do not meet the minimum front porch size requirements as stated in section 38-138.4(d) shall not be considered in achieving this fifty (50) percent front porch requirement.

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Attached single-family residences less than or equal to twenty (20) feet in width shall, at a minimum, provide covered stoops with columns which support a gabled or hipped roof structure. Alternative designs may be proposed but must be reviewed for consistency with architectural style.

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(e) *Fences.* Fencing (See Figure V3). Fencing is permitted in the front yard within three (3) feet of the sidewalk to define the separation of public and private spaces. Such fences shall be no higher than three (3) feet six (6) inches in height. Materials shall be limited to decorative metal, wood or PVC picket style. Other fences shall only be allowed consistent with section 38-1408 of this chapter, except that chain link fencing is prohibited unless vinyl coated black and used in association with a tennis or other sports court or field. Fences or walls parallel to alleys, or fences along any street-side lots, shall

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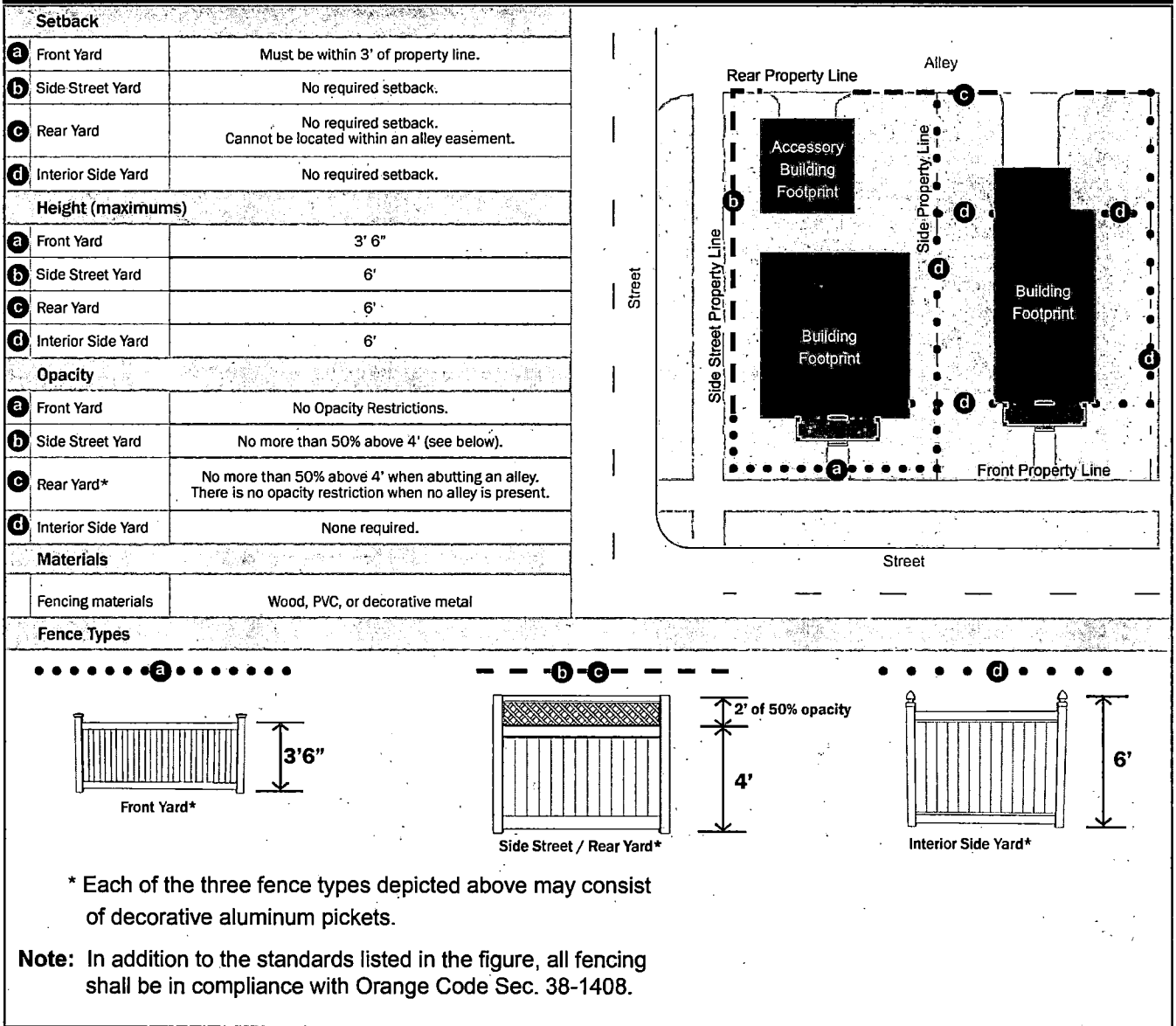
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not exceed six (6) feet in height and shall be no more than fifty (50) percent opaque above four (4) feet in height. The restriction on fence opacity shall not apply to ~~the rear yard~~ any fencing or wall along, or parallel to, the rear lot line of front-loaded lots, (including those which may abut an alley in the rear, or any side-yard fencing placed between the front and rear planes of a principal structure on an interior lot or on the rear interior side of a corner lot). In addition, rear yard fencing on rear-loaded lots that does not meet the opacity restriction but that received a permit from the county prior to April 30, 2016, shall be considered conforming under this Code.

Figure (V3). Fencing.



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(f) *Village neighborhood character.* The following requirements are intended to enhance the neighborhood character and create a pedestrian oriented environment within each village planned development. Modifications to these requirements may be permitted where alternative development practices will further the intent of providing diverse neighborhoods. Any such alternatives

766 to these standards shall be identified and approved through the preliminary subdivision or development plan review process.

768 (1) The same front façade for single-family detached residential units shall not be repeated more than five (5) times within one (1) block face for both sides of any street and shall be separated by at least two (2) lots with different façades. To the greatest extent possible, houses with the same front façade should not be located across the street from each other. One (1) and two (2) story units should be intermixed in each block face. Front loaded units should randomly alter the location of the driveway on the left and right sides of the façade.

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

798 a. Utilization of arcades, bays and balconies;

800 b. Façades that are located at the front setback line;

~~c. —~~

802 ~~c. First floor elevations with a minimum of three (3) steps above the finished grade of the sidewalk;~~

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

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ed. Variations in color and avoiding the same principal color on houses next to, or across from, each other;

808

~~f. — Articulation of side street façades for corner lots;~~

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~~g~~

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

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

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

820

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

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ki. Use of extended eaves;

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lj. Use of multiple roof and porch planes;

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

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nl. Use of detached garages with porte-cochere; —

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om. Use of window trim and/or shutters on sides of the unit; and

836

pn. Use of dormers with real window frames;

838

o. For garages accommodating three (3) vehicles or more, one (1) or more deeper bays allowing tandem parking, with one (1) vehicle behind the other, is preferred to vehicle bays which are side-by-side facing and face the street (See Figure V4).

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p. Mixing attached and detached garages on blocks that are alley-loaded.

q. Side-street facing façade should be articulated with projections and recesses.

r. Lots at the end of an alley should incorporate garages facing the internal side yard (J-loaded).

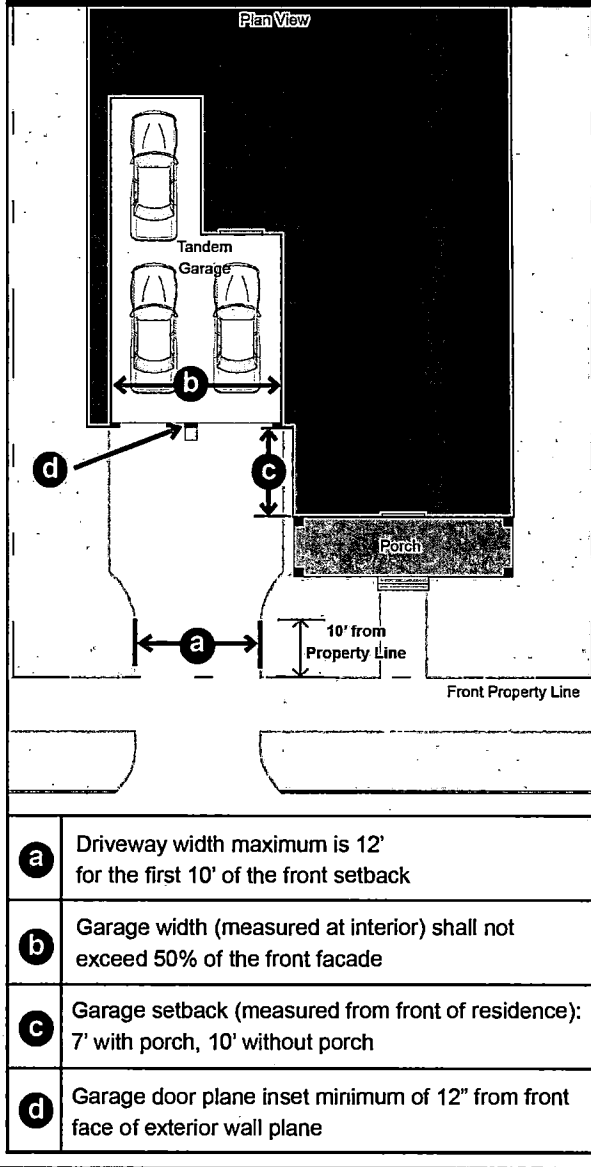
(3) The following components shall be required on all townhouse and detached single-family residential structures and lots, as applicable:

a. First floor elevations with a minimum of three (3) steps above the finished grade of the sidewalk;

b. Articulation of side street facades for corner lots (i.e., repeat any window molding, muntins, shutters, expression lines, wainscot veneer – which appears on the front façade);

c. For front-loaded and side-loaded lots, driveways shall not exceed twelve feet (12') in width as measured anywhere between the front property line and the first ten feet (10') from the front property line (See Figure V4).

Figure (V4). Garage & Driveway Design.



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(g) *Garages and garage doors.* Unless otherwise indicated, the term “garage” shall mean the entirety of the garage, as measured within the interior width of the garage space (See Figure V4). Garages shall be constructed in accordance with the following standards:

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(1) *Rear alley access.* Garage access must be provided by a rear alley where lots are fifty (50) feet or less in width, or where any lot abuts a rear alley easement (or tract) (See

874 Figure V4). Garages with direct access from an alley shall be
setback with a minimum of nine (9) feet from the edge of
876 pavementthe alley easement (or tract) or shall provide an
additional off-street parking space. When an additional off-street
878 parking space is added, the garage shall be setback a minimum of
three (3) feet from the edge of the alley easement- (or tract).

880 (2) *Front-loaded garages setbacks*—. Garage
doors of front-loaded lots shall be recessed a minimum of ten (10)
882 feet behind the nearest adjacent plane of the primary structure (See
Figure V4). However, when a porch is provided in front of the
884 forward-most plane of the structure, which meets the minimum
standards of section 38-1384(d), the garage door setback behind
886 the nearest adjacent plane of the primary structure may be
decreased to seven (7) feet. In no case shall a front-loaded garage
888 door be setback less than twenty (20) feet from the front property
line.

890 (3) *Detached garages.* Detached garages without
access to a rear alley easement or tract, including garages with an
accessory dwelling unit, shall be located a minimum of five (5)
892 feet from side and rear property lines, and ~~shall be no closer than~~
~~ten (10) feet to any other detached structure on the same lot~~
894 minimum of fifteen (15) feet from side streets.

896 (34) *Front and side-loaded garage*
doorsgarages. The prominent appearance of garages shall be
diminished and instead appear to be an extension of the home's
898 living space. As such, front and side-loaded ~~garage doorsgarages~~
shall be located and detailed in accordance with the following:

900 a. All garage doors shall be recessed
~~from the garage's front plane~~ a minimum of ~~eight (8)~~twelve (12)
902 inches from the front plane of the garage.

904 b. For double-car garages, two (2)
single-wide garage doors are preferable to a double-wide door.
Double-wide garage entriesdoors shall not exceed sixteen (16) feet
906 in width. ~~Except for side-oriented~~ Double-wide (or wider) garage
doors meeting the requirements of section 38-1384(g)(3)f. below;
908 ~~double-wide (or wider) garages are not permitted to face the front~~
street on front-loaded lots of less than sixty-five (65) feet in width.
910 Side-facing double-wide garage doors are permitted on lots of any
width (See Figure V5).

912 c. Where single garage doors are
provided for multi-car garages, entries ~~no wider than~~single-wide

914 ~~garage doors shall not exceed twelve (12) feet shall be provided for~~
916 ~~each vehicle. Each entry shall be separated by a column or other~~
918 ~~visually substantial supporting vertical feature which is a minimum~~
920 ~~of twelve (12) inches wide. For three (3) car garages without~~
~~tandem parking (front to back parking), the entries shall either~~
~~have three (3) single wide doors or one (1) double wide door plus~~
~~one (1) single wide door sixteen (16) inches wide.~~

922 ~~d. For garages accommodating three (3)~~
~~vehicles or more, one (1) or more deeper bays allowing tandem~~
924 ~~parking, with one (1) vehicle behind the other, is preferred to~~
~~vehicle bays side by side facing the street.~~

e

926 ~~d. Garage doors shall either incorporate~~
928 ~~windows along the upper one-quarter (1/4) of the door or substantial~~
930 ~~architectural patterning shall be incorporated throughout the door~~
~~plane including carriage style hinges and handles, and patterning~~
~~which emulates two (2) smaller doors.~~

932 ~~fe. For interior lots sixty (60) five (65)~~
934 ~~feet wide or greater, and excluding any requirements of section 38-~~
~~1384(i)(3), (4) and (5), garages may be placed in front of the~~
936 ~~primary structure, but must be oriented toward either side yard and~~
~~shall meet the setbacks for the primary structure. The street-facing~~
938 ~~side facades of such garages shall be designed with detail~~
~~treatment detailed and articulation articulated the same as the~~
940 ~~primary structure, with particular attention to similar roof lines,~~
~~roofing material, finish, gables, brackets, window patterns,~~
942 ~~molding, wainscot, etc. For lots over one hundred twenty (120)~~
~~feet in width, the requirements of this subsection may be waived as~~
~~part of the preliminary subdivision plan approval.~~

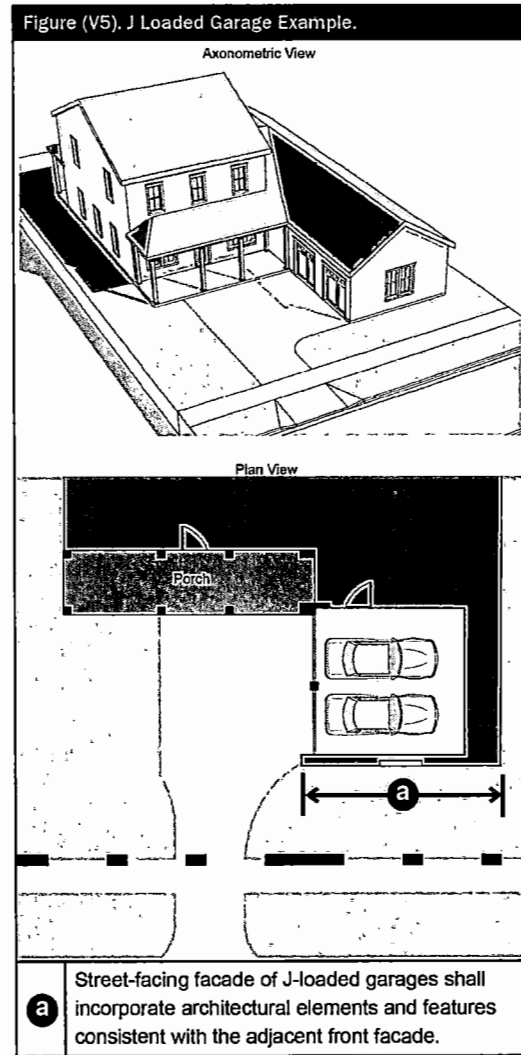
944 ~~gf. Side-street facing garages shall~~
~~adhere to the garage door design standards described in section 38-~~
946 ~~1384 (g)(3) above, and shall be setback a minimum of ten (10) five~~
~~(5) feet behind the side-street facade of the principal primary~~
~~structure, with five (5) feet rear and side setbacks.~~

948 ~~hg. Garages and garage doors that do not~~
950 ~~meet the provisions of this section 38-1384, but which received a~~
~~building permit from the county and were constructed in~~
952 ~~accordance with the issued building permit prior to January 1,~~
~~2016, shall be considered conforming structures under this Code.~~

954

h. In no case shall more than fifty percent (50%) of the front façade of a house consist of an unarticulated block wall or garage.

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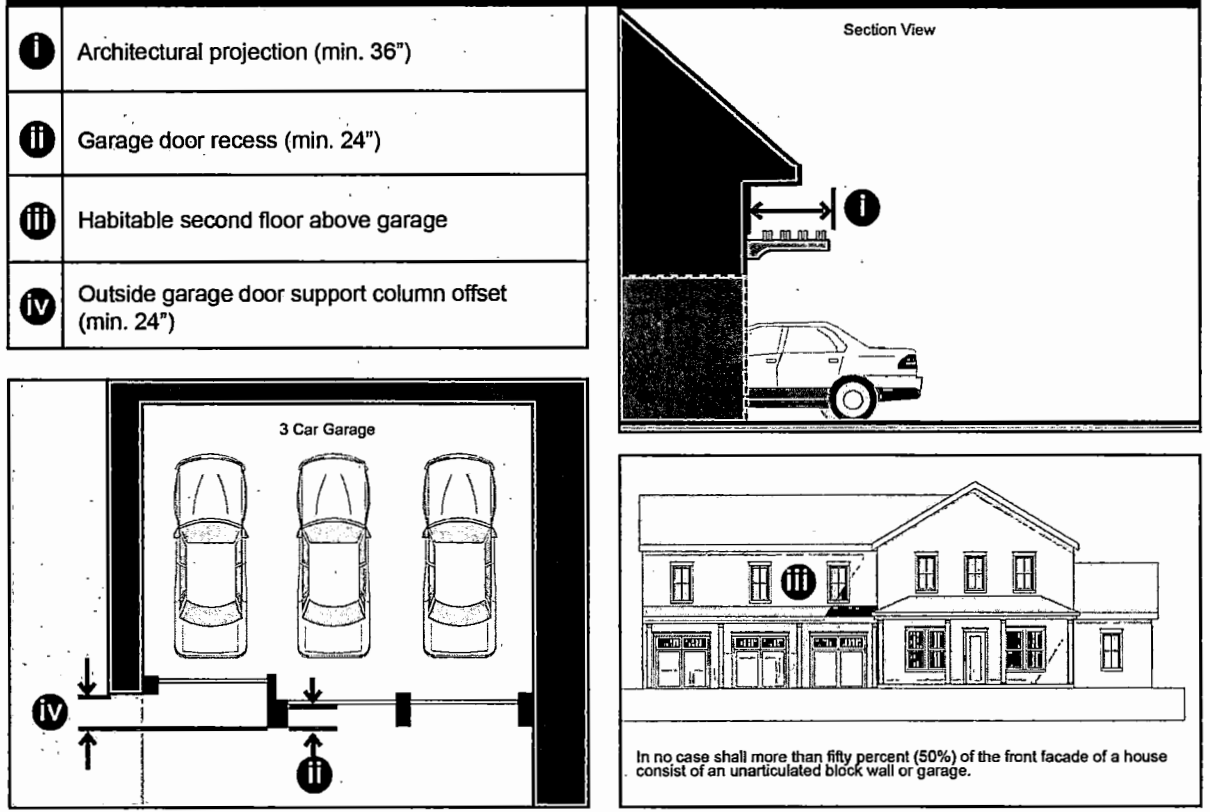


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i. Three car-wide front-facing garages shall also incorporate at least one (1) or more of the following additional components (see Figure V6):

960

Figure (V6). Three (3) Car Garage Design Options.



962

i. Individual architectural projections over each door (e.g., trellis or awning) which extend a minimum of thirty-six (36) inches from the overhead support of each door opening.

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ii. Garage doors recessed a minimum of twenty-four (24) inches from the front plane of the garage.

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iii. Structure must be two stories tall, and incorporate habitable second floor space immediately above the garage.

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iv. The outside garage door shall be set back a minimum of two feet (2') behind the front plane of the column which supports the adjacent door.

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(h) *Design guidelines.* Planned development land use plans and preliminary subdivision/development plans shall include documentation providing illustrative design guidelines representing these and other development standards that

978

980 demonstrate how the development will achieve the general
982 residential design standards contained herein. PD/LUP design
984 guidelines should be general, with more detailed and very specific
986 guidelines submitted with the preliminary subdivision plan or
988 development plan. The detailed guidelines, required at the time of
PSP or DP submittal, shall include architectural elevations (drawn
to scale) of all sides of all proposed townhouses, apartments, and
detached single-family structures. One (1) complete set of
architectural elevations (e.g. four (4) façades) shall be submitted
only for each unique structure or "model."

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

(i) *Access and off-street parking.*

1000 (1) Parking for residential uses shall be
1002 provided in accordance with article XI of this chapter; however,
1004 minimum parking, including required remote parking, for
residential uses must be reviewed and approved by the Fire Rescue
Department prior to development plan/preliminary subdivision
plan approval.

1006 (2) Vehicular access to garages or other off-
1008 street parking surfaces on all lots fifty (50) feet or less in width, or
where any lot abuts a rear alley easement (or tract) pursuant to
1010 section 38-1384(i)(5) below, shall be provided from a rear alley
easement (or tract).

1012 (3) Vehicular access to garages or other off-
1014 street parking surfaces on all lots facing the primary side of an
APF school or any other APF park, road or trail shall be provided
from a rear alley easement (or tract).

1016 (4) Vehicular access to garages or other off-
1018 street parking surfaces on all lots greater than fifty (50) feet in
width that face functional non-APF neighborhood squares and
1020 parks shall be provided from a rear alley easement (or tract) or
from a front driveway where the garages are located at or beyond
the rear wall of the primary structure.

1022 Neighborhood squares and parks are defined as active or
1024 passive recreational and open space tracts of varying sizes that
1026 have been designed to create a discernable neighborhood focal
point. The landscape within a neighborhood square or park may
consist of naturalistic or formally designed features such as
sidewalks, trails, sports fields, hardscaped amenities and structures.

1028 (5) Garage access from the front or street side of
1030 any lot that abuts a rear alley easement (or tract) shall be
1032 prohibited. However, garages located on the front or side of lots
that abut a rear alley easement (or tract) shall be considered
conforming structures under this Code, if they received a building
permit from the county prior to April 30, 2016.

1034 (j) Accessory Structures and Uses. All accessory
1036 structures, including accessory dwelling units, shall be subject to
1038 the standards found in Sec. 38-1426, except that the cumulative
1040 square footage of both detached and attached accessory structures
1042 on any lot that abuts a rear alley easement or tract shall not exceed
1044 1,500 square feet, with a maximum of 750 square feet per story.
1046 Swimming Pools, screen enclosures, and screen rooms shall only
1048 be located in the rear or side yard, and shall have the same side
1050 yard and side-street yard setback as the principal structure.
1052 Swimming pools and screen enclosures shall provide a minimum
1054 five (5) foot setback from the rear lot line or the rear alley
1056 easement or tract (when such an easement or tract exists). Screen
1058 rooms may extend up to fifty (50) percent into the required rear
yard, but in no case shall the screen room be located closer than
five (5) feet from the rear alley easement or tract (when such an
easement or tract exists). Home offices, granny flats, apartments
over detached garages, neighborhood clubhouses and supporting
detached facilities (i.e. bath house) are permitted uses in all
districts. Granny flats or garage apartments shall have a minimum
living area of five hundred (500) square feet and a maximum living
area of seven hundred fifty (750) square feet. Accessory dwelling
units, as defined herein, shall not be factored in density
calculations, but shall be required to pay applicable county impact
fees. Neighborhood clubhouses shall be limited to a maximum
building height of thirty-five (35) feet, and supporting and
detached facilities shall not exceed the height of the clubhouse.
Such facilities shall be architecturally similar to the clubhouse.

1060 (k) Civic and Institutional Uses. Civic and institutional
1062 uses include libraries, schools, police and fire stations, post
1064 offices, community centers, churches and religious buildings,
museums, cultural societies, visual and performing arts buildings,
public parks, governmental buildings, and other similar uses as

1066 determined by the Planning and Zoning Division Managers.
1067 These uses shall be permitted in all districts, but must be identified
1068 on the approved PD land use plan and shall be designed in
1069 accordance with the design guidelines established with the PD and
1070 development standards of section 38-1390. Such uses should be
located at the termination of street vistas where practicable.

1072 ~~(1) — *Setbacks*. Accessory uses and structures shall meet~~
1073 ~~principal structure side yard setback requirements. Also, those uses~~
1074 ~~and structures shall provide minimum five (5) foot setback from~~
1075 ~~the rear lot line or the rear alley easement (when such an easement~~
1076 ~~exists).~~

1076 **Sec. 38-1385. Estate district.**

1078 (a) *Development guidelines.* The following
1079 development standards shall apply to all development within the
1080 estate district.

1082 (1) *Density.* Except for transfer of development
1083 rights as provided for in chapter 30, article XIV, division 2, of this
1084 Code, or as otherwise provided in section 38-1384(a), the average
1085 net density within an area designated Estate District on the
1086 Village SAPPD/LUP and per each Preliminary Subdivision Plan
1087 (PSP) shall be two (2) dwelling units per acre.

1088 (2) *Permitted uses.* Single-family detached
1089 residential homes, accessory structures, and uses as defined in
1090 section 38-1384(j), and all other accessory uses, as permitted
1091 listed in the use table for the R-1AA zoning district, of Section
1092 38-77 that reflect the abbreviation "P" in the correlating R-1AA
1093 zoning district cells shall be permitted in the Estate District. Those
1094 uses listed as a special exception in the use table of Section 38-77
1095 and reflect the abbreviation "S" in the correlating R-1AA zoning
1096 district cells may also be permitted, but must be identified as a
1097 special exception on the PD/LUP. Uses that require a special
1098 exception and are also included in the list of civic and institutional
1099 uses under Section 38-1384(k), shall be designed as a
1100 neighborhood focal point, and located at the terminus of street
1101 vistas where practicable, of this chapter, may be permitted in the
1102 estate district. As a guide, certain structures and uses required to
1103 serve educational, civic, utilities and non-commercial recreational
1104 needs are listed as permitted as or special exceptions as per the
1105 requirements for the use table for the R-1AA zoning district,
1106 section 38-77 of this chapter, and identified by the letters "P" or
"S," as applicable. Such uses must be identified on the PD/LUP.
Churches shall be considered as civic uses and shall be located so

1108 that they become a focal point for the neighborhood. All other uses
are prohibited.

1110 (b) *Development standards.* The following standards
1112 shall apply to all development within the estate district.
1114 Modifications to these standards may be permitted where
1116 alternative development practices will reinforce the planning
1118 principles established by the goals objectives and policies of the
village land use classification, ~~the adopted SAP~~ and this village
development code. Any such modifications to these standards shall
be identified separately in bold on the Village PD land use plan,
PSP or development plan for approval by the board of county
commissioners at a public hearing.

(1) Maximum lot area: None.

1120 (2) Minimum average lot size: Ten thousand
1122 (10,000) square feet. (Where transfer of development rights are
1124 utilized, the minimum lot size may vary from this standard and
shall be determined at the time of preliminary subdivision plan
approval.)

1126 (3) Minimum living area: One thousand five
hundred (1,500) square feet. Living area is defined as the area that
is heated and cooled.

1128 (4) Minimum lot width: Eighty-five (85) feet
and ninety (90) feet for corner lots.

1130 (5) Minimum lot depth: One hundred ten (110)
feet. (one hundred twenty (120) feet with alley)

1132 (6) Maximum building height: Three (3) stories
and a maximum of forty-five (45) feet.

1134 (7) Accessory structures: See section 38-
1136 1384(j)Maximum garage height: Twenty two (22) feet; or thirty
(30) feet with living area over garage.

1138 (8) Maximum lot coverage: Sixty-five (65)
percent. (The area of a front porch is not included in the
calculation of lot coverage.)

1140 (9) Minimum building setback requirements:
1142 a. *Front:* Twenty (20) feet; ten (10) feet
for front porch.

1182 Modifications to these standards may be permitted where
1184 alternative development practices will reinforce the planning
1186 principles established by the goals, objectives and policies of the
1188 village land use classification, ~~the adopted SAP~~ and this village
development code. Any such modifications to these standards shall
be identified separately in bold on the village PD land use plan,
PSP or development plan for approval by the board of county
commissioners at a public hearing.

(1) Maximum lot area: None.

1190 (2) Minimum average lot size: Seven thousand
1192 two hundred (7,200) square feet. (Where transfer of development
1194 rights are utilized, the minimum lot size may vary from this
standard and shall be determined at the time of preliminary
subdivision plan approval.)

1196 (3) Minimum living area: One thousand two
hundred (1,200) square feet. Living area is defined as the area that
is heated and cooled.

1198 (4) Minimum lot width: Fifty (50) feet.

1200 (5) Minimum lot depth: One hundred ten (110)
feet. (one hundred twenty (120) feet with alley)

1202 (6) Maximum building height: Three (3) stories
and a maximum of forty-five (45) feet.

1204 (7) Accessory structures: See section 38-
1384(j) Maximum garage height: Twenty two (22) feet; or thirty
(30) feet with living area over garage.

1206 (8) Maximum lot coverage: Sixty-five (65)
1208 percent. (The area of a front porch is not included in the
calculation of lot coverage.)

(9) Minimum building setback requirements:

1210 a. *Front:* Twenty (20) feet; ten (10) feet
for front porch.

1212 b. *Side:* Five (5) feet. Side Street: Ten
(10) feet.

1214 c. *Rear:* Twenty-five (25) feet for
primary structure.

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

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

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

Sec. 38-1385.6. Estate rural district.

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

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(1) *Density.* Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code, or as otherwise provided in section 38-1384(a), the average net density within an area designated Estate Rural District on the village SAPPD/LUP and per each Preliminary Subdivision Plan (PSP) shall be one (1) or less dwelling unit per acre.

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(2) *Permitted uses.* Single-family detached residential homes, accessory structures, and uses as defined in section 38-1384(j), and all other accessory uses, as permitted listed in the use table for the R-CE zoning district, of section 38-77 of this chapter, may that reflect the abbreviation "P" in the correlating R-CE zoning district cells may be permitted in the estate rural estate district. Those uses listed as a special exception in the use table of Section 38-77 and reflect the abbreviation "S" in the cells that correlate with the R-CE zoning district may also be permitted, but must be identified as a special exception on the PD/LUP. Uses that require a special exception and are also included in the list of civic and institutional uses under Section 38-1384(k), shall be designed as a neighborhood focal point, and located at the terminus of street vistas where practicable. As a guide, certain structures and uses required to serve educational, civic, utilities and non-commercial recreational needs are listed as permitted or special exceptions as per the requirements for the use table for the R-CE zoning district, section 38-77 of this chapter, and identified by the letters "P" or "S," as applicable. Such uses must be identified on the PD/LUP. Churches should be considered as civic uses and shall be located so that they become a focal point for the neighborhood. All other uses are prohibited.

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

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(1) Maximum lot area: None.

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

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

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(4) Minimum lot width: One hundred thirty (130) feet.

1276

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

1278

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

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(7) Accessory structures: See section 38-1384(j) ~~Maximum garage height: Twenty two (22) feet; or thirty (30) feet with living area over garage.~~

1282

1284

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

1286

(9) Minimum building setback requirements:
a. *Front:* Thirty-five (35) feet; twenty-five (25) feet for front porch.

1288

b. *Side:* Ten (10) feet. Side Street: Ten (10) feet.

1290

c. *Rear:* Fifty (50) feet for primary structure.

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

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

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

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

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

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(1) *Density*. Except for transfer of development rights as provided for in chapter 30, article XIV, division 2, of this Code or internal transfers provided in section 38-1384(a), the average net density within an area designated as garden home single-family district on the village SAPPD/LUP and per each Preliminary Subdivision Plan (PSP) shall be four (4) dwelling units per acre.

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(2) *Permitted uses*. Single-family detached residential homes, accessory structures, and uses as defined in section 38-1384(j), and all other uses listed in the use table of Section 38-77 that reflect the abbreviation "P" in the correlating R-1AA zoning district cells shall be permitted in the Garden Home Single-Family District. Those uses listed as a special exception in the use table of Section 38-77 and reflect the abbreviation "S" in the cells that correlate with the R-1AA zoning district may also be permitted, but must be identified as a special exception on the PD/LUP. Uses that require a special exception and are also included in the list of civic and institutional uses under Section 38-1384(k), shall be designed as a neighborhood focal point, and located at the terminus of street vistas where practicable. All other uses are prohibited.~~Same as the estate district as established in section 38-1385(a)(2) above.~~

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(b) *Development standards*. The following standards shall apply to all development within the garden home district. Modifications to these standards may be permitted where alternative development practices will reinforce the planning principles established by the goals objectives and policies of the village land use classification, ~~the adopted SAP~~ and this village



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development code. Any such modifications to these standards shall be identified separately in bold on the village PD land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

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(1) Maximum lot area: None.

1338

(2) Minimum average lot size: Thirty-two hundred (3,200) square feet. (Where transfer of development rights are utilized, the minimum lot size may vary from this standard and shall be determined at the time of preliminary subdivision plan approval.)

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1342

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

1344

1346

(4) Minimum lot width: Thirty-two (32) feet for single-family detached dwelling units.

1348

(5) Minimum lot depth: One hundred ten (110) feet. (ninety (90) feet with alley)



1350

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

1352

(7) Accessory structures: See section 38-1384(j)~~Maximum garage height: Twenty two (22); or thirty (30) feet with living area over garage.~~

1354

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

1356

(9) Minimum building setback requirements:

1358

a. *Front:* Fifteen (15) feet; seven (7) feet for front porch.

1360

b. *Side:* Four (4) feet (subject to easement). *Side Street:* Ten (10) feet.

1362

c. *Rear:* Twenty (20) feet for primary structure.

1364

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

1366

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

1368 (10)—Driveways: Shared driveways are
1370 encouraged; however, when driveways are not shared, they must
be setback a minimum of two (2) feet from the side property line.

Sec. 38-1385.8. Garden home mixed use district.

1372 (a) *Development guidelines*. The following
1374 development guidelines shall apply to all development within the
garden home mixed used district.

1376 (1) *Density*. Except for transfer of development
rights as provided for in chapter 30, article XIV, division 2, of this
1378 Code or as otherwise provided in section 38-1384(a), the average
net density within an area designated Garden Home Mixed Use
1380 District on the village SAPPD/LUP and per each Preliminary
Subdivision Plan (PSP) shall be four (4) dwelling units per acre.

1382 (2) *Permitted uses*. Single-family detached
residential homes, townhomes, condominiums, accessory
1384 structures, and uses as defined in section 38-1384(j), and all other
uses listed in the use table of Section 38-77 that reflect the
1386 abbreviation "P" in the correlating R-1AA zoning district cells
shall be permitted in the Garden Home Mixed-Use District. Those
1388 uses listed as a special exception in the use table of Section 38-77
and reflect the abbreviation "S" in the cells that correlate with the
1390 R-1AA zoning district may also be permitted, but must be
identified as a special exception on the PD/LUP. Uses that require
1392 a special exception and are also included in the list of civic and
institutional uses under Section 38-1384(k), shall be designed as a
1394 neighborhood focal point, and located at the terminus of street
vistas where practicable. All other uses are prohibited. Same as the
1396 estate district as established in section 38-1385.5(a)(2) above,
1398 except that townhomes and condominiums, and other unit types
shall be allowed in those villages where specified in the approved
SAP.

1400 (b) *Single-family development standards*. The
following standards shall apply to all single-family developments
1402 within the garden home mixed use district. Modifications to these
standards may be permitted where alternative development
1404 practices will reinforce the planning principles established by the
goals objectives and policies of the village land use classification,
the adopted SAP and this village development code. Any such
1406 modifications to these standards shall be identified separately in

bold on the village PD land use plan, PSP or development plan for approval by the board of county commissioners at a public hearing.

1408

(1) Maximum lot area: None.

1410

(2) Minimum average lot size: Thirty-two hundred (3,200) square feet. (Where transfer of development rights are utilized, the minimum lot size may vary from this standard and shall be determined at the time of preliminary subdivision plan approval.)

1412

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

1418

(4) Minimum lot width: Thirty-two (32) feet for single-family detached dwelling units.

1420

(5) Minimum lot depth: One hundred ten (110) feet. (ninety (90) feet with alley)

1422

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

1424

(7) Accessory structures: See section 38-1384(j)~~Maximum garage height: Twenty two (22) feet; or thirty (30) feet with living area over garage.~~

1426

1428

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

1430

(9) Minimum building setback requirements:

1432

a. *Front:* Fifteen (15) feet; seven (7) feet for front porch.

1434

b. *Side:* Four (4) feet (subject to easement). Side Street: Ten (10) feet.

1436

c. *Rear:* Twenty (20) feet for primary structure.

1438

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

1440

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

1442 (10) Driveways: Shared driveways are
encouraged; however, when driveways are not shared, they must
be setback a minimum of two (2) feet from the side property line.

1444 (c) *Townhouse development guidelines.* Guidelines for
townhouses developed in the garden home mixed use district shall
1446 be those specified for townhouses in section 38-1387.1.

1448 (d) *Condominiums development guidelines.* Guidelines
for condominiums developed in the garden home mixed use
1450 district shall be those specified for condominiums in section 38-
1387.3, except that the maximum building height shall be limited
to three (3) stories and forty-five (45) feet.

1452 **Sec. 38-1386. - Village home district.**

1454 (a) *Development guidelines.* The following
development guidelines shall apply to all development within the
village home district.

1456 (1) *Density.* Except for transfer of development
rights as provided for in chapter 30, article XIV, division 2, of this
1458 Code or as otherwise provided in section 38-1384(a), the average
net density within an area designated as village home district on
1460 thea village SAPPD/LUP and per each Preliminary Subdivision
Plan (PSP) shall be six (6) dwelling units per acre.

1462 (2) *Permitted uses.* Single-family detached
residential homes, townhomes, condominiums, accessory
1464 structures, and uses as defined in section 38-1384(j), and all other
uses listed in the use table of Section 38-77 that reflect the
1466 abbreviation "P" in the correlating R-1AA zoning district cells
shall be permitted in the Village Home District. Those uses listed
1468 as a special exception in the use table of Section 38-77 and reflect
the abbreviation "S" in the cells that correlate with the R-1AA
1470 zoning district may also be permitted, but must be identified as a
special exception on the PD/LUP. Uses that require a special
1472 exception and are also included in the list of civic and institutional
uses under Section 38-1384(k), shall be designed as a
1474 neighborhood focal point, and located at the terminus of street
vistas where practicable. All other uses are prohibited. Same as the
1476 estate home district as established in subsection 38-1385(a)(2) or
the garden home mixed use district established in subsection 38-
1478 1385.8.

1480 (3) *Ground-floor nonresidential uses.* Retail
commercial and professional office uses may be permitted on the

1482 first floor of a multi-story residential structure when located
1484 fronting a neighborhood center or village center. Such
1486 nonresidential uses shall be integrated into the residential building
1488 and shall be limited to one thousand (1,000) square feet of gross
leasable area, and shall be primarily oriented to serve the residents
of the immediate area. These nonresidential use areas shall be
identified on the PD land use plan. The PSP shall include
covenants, conditions and restrictions identifying these as primary
residential uses with accessory commercial and professional office.

1490 (b) *Development standards.* The following standards
1492 shall apply to single-family detached residences within the village
home district. Modifications to these standards may be permitted
1494 where alternative development practices will reinforce the
| planning principles established by the goals, objectives and
1496 policies of the village land use classification, ~~the adopted SAP~~ and
this village development code. Any such modifications to these
1498 guidelines shall be identified separately in bold on the village PD
land use plan, PSP or development plan for approval by the board
of county commissioners at a public hearing.

1500 (1) Maximum lot area: None.

1502 (2) Minimum average lot size: Twenty-eight
hundred (2,800) square feet. (Where transfer of development rights
1504 or townhouses are utilized, the minimum lot size may vary from
this standard and shall be determined at the time of preliminary
subdivision plan approval.)

1506 (3) Minimum living area: One thousand (1,000)
1508 square feet. Living area is defined as the area that is heated and
cooled.

1510 (4) Minimum lot width: Thirty-two (32) feet for
single-family detached dwelling units.

1512 (5) Attached units shall be subject to the
standards in section 38-1387.1.

1514 (6) Minimum lot depth: One hundred ten (110)
feet. (ninety (90) feet with alley)

1516 (7) Maximum building height: Three (3) stories
and forty-five (45) feet.

1518 (8) Accessory structures: See section 38-
1384(j)Maximum garage height: Twenty two (22) feet; or thirty
(30) feet with living area over garage.

1520 (9) Maximum lot coverage: Sixty-five (65)
1522 percent. (The area of a front porch is not included in the
calculation of lot coverage.)

(10) Minimum building setback requirements:

1524 a. *Front:* Fifteen (15) feet; seven (7)
feet for front porch.

1526 b. *Side:* Four (4) feet (subject to
easement). *Side Street:* Ten (10) feet.

1528 c. *Rear:* Twenty (20) feet for primary
structure.

1530 d. *Lakefront:* Fifty (50) feet from the
| normal high-water elevation contour in accordance with chapter
1532 30, article XII, of this Code.

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

1534 (11) Shared driveways are encouraged; however,
when driveways are not shared, they must be setback a minimum
1536 of two (2) feet from the side property line.

(c) *Townhome development standards.* Standards for
1538 townhomes developed in the village home district shall be those
specified for townhouses in section 38-1387.1.

1540 (d) *Condominium development standards.* Standards
for condominiums developed in the village home district shall be
1542 those specified for condominiums in section 38-1387.3, except that
the maximum building height shall be limited to four (4) stories
1544 and fifty-five (55) feet.

**Sec. 38-1387. Townhome district, Townhouse Apartment
1546 district, Apartment district, and Condominium
district.**

1548 (a) *Townhouse/apartment/condominium guidelines.*
The following development guidelines shall apply to all
1550 development within the Townhome District,
Townhouse/Apartment District, Apartment District and
1552 Condominium District, regardless of the form of ownership.

(1) *Density.* Except for transfer of development
1554 rights as provided in chapter 30, article XIV, division 2, of this
| Code, or as otherwise provided in section 38-1384(a), and the

1556 ~~respective SAP; the average net density [in] areas designated~~
1558 ~~Townhome District, Townhouse/Apartment District or~~
~~Condominium District on a PD Land Use Plan (LUP), Preliminary~~
1560 ~~Subdivision Plan (PSP) or Development Plan (DP) shall be as~~
~~follows:~~

1562 - ~~___Townhome District: Eight (8) to ten~~
~~(10) dwelling units per acre (per SAP).~~

1564 - ~~___Townhouse/Apartment District:~~
~~Twelve (12) dwelling units per acre.~~

1566 - ~~___Apartment District: Sixteen (16) to~~
~~twenty-five (25) dwelling units per acre (per SAP).~~

1568 - ~~___Condominium District: Sixteen (16)~~
~~to twenty (20) dwelling units per acre (per SAP).~~

1570 (2) *Permitted uses.* ~~Unless otherwise stated by in~~
~~the applicable SAP Comprehensive Plan, or if identified as a~~
1572 ~~prohibited use in subsection (a)(3) below attached and detached~~
~~single-family units, attached multi-family and condominium units,~~
1574 ~~accessory structures, and uses as defined in section 38-1384(j), and~~
~~all other uses listed in the use table of Section 38-77 that reflect the~~
1576 ~~abbreviation "P" in the correlating R-3 zoning district cells and all~~
~~other accessory uses as permitted in the use table for the R-3~~
1578 ~~zoning district, section 38-77 of this chapter, shall be permitted in~~
~~the Townhome District, Townhouse/Apartment District and~~
~~Apartment District [Note: Section 38-1387.3(a)(3) prohibits~~
1580 ~~apartments in the Condominium District]. Those uses listed as a~~
~~special exception in the use table of Section 38-77 and reflect the~~
1582 ~~abbreviation "S" in the cells that correlate with the R-3 zoning~~
~~district may also be permitted, but must be identified as a special~~
1584 ~~exception on the PD/LUP. Uses that require a special exception~~
~~and are also included in the list of civic and institutional uses under~~
1586 ~~Section 38-1384(k), shall be designed as a neighborhood focal~~
~~point, and located at the terminus of street vistas where practicable.~~
1588 ~~All other uses are prohibited.~~

1590 Retail commercial and professional office uses may also be
1592 permitted on the first floor of a townhouse or apartment structure
1594 when fronting a neighborhood center or village center district.
1596 However, such nonresidential uses shall be integrated into the
residential building, shall be limited to one thousand (1,000)
square feet of gross leasable area, shall be primarily oriented to
serve the residents of the immediate area, and shall be deducted
from the allowable square footage of the Neighborhood Center or
village center district in which it fronts.

1598 Covenants and restrictions shall identify the areas of
1600 nonresidential uses. Certain structures and uses required to serve
1602 educational, religious, utilities and non-commercial recreational
needs may be permitted by the Board of County Commissioners
through PD or PD substantial change approval and shall be
identified on the PD/LUP.

1604 a. Single-family detached standards.
1606 The development standards of Section 38-1386 shall apply for all
single-family detached residential products.

1608 (3) *Prohibited Uses.* Apartments within the
Condominium District, and all ~~S~~short term rental [rental of less
than one hundred eighty (180) days].

1610 **Sec. 38-1387.1, Townhouses.**

1612 (a) *Townhouse Development Standards.* The following
standards shall apply to constructed townhouse product.
1614 Modifications to these standards may be permitted where
alternative development practices will reinforce the planning
1616 principles established by the goals, objectives and policies of the
village land use classification, ~~the adopted SAP~~ and this village
development code. Any such modifications to these standards shall
1618 be identified separately in bold on the village PD land use plan or
preliminary subdivision plan for approval by the board of county
1620 commissioners at a public hearing.

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

1622 (2) Minimum living area: One thousand (1,000)
square feet per dwelling unit. Living area is defined as the area that
1624 is heated and cooled.

1626 (3) Minimum lot depth: One hundred (100) feet,
except for garage under units.

1628 (4) Maximum building height: Four (4) stories
and a maximum of fifty-five (55) feet.

1630 (5) Accessory structures: See section 38-
1384(j)Maximum garage height: Twenty two (22) feet; or thirty
(30) feet with living area over garage.

1632 (6) ~~——~~Maximum lot coverage: Seventy-five (75)
percent for townhouse units. (The area of a front porch is not
1634 included in the calculation of lot coverage.)

1636 (7) Open Space: In addition to the minimum
1638 seven and one-half (7.5) percent of developable land area within a
1640 project allocated as publicly accessible open space as required by
1642 Section 38-1382(hi), an additional seventeen and one-half (17.5)
percent (minimum) of the developable land area within each
townhouse development shall be allocated as common open space.
Allocated common open space may include private areas and may
be dispersed throughout a respective Preliminary Subdivision Plan.

1644 (8) Recreation Areas: Recreation areas shall be
provided in accordance with section 38-1253.

(9) Minimum building setback requirement:

1646 a. *Front:* Fifteen (15) feet; ten (10) feet
for front porch.

1648 b. *Side:* Zero (0) feet required for at
1650 least one (1) property line; seven (7) feet for end units. Side Street
Setback: Ten (10) feet.

1652 c. *Rear:* Fourteen (14) feet for the
primary structure.

1654 d. *Garage:* Garage setbacks shall be in
accordance with section 38-1384(g).

1656 e. *Lakefront:* Fifty (50) feet from the
normal high-water elevation contour in accordance with chapter
30, article XII.

1658 (10) — Minimum Building Separation: ~~Twenty (20)~~
1660 Fourteen (14) feet. Minimum building separation of forty-five (45)
1662 feet when utilized as common open spaces, parks or recreation
areas, or park tracts as to achieve a block break which may be
counted toward the seven and one-half (7.5) percent required open
space in accordance with section 38-1382(hi).

1664 (11) Building Length: Townhouse buildings shall
1666 be attached (built with no side setback or as a single building) with
not less than four (4) attached units. Lots at the end of a block may
be permitted with a minimum of two (2) attached units.

1668 (12) All townhouse units shall be accessed with a
1670 rear alley and garages for townhouses shall be accessed from a rear
alleyway only.

1672 (13) Maximum number of units per building:
Eight (8).

1674 (14) Porches shall be provided consistent with
section 38-1384(d).

1676 (b) –Design and architectural detail:

1678 (1) Townhouses shall include a first-floor front
elevation which is visually elevated above finished sidewalk grade.
1680 The front porch or stoop shall be a minimum of two (2) steps
above the adjacent sidewalk grade. The residence and front door
1682 shall be oriented toward and visible from the street which shall
possess a direct pedestrian connection to the external sidewalk
system.

1684 (2) The subdivision plan for townhouse projects
shall include building elevations and design guidelines. The design
1686 guidelines shall include requirements for complete, scaled building
elevations which clearly indicate rough dimensions, roof slopes,
1688 and exterior surface materials of all residences, garages, mail
kiosks, common-area outdoor pavilions and the like. The design
1690 guidelines shall include detailing and articulation of façades, roof
styles, jogged roof peaks, and projecting eaves. The guidelines
shall address architectural elements such as ornamental gables,
1692 chimneys, dormers, balconies (functional or decorative), wall plane
projections, windows (proportions, transoms, shutters, mullions,
1694 surrounds) garage door and trim treatment, decorative pediments,
fencing and screening details.

1696 (3) The side façades of gables and townhouse
end units which are located adjacent to, or which are visible from,
1698 side streets shall not be left unarticulated. Such façades shall
incorporate the same proportion of window surfaces, window
1700 molding and trim (e.g. sills, lintels, keystones, muntins, shutters)
peaked eaves, decorative gables, exposed rafters, and variation in
1702 materials, as provided on the adjacent front façade. Multi-story
end-unit side façades, which face an adjacent street, shall highlight
1704 the floor line between each successive floor with horizontal
trim/bands, color variations, or other approved means.

1706 **Sec. 38-1387.2. Apartments.**

1708 (a) *Apartment Development Standards.* The following
standards shall apply to constructed apartment product.
1710 Modifications to these standards may be permitted where
alternative development practices will reinforce the planning
principles established by the goals, objectives and policies of the

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village land use classification, ~~the adopted SAP~~ and this village development code. Any such modifications to these standards shall be identified separately in bold on the village PD land use plan or development plan for approval by the board of county commissioners at a public hearing.

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

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

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(3) *Dispersal of Apartment Buildings.*

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Excluding areas designated Village Center District or Apartment District on an ~~adopted SAP~~ PD/LUP, the maximum number of apartment dwelling units in any one location without an intervening park, open space, civic or townhouse use, shall be limited to three hundred (300) units. This restriction is intended to govern building placement only; not to discourage common ownership and management of projects involving more than three hundred (300) units. Uses such as parking, maintenance facilities and condominiums having an appearance similar to the apartments, shall not be used to meet the dispersal requirement.

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

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a. Variations in front setbacks.

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b. Larger open spaces, courtyards, or plazas separating buildings.

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c. Variations in façade treatments and roofline heights.

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d. Reduced heights for end units.

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

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

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g. — Because on-street parking is

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encouraged, a plan that utilizes parking lots as part of the site circulation system is prohibited. Buildings shall be aligned to

1750 create and reinforce the streetscape, but shall incorporate variations
1752 in front setbacks; variances in façade treatments and roofline
1754 heights; and architectural treatments to provide visual variety to
1756 the streetscape. In addition, a significant percentage of the required
common open space shall be in the form of "civic" spaces such as
parks and plazas that are visible from the streets and consequently
serve as breaks to what would otherwise be a monotonous
development pattern.

1758 (4) Maximum building height: Five (5) stories
and a maximum sixty-five (65) feet. ~~Additional height restrictions
in accordance with section 38-1258 may be required related to the
1760 character of the surrounding area.~~

1762 (5) Maximum impervious coverage: Seventy-
five (75) percent for apartment developments. (The area of a front
porch is not included in the calculation of lot coverage.)

1764 (6) Open Space: In addition to the minimum
seven and one-half (7.5) percent of developable land area within a
1766 project allocated as publicly accessible open space as required by
| Section 38-1382(hi), an additional seventeen and one-half (17.5)
1768 percent (minimum) of the developable land area within each
apartment development shall be allocated as common open space,
1770 which may include private areas.

1772 (7) Recreation areas: Recreation areas shall be
provided in accordance with sections 38-1253 and 38-1258, and
individual recreation tracts shall not be less than one-quarter (¼)
1774 acre in size. Parks and open spaces may be distributed throughout
the apartment district rather than within each block.

1776 (8) Minimum building setback requirements.
Multi-family building setback requirements are listed below;
1778 however, alternative Additional setbacks may be required to ensure
compatibility with the surrounding area. In recognition of the
1780 Horizon West long-term buildout and its master-planned
development framework, multi-family buildings located adjacent
1782 to single-family zoned property shall not be subject to the height
requirements of Section 38-1258.

1784 a. *Front:* Ten (10) feet including front
porch.

1786 b. *Side:* Fifteen (15) feet; ten (10) feet
for front porch or bay. Side Street setback: Fifteen (15) feet; ten
1788 (10) feet for front porch.

1790 c. *Rear:* Twenty (20) feet for the
primary structure; Garage setbacks per section 38-13854(g).

1792 d. *Lakefront:* Fifty (50) feet from the
normal high-water elevation contour in accordance with chapter
30, article XII, of this Code.

1794 e. *Minimum building separation:*
1796 Twenty (20) feet. Minimum building separation of forty-five (45)
1798 feet when utilized as common open space, recreation area, or park
tract as to achieve a block break which may be counted toward the
seven and one-half (7.5) percent required open space in accordance
with section 38-1382(h).

1800 (9) To screen the view of parking lots and to
1802 better frame the surrounding street corridors, off-street surface
parking lots for apartments shall be prohibited from between
1804 residential structures and the street rights-of-way, and shall instead
be placed within the interior of blocks. Apartment projects shall be
1806 designed such that the residential structures are pulled forward
toward the street, with associated parking areas located behind the
1808 apartment structures, within the interior of the block. Access to the
interior parking areas shall be achieved with pass-throughs
between adjacent structures.

1810 When it can be demonstrated that site conditions will
1812 preclude strict block-interior parking configurations, portions of
surface parking areas may be located along the side of structures,
1814 adjacent to street rights-of-ways. In no case, however, may parking
be placed closer to the street right-of-way than the adjacent
residential structure.

1816 When a surface parking lot is placed adjacent to a building
(e.g. adjacent to the street), a decorative high knee wall, a
1818 minimum forty-two (42) inches high, shall be installed along the
full length of the parking lot. Said knee wall shall incorporate a
1820 planter space between the wall and the back edge of the street
sidewalk. The planter space shall serve as an irrigated shrub
1822 planter strip along the front foundation of the knee wall. Said
planter strip shall be no less than thirty (30) inches wide (\pm sixty
1824 (60) inches at inward-jogged sections of the knee wall). The knee
wall shall incorporate a continuous, cantilevered cap block, and
1826 shall not extend more than twenty-five (25) feet in a single,
uninterrupted span, without incorporating a minimum thirty (30)
1828 inches offset or "jog."

1830 Knee walls constructed of unpainted smooth face Concrete
Masonry Unit ("CMU") are prohibited. Knee wall surfaces shall
1832 instead feature brick, stone, split face, scored, ribbed, offset, or
other surface treatment, including stucco. Veneer surfaces shall
1834 feature brick or stone patterns. Ornate cap features are encouraged
such as decorative metal railings placed along the top of the cap
1836 block. Painted stucco walls are acceptable, so long as a distinct cap
is used.

1838 On-street parking (parallel or angled) is permitted and may
be counted toward the parking requirements when located within
1840 the projected property lines on the street facing the building they
are meant to serve. A waiver for reduced parking will be reviewed
on a case by case basis.

1842 (10) Landscaping shall be provided in
accordance with village center landscape requirements.

1844 (11) Building Massing: Front façades shall be
varied and articulated to provide visual interest to pedestrians
1846 along the street frontage. Continuous flat building walls shall not
exceed forty (40) feet in length. Both horizontal and vertical
1848 projections and recesses of building walls are encouraged to break
up the mass of the building.

1850 (b) *Design and architectural detail.*

1852 (1) The following design guidelines are
recommended on all buildings, including maintenance buildings,
1854 mail kiosks and other structures. Buildings shall have appropriate
pedestrian-scaled trim and detailing, exterior wall materials,
1856 building entry prominence, massing, façade articulation,
fenestration, bays, roof styles ~~(no flat roofs)~~, and roof materials.
1858 Architectural elements including awnings, gables, dormers,
chimneys, balconies, balustrades and wall plane projections shall
be utilized. The plan and design shall promote pedestrian
1860 convenience and circulation by providing prominent and
formalized pedestrian access from the primary building entrances
1862 to the project's external sidewalk systems including formal
connections between and among apartment buildings and any
1864 adjacent commercial uses. Apartment developments shall
incorporate design elements such as porches, balconies, and visible
1866 entryways from the street to foster pedestrian scale development,
but the inclusion of these architectural features is not intended to
1868 imply that separate street-front entrances for individual apartment
units are required.

1870 (2) Building size, length, height and separation shall be compatible with the other buildings in the area.

1872 **Sec. 38-1387.3. Condominiums.**

1874 (a) *Condominium development standards.* The following development standards shall apply to all constructed condominium product, except for condominiums constructed in a designated Apartment District, which shall comply with the development standards addressed in Section 38-1387.2.

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1878 (1) Prohibited uses: Short term rental [rental of less than one hundred eighty (180) days] and apartments.

1880 (2) Minimum lot width: Eighty-five (85) feet.

1882 (3) Minimum living area: Five hundred (500) square feet per dwelling unit.

1884 (4) Pedestrian layout: In order to help ensure that the condominium development is a pedestrian-oriented, high-quality living environment, the following concepts shall be incorporated in the design for such properties.

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1888 a. The site shall be organized around a street pattern, with the majority of the off-street parking contained within parking lots located in the interior of blocks.

1890 b. Because on-street parking is encouraged, a plan that utilizes parking lots as part of the site circulation system is prohibited. Buildings shall be aligned to create and reinforce the streetscape, but shall incorporate variations in front setbacks; variations in façade treatments and roofline heights; and architectural treatments to provide visual variety to the streetscape. In addition, a significant percentage of the required common open space shall be in the form of "civic" spaces such as parks and plazas that are visible from the streets and consequently serve as breaks to what would otherwise be a monotonous development pattern.

1902 c. Creating clusters of buildings with distinct architectural variations to give the appearance of different developments shall be encouraged.

1904 d. When adjacent to lower density residential uses, buildings shall be designed to moderate the differences in scale and massing. Use of reduced height for end units, addition of small-scale architectural detail, and other such

1908 architectural treatments are examples of ways to moderate the differences in scale and massing.

1910 (5) Maximum building height: Five (5) stories and a maximum of sixty-five (65) feet.

1912 (6) Maximum impervious coverage: Seventy-five (75) percent of the condominium development. (The area of a front porch is not included in the calculation of lot coverage.)
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1916 (7) Open space: In addition to the minimum seven and one-half (7.5) percent of developable land area within a project allocated as publicly accessible open space as required by Section 38-1382(hi), an additional seventeen and one-half (17.5) percent (minimum) of the developable land area within each condominium development shall be allocated as common open space, which may include private areas.
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1922 (8) Recreation areas: Recreation areas shall be provided in accordance with sections 38-1253 and 38-1258. Parks and open space may be distributed throughout the condominium district rather than within each block. However, individual recreation tracts shall not be less than one-quarter (1/4) acre in size.
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1928 (9) Minimum building setback requirements: Condominium building setback requirements are listed below; Additional however, alternative setbacks may be required to ensure compatibility with the surrounding area. In recognition of the Horizon West long-term buildout and its master-planned development framework, condominium buildings located adjacent to single-family zoned property shall not be subject to the height requirements of Section 38-1258.
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1936 a. *Front:* Ten (10) feet, including front porch.

1938 b. *Side:* Fifteen (15); ten (10) feet for front porch or bay. Side street setback: Fifteen (15) feet; ten (10) feet for front porch.

1940 c. *Rear:* Twenty (20) feet for the primary structure; garage setbacks per section 38-13854(g).

1942 d. *Lakefront:* Fifty (50) feet from the normal high-water elevation contour in accordance with chapter 30, article XII, of this Code.
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e. *Minimum building separation:*

1946 Twenty (20) feet. Minimum building separation of forty-five (45)
1948 feet when utilized as common open space, landscaped courtyard,
or recreation area.

(10) Screening: To screen the view of parking
1950 lots, and to better frame the surrounding street corridors, a majority
1952 of off-street surface parking lots for condominiums shall be
1954 prohibited between residential structures and the street rights-of-
1956 way, and shall instead be placed within the interior of blocks.
Condominium projects shall be designed such that the residential
structures are pulled forward toward the street, with the associated
parking areas located behind the condominium structures within
the interior of the block.

1958 When it can be demonstrated that site conditions will preclude
strict block-interior parking configurations, only portions of
1960 surface parking areas may be located along the side of structures,
adjacent to street rights-of-way. In no case, however, may parking
1962 be placed closer to the street right-of-way than the adjacent
residential structure.

1964 When a surface parking lot is placed adjacent to a building (e.g.
adjacent to the street), a decorative forty-two (42) inch high knee
1966 wall shall be installed along the full length of the parking lot. Said
knee wall shall incorporate a planter strip between the wall and the
1968 back edge of the street sidewalk. The planter strip shall serve as an
irrigated shrub planter strip along the front foundation of the knee
1970 wall. Said planter strip shall be no less than thirty (30) inches wide
[±sixty (60) inches at inward-jogged sections of the knee wall].
1972 The knee wall shall incorporate a continuous, cantilevered cap
block, and shall not extend more than twenty-five (25) feet in a
1974 single, uninterrupted span, without incorporating a minimum thirty
(30) inches offset or "jog."

1976 Knee walls constructed of unpainted smooth face CMU are
prohibited. Knee wall surfaces shall instead feature brick, stone,
1978 split face, scored, ribbed, offset, or other surface treatment. Veneer
surfaces shall feature brick or stone patterns. Ornate cap features
1980 are encouraged such as decorative metal railings placed along the
top of the cap block. Painted stucco walls are acceptable, so long
1982 as a distinct cap is used.

On-street parking (parallel or angled) is strongly
1984 encouraged and shall be counted toward the parking requirements
when located within the same property line alignment as the

1986 building they are meant to serve. A waiver for reduced parking will be reviewed on a case by case basis.

1988 (11) Landscaping shall be provided in accordance with the village center landscape requirements.

1990 (12) Building massing: Front façades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. Continuous flat building walls shall not exceed forty (40) feet in length. Both horizontal and vertical projections and recesses of building walls are encouraged to break up the mass of the building.

1996 (b) *Design and architectural detail.*

1998 (1) The following design guidelines shall apply to all buildings, including maintenance buildings, mail kiosks and other structures. Buildings shall have appropriate pedestrian-scaled trim and detailing, exterior wall materials, building entry prominence, massing, façade articulation, fenestration, bays, roof styles ~~(no flat roofs)~~, and roof materials. Architectural elements, including awnings, gables, dormers, chimneys, balconies, balustrades and wall plane projections, shall be utilized. The plan and design shall promote pedestrian convenience and circulation by providing prominent and formalized pedestrian access from the primary building entrances to the project's external sidewalk systems including formal connections between and among apartment buildings and any adjacent commercial uses. Condominium developments shall incorporate design elements such as porches, balconies, and visible entryways from the street to foster pedestrian scale development, but the inclusion of these architectural features is not intended to imply that separate street-front entrances for individual condominium units are required.

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2016 (2) Building size, length, height and separation shall be compatible with the other buildings in the area.

Sec. 38-1388. - Neighborhood center district.

2018 (a) *Generally.* Neighborhood center districts shall be located generally at the center of the neighborhood adjacent to the neighborhood park or green and the neighborhood school and uses should be primarily oriented to serve the residents of the immediate neighborhood. The maximum size of any neighborhood center district shall not exceed two (2) acres. The maximum total gross floor area of commercial uses shall be twenty thousand (20,000) square feet unless otherwise specified in an approved

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~~SAP, the comprehensive plan. No single establishment building shall exceed ten thousand (10,000) square feet (GFA).~~

(1) Within the established village ~~SAP~~, a single commercial building up to a maximum of ten thousand (10,000) square feet ~~commercial building~~ can be constructed in a neighborhood center.

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

(b) *Permitted uses.* All C-1 uses identified by the letter "P" in the use table set forth in Section 38-77, excluding all prohibited uses found in subsection (3) below. Residential uses are also permitted vertically above nonresidential uses. Residential uses, except to entrances, shall not be permitted on the ground floor of buildings used for commercial or office use.

(1) *Convenience stores.* The land use plan may allow a maximum of four (4) gas pump stations to serve a maximum of eight (8) vehicles at any one (1) time. Gas pumps shall require substantial change approval to the land use plan (LUP) by the board of county commissioners. The development shall comply with the following standards:

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

b. If the gas pumps are located within direct view from the roadway, a decorative forty-two (42) inch high knee wall shall be installed along the full length of the street sidewalk edge exclusive of vertical and / or horizontal sight distances from any intersections or driveways and pedestrian access which is visually exposed to gas pumps. Said decorative knee wall shall incorporate a space between the wall and the back edge of the street sidewalk. The gap shall serve as an irrigated shrub or vine planter strip along the back edge of the street sidewalk. The planter strip shall be no less than thirty (30) inches wide and approximately sixty (60) inches wide at inward-jogged sections of the knee wall. The knee wall shall incorporate a continuous, cantilevered cap block, and shall not extend more than twenty-five (25) feet in a single uninterrupted span without incorporating the minimum thirty (30) inch offset or "jog" inward,

2068 toward the property interior as mentioned above. Such interior jogs
shall incorporate shrub massing, vines, and understory trees. Gas
2070 station knee walls constructed solely of smooth face CMU and
stucco are prohibited. Notwithstanding the finish materials utilized
2072 on the adjacent principal structure, the subject knee wall shall not
present a blank stucco surface to the adjacent sidewalk and street
2074 rights-of-way. Instead, gas station knee wall surfaces shall feature
a brick or stone veneer or split face, scored, ribbed, or other
2076 ornamental block surface. Painted stucco walls are acceptable, so
long as a distinct cap is used.

| (2) *–Neighborhood center corner general store.*
2078 A neighborhood center general store, up to two thousand (2,000)
| square feet under air, may be built as an amenity. The general store
2080 shall carry in its inventory basic groceries, personal hygiene
products, over the counter pharmaceutical, and other convenience
2082 items.

a. One (1) or more apartments, other
2084 dwellings, or office spaces may be constructed vertically over the
general store and rented at normal market rates without delay.
2086 Such mixed uses are encouraged.

b. The general store should normally be
2088 built at a corner of two (2) streets to anchor the Neighborhood
Center. A bicycle rack shall be provided with spaces for no fewer
2090 than four (4) bicycles that meets all requirements of Section 38-
1388(e)(11).

c. The following transferable incentives
2092 shall apply:

1. The open space requirement
2094 shall be reduced by two (2)
2096 times the square footage of
space allotted to the general
2098 store if a front porch or patio
is constructed and furnished
2100 as a neighborhood gathering
place. Alternatively,
2102 additional residential density
or additional square footage
2104 for office or commercial uses
shall be awarded.

2. _____ There shall be no
2106 parking requirement

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associated with the general store beyond on-street parking consistent with all applicable standards of Section 34-171. If the general store is located in a multi-use building, parking requirements shall apply for the other uses.

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

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

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(1) Drive-throughs;

(2) Lounges;

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(3) Bars;

(4) Video arcades;

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(5) Pawn shops;

(6) Escort services and tattoo parlors:

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

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

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(9) Body art, or body piercing businesses;

(10) — Labor pools and labor halls; and

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(11) — Hotels/motels/and timeshares.

(d) *Residential development standards.*

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

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

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

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

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

(e) ——— *Development standards.* The following standards shall apply to all development within the neighborhood center district. General design standards shall be submitted as part of the PD land use plan for all development within the neighborhood center. Specific design standards and architectural details shall be submitted with the preliminary subdivision plan/development plan for development within the neighborhood center. Both specific and general design standards shall include a continuous pedestrian access route a minimum of 48 inches wide and meet all accessibility requirements of currently-adopted editions of federal and state standards. The design standards shall include site-specific requirements for all building facades including maintenance, ancillary structures, and out-parcel structures. The standards shall outline architectural requirement for pedestrian-scaled trim and detailing, exterior wall materials, building entry prominence, articulation of facades, fenestration, bays, roof styles (~~no flat roofs~~), roof materials, and massing.

2184 Architectural elements, including colonnades, pergolas, columns,
2186 awnings, gables, dormers, porches, balconies, balustrades, and wall
2188 plane projections, shall be addressed. Prominent, formalized, and
shaded pedestrian connections between adjacent commercial uses
shall be emphasized as well as pedestrian scaled and uninterrupted
visual interest along the street face.

2190 Modifications to these standards may be permitted where
2192 alternative development practices will reinforce the planning and
2194 urban design principles established by the goals, objectives and
2196 policies of the village land use classification, the adopted SAP and
this village development code. Any such modifications to these
standards shall be identified separately in bold on the village PD
land use plan, PSP or development plan for approval by the board
of county commissioners at a public hearing.

2198 (1) Minimum lot depth: One hundred twenty
(120) feet.

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

2200 (3) Maximum building height: Three (3) stories
and forty-five (45) feet.

2202 (4) Accessory structures: See section 38-
2204 1384(j) Maximum garage height: Twenty two (22) feet; or thirty
(30) feet with living area over garage.

2206 (5) Maximum floor area ratio: .70 FAR
(nonresidential only).

(6) Minimum building setback requirements:

2208 a. *Front:* Ten (10) feet; awnings and
other overhangs may extend up to five (5) feet into this setback.

2210 b. *Side:* Zero (0) feet.

2212 c. *Rear:* Ten (10) feet from the primary
structure; ~~five (5) feet from centerline of alley easement.~~

d. *Side street:* Six (6) feet.

2214 e. — *Neighborhood center perimeter*
exterior side setback: Fifteen (15) feet.

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

(8) In addition to the design standards established in the required PD design guidelines, all developments within the neighborhood commercial district shall comply with the design, landscape, and lighting standards established in the commercial design standards ordinance, as it may be amended from time to time.

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

(10) —~~On-street angled or parallel parking within three hundred (300) feet of the proposed use that meets the requirements of Section 34-171 shall be permitted as per the village street cross-section, on file in the development engineering division.~~ Off-street parking may be provided at a maximum rate of three (3) spaces/one thousand (1,000) square feet of building area.

(11) Bicycle racks shall be consistent with the design standards set forth in Sections 38-1484 and 38-1485.~~provided as follows:~~

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

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

~~c. — At least fifty (50) percent of the required bicycle parking shall be provided in bicycle racks located no more than one hundred twenty (120) feet from primary building entrances served, and should preferably be within fifty (50) feet of the primary entrances. Bicycle racks serving secondary entrances shall be located no more than one hundred twenty (120) feet from secondary entrances. Bicycle racks shall maintain the accessibility of the building entrance and are encouraged to be covered, such as by building soffits, provided that accessibility is maintained.~~

2256 ~~d. — Bike racks shall be an inverted~~
2258 ~~"u"/hoop rack, post and ring rack, or similar device that~~
~~accommodates two (2) bicycle parking spaces per rack and enables~~
2260 ~~users to lock the frame and both wheels. Bike racks shall be~~
~~anchored to a common base or mounting surface of concrete or~~
~~pavement large enough to support bicycles locked to the rack.~~

2262 ~~e. — Each bicycle parking space shall~~
2264 ~~have a minimum area of two (2) feet by six (6) feet to fully~~
~~accommodate a parked bicycle and shall have an overhead~~
2266 ~~clearance of at least seven (7) feet. Bicycle racks shall be a~~
~~maximum height of three (3) feet, a minimum of three (3) feet on~~
2268 ~~center between horizontal rows, and a minimum of three (3) feet~~
~~from any parallel building wall and four (4) feet from a~~
2270 ~~perpendicular wall. If more than one (1) row of bicycle racks is~~
~~installed to create the required bike parking area, the installation~~
2272 ~~shall provide a minimum of five (5) feet in an aisle in each row,~~
~~assuming additional spacing for parked bicycles.~~

2274 ~~f. — Bicycle parking spaces shall be~~
2276 ~~accessible to users without users having to ascend or descend~~
~~stairs, and shall be separated from vehicle parking spaces by~~
2278 ~~physical barriers, such as curbs, wheel stops, bollards or other~~
~~similar features, to protect bicycles from being damaged by~~
~~vehicles.~~

2280 ~~g. — A bicycle parking device shall not~~
2282 ~~impede pedestrian travel, bus boarding, or freight loading. If~~
~~located on or next to a sidewalk, a minimum of five (5) feet of~~
2284 ~~continuous pedestrian access must be maintained when bicycles~~
~~are parked at a device. If the bicycle rack is near a curb on a street~~
2286 ~~with automobile parking, at least three (3) feet of space must~~
~~remain between a bicycle parked at the device and the curb. If a~~
2288 ~~device is installed at a transit stop, its location shall not impede~~
~~transit boarding.~~

2290
2292 (12) *Commercial building and site design*
guidelines:

2294 a. An unenclosed canopy, awning, or
second story porch/balcony shall be required over all first-floor
2296 building openings (windows and doors). Such coverings shall be a
minimum of five (5) feet in width.

2298 b. Owner (or property owners
association) maintained sidewalk areas at the front of
neighborhood commercial areas shall be placed in a utility

2300 easement and not made part of the public right-of-way. Such
2302 sidewalks shall be a minimum of ten (10) feet in width to facilitate
2304 pedestrian traffic, street furniture, and narrow store-front planters
2306 or planter pots. Such sidewalks shall extend from the right-of-way
2308 line (property line), to adjacent building face. A continuous, six (6)
2310 foot, unobstructed clear zone, for pedestrian movement, shall be
2312 maintained within the sidewalk corridor. In addition, a continuous,
2314 five (5) foot wide planter strip (or intermittent tree planter cutout)
2316 zone shall be constructed within and along the exterior edge of the
right-of-way. This public portion of neighborhood center sidewalk
systems shall be placed immediately contiguous to the ten (10) foot
wide, owner-maintained sidewalk described above. A continuous
concrete expansion joint shall be constructed five (5) feet from the
back of the curb in order to distinguish the public and private
portions of the sidewalk systems. Any exceptions to these
standards must be approved by the County Engineer and be
consistent with the approved roadway cross-section, if applicable.

2318 c. Primary entries shall face a public
street or walkway and shall be accessed from a sidewalk open to
2320 the public. All entries shall meet accessibility requirements of the
most recent editions of applicable federal and state standards as
adopted.

2322 d. At least fifty (50) percent of the first-
2324 floor exterior elevation primary façades (façades which face the
street rights-of-way, or which feature any customer entrance) shall
2326 incorporate transparent glass. Spandrel, faux, or glass block shall
2328 not satisfy this requirement. The transparent glass system shall not
be consolidated to any one (1) side of the façade, instead, the glass
surfaces shall be distributed across the width of said façade.

2330 e. Sides or rears of buildings, which
may not be a primary or secondary façade, shall incorporate roof
2332 ridge, roof eave, and façade variations similar to those provided on
the primary façade.

2334 f. Driveways on all functionally-
classified roadways shall have special-emphasis crosswalk
2336 markings that are the maintenance responsibility of the property
owner and shall otherwise be consistent with Section 30-250.

(13) *Landscaping.*

2338 a. Street trees shall be provided
pursuant to section 38-1384(c).

2340 b. Landscaping shall be provided as
2342 required in chapter 9 and chapter 24, except that where buildings
2344 are immediately abutting the sidewalk, the seven (7) foot wide
2346 landscape tree and shrub strip shall not be required. In addition, the
2348 eight (8) foot wide planter strip along the foundation of building
2350 primary façades shall not be required. Instead, plantings shall be
encouraged within narrower (twelve (12) inch to twenty-four (24)
inch wide) sidewalk cutouts, or raised planters or pots, located
along the foundation of building primary façades. Alternative
methods and clustering of landscape that meet the intent of this
division may be approved by the county.

2352 (14) *Distance separation from religious*
2354 *institutions and schools for alcoholic beverages in neighborhood*
2356 *centers.* Notwithstanding the provisions of section 38-1415(a), in
2358 order to promote a mixed use in neighborhood centers, the distance
2360 separation requirements for establishments selling alcoholic
2362 beverages for on-site consumption only, as specified in section 38-
2364 1415, shall be reduced to one-hundred (100) feet for restaurants
2366 with on-premises consumption only for those establishments
2368 possessing a 1COP, 2COP, or 4COP SRX state liquor license.
Such establishments may sell beer, wine and liquor for
consumption in the restaurant only after the hour of 4:00 p.m. on
days school is in session. The method of measurement shall be as
provided in section 38-1415(c). An established ~~proposed~~ religious
use or school may voluntarily waive the distance separation
requirement for establishments proposing to ~~selling~~ alcoholic
beverages for on-site consumption (that otherwise meet the
requirements of this subsection) by executing a waiver. Such
waiver must be acceptable to the county in form and substance and
shall be kept on file in the zoning division. All other provisions
under section 38-1415 shall apply. The county may place other
restrictions related to signage, outdoor seating, and outdoor
amplification as part of the PD approval process to ensure
compatibility with schools.

2374 (15) ~~*Subsequent establishment of a religious*~~
2376 ~~*institution or school.*~~ Whenever a vendor of alcoholic beverages
2378 has ~~procured a license permitting the sale of alcoholic beverages~~
and, thereafter, a religious institution or school is established
2380 within one hundred (100) feet of the vendor of alcoholic beverages
located within a neighborhood center, the establishment of such
religious institution or school shall not cause the previously
licensed site to discontinue use as a vendor of alcoholic beverages.

2382 **Sec. 38-1389. Village center district.**

2384 (a) *Generally.* The village center district shall be
located generally at the center of the village adjacent to a collector
2386 road which serves that particular village. Commercial development
within the village center district should be primarily oriented to
2388 serve the residents of the immediate neighborhood. The total
maximum size of all development within the village center district
2390 shall be sixty (60) acres and the maximum total floor area for
office and commercial nonresidential uses shall be four hundred
2392 thousand (400,000) square feet, unless otherwise expressly allowed
in the approved ~~SAP-comprehensive plan~~. The maximum floor
2394 area ratio shall be four-tenths (0.4). Development in the village
center district shall conform to the block standards and conceptual
2396 master street and block plan approved with the PD land use plan
approval and shall meet accessibility requirements of currently-
adopted editions of federal and state standards.

2398 (b) *Master street and block plan.* ~~The Any PD/LUP~~
containing property within a designated Village Center District
2400 shall include a conceptual master street and block plan shall be
consistent with the SAP. ~~At which at~~ a minimum the master street
2402 and block plan shall identify identifies the general location of
public circulator street(s), major local street(s), and defined
2404 internal circulator/corridors (defined as other than maneuvering
lanes, but less than public streets). Special attention shall be paid to
2406 cross access between adjacent parcels, which may be required by
the County Engineer to serve abutting building sites and enforced
2408 by cross-access easements that run with the land and that are
recorded by the property owner at his or her expense. Said plan
2410 shall be approved with the adoption of the SAP or as part of the
first PD land use plan approval for property in the village center. In
2412 any case, no preliminary subdivision plan or development plan
within the village center shall be approved prior to the approval of
2414 a conceptual master street and block plan.

2416 It is intended that the master street and block plan shall
show conceptual building massing and layout that create an urban
2418 corridor or center. Such conceptual building massing plan is to be
considered a guideline for, rather than binding on, future
2420 development. Structures shall be brought forward to a build-to-line
adjacent to the rights-of-way, along public streets and defined
2422 internal circulators/corridors. Although entries may be from
several directions, primary building entries and façades shall face
2424 these internal streets and circulator ways. Pedestrian plazas and
courtyards may be used as breaks in the building.

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

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(1) *Village center land use mix.*

Use	Minimum Land Area Required	Maximum Land Area Permitted
Residential *	25%	40%
Commercial, retail and services	40%	60%
Office	10%	25%
Overall nonresidential	30%	60%
Public and civic **	10%	no maximum
Public parks and green space	7.5%	no maximum

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

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

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(2) *Permitted uses.*

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

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1. Townhouses;

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2. Apartments;

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3. Condominiums;

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4. Residential dwelling units above commercial or office uses;

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~~5. Home office uses as defined in this chapter.~~

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

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SIC Group	Land Use
N/A	Community residential homes (greater than fourteen (14) clients)
0742	Veterinary hospitals and kennels within a completely enclosed soundproofed building (no outdoor runs)
43	Post offices
4724	Travel agencies
4729	Ticket agencies
4812	Cellular telephone sales and services

5231	Paint & wallpaper stores
5251	Hardware stores when contained completely within an enclosed structure with no outdoor storage and outdoor storage display. (Seasonal items generally related to a business may be located outside.)
5311	Department store shopping centers as defined in section 38-1 of this chapter
5411	Grocery stores and convenience foods with fuel pumps [a maximum of four (4) islands - eight (8) pumps] located at side or rear
5441	Candy, nut and confectionery stores
5461	Retail bakery shops
5499	Specialty food stores
5621	Women's clothing stores
5661	Clothing stores
5712	Furniture stores
5713	Floor covering stores
5722	Household appliance stores

5731	Radio, TV, electronics stores
5735	Record and tape stores
5812	Eating places, including full-service restaurants with ancillary alcohol sales
5912	Drugstores
5932	Antique furniture stores
5941	Sporting goods and bicycle shops
5942	Book stores
5943	Office supplies and stationary stores
5944	Jewelry stores
5945	Hobby, toy & game shops
5946	Camera and photography supply stores
5947	Gift shops
5948	Luggage & leather goods stores
5992	Florists
5993	Tobacco shops
5994	Newsstands, magazine

	stands
5995	Optical goods, eyeglass stores
5999	Miscellaneous retail, except auctions
60	Banks
61	Credit bureaus, mortgage loan companies, finance offices
62	Security and commodity brokers
63	Insurance carriers
64	Brokers, underwriters, insurance agencies
6531	Real estate offices, agents, apartment finders, rental service, appraisers, and managers
6541	Abstract and title services
672	Holding and investment offices and companies
673	Estate, trusts planning and management
7011	Bed and breakfast inns subject to section 38-1425(2) of this chapter
7212	Laundry and dry-

	cleaning, retail
7219	Tailoring
7221	Photographic artists, portrait, sculptors and musician studios
7231	Beauty shops
7241	Barber shops, hair stylists
7251	Shoe repair and shoe shine
7261	Funeral services except crematories and embalming
7299	Miscellaneous personal services including costume rental, dating services, tanning salons and valet parking
7311	Advertising agencies
7334	Photocopying, quick print and duplicating services
7338	Secretarial services
7359	Appliance, TV, VCR and furniture rental
7361	Employment agencies
7374	Data processing

7378	Computer maintenance and repair
7379	Computer related services
7381	Lie detector services, detective agencies, investigators
7382	Security operations, burglar and fire alarm monitoring
7384	Film processing and developing
7389	Business services
7622	Radio, TV, VCR and stereo repair
7623	Appliance repair
7631	Watch, clock and jewelry repair
7699	Locksmiths and repair services
781	Video editing
7841	Video rental
7911	Dance schools and studios
7922	Radio and television studios
7991	Physical fitness facilities

7997	Indoor sports and recreation membership clubs
8011	Medical doctors' offices and clinics
8021	Dental offices and clinics
8031	Osteopathic physicians
8111	Legal services
8231	Libraries
<u>8299</u>	<u>Music and drama schools, vocational counseling, exam preparatory schools, ceramics schools, modeling schools, personal development schools, and tutoring</u>
8322	Counselors and family services
<u>8322/8351</u>	<u>Adult/child day care centers</u>
8331	Job training and related services
8412	Museum and art galleries
8641	Civic, social and fraternal associations
8661	Churches with attendant educational building and recreational facilities

871	Engineering offices, surveyors
8712	Architectural services
8721	Accountant offices, tax consultants and bookkeeping
873	Research and development, testing services
8742	Management consulting services
8743	Public relations services
8748	Business consulting
911	Government offices
921	Courts
9221	Sheriff, public safety offices
9224	Fire stations
93	Public finance and taxation offices
94	Public health, education, social and human resource offices
95	Environmental, housing, urban planning and land management offices
96	Economic development commissions,

	transportation programs, public utilities and agricultural programs
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2450 c. The following uses and any other
uses which are not expressly permitted shall be prohibited within
the village center district:

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1. Pawn shops;

2. Bottle clubs;

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3. Veterinary services for
livestock;

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4. Hotels and motels (more than
twenty-five (25) rooms);

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5. Time share units and
transient rentals (rentals less than one hundred eighty (180) days);

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6. Escort services and tattoo
parlors;

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7. Fortune tellers, tarot card
readers, palm readers, psychics and similar uses;

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8. "Check Cashing" or "Pay
Day Loans" business:

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9. Body art, or body piercing
business;

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10. Labor pools and labor halls;

11. "Big Box" Developments.

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

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SIC Group	Land Use
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<p>074283222/8351</p>	<p><u>Boarding kennels within a completely enclosed soundproofed building and outdoor</u> runAdult/child day care centers</p>
<p>N/A</p>	<p>Communication towers subject to section 38-1427 of this Chapter</p>
<p>N/A</p>	<p><u>Street vending / Food trucks and portable food vendors</u></p>
<p>5813</p>	<p>Sale of alcohol for on-premises consumption, except as ancillary to a full-service restaurant.</p>
<p>N/A</p>	<p>Drive-throughs in conjunction with a permitted use</p>
<p>N/A</p>	<p>Any business which maintains a fleet of commercial vehicles including, but not limited to carpet and rug cleaning, exterminating and pest control, janitorial services, maid services, septic tank</p>

	cleaning, etc.
49	Utility substations and telephone switching stations
5331	Auto parts, tire dealers
5541	Automobile Service Stations [with fuel pumps: a maximum of four (4) islands/eight (8) fuel stations] located at the side or rear *
5813	Drinking establishments, cocktail lounges, pubs and bars
5921	Liquor stores subject to Section 38-1414 of this Chapter
7011	Country inns, subject to Section 38-1425 of this Chapter
7215	Coin-operated laundries
7542	Free-standing car washes that are enclosed on two (2) sides

7832	Movie theaters [exceeding eight (8) screens]
7933	Bowling centers
7941	Stadiums in conjunction with schools
7993	Arcades, slot machines, video games, and enclosed amusement centers limited in size to five thousand (5,000) square feet
7999	Indoor amusement and recreation: billiard parlors, bingo parlors, skating rinks, recreation clubs
805	Nursing homes and skilled nursing facilities as defined in Section 38-1 of this Chapter
8062	Ambulatory nursing facilities
8093	Birthing facilities, alcohol and drug treatment, aids treatment, outpatient clinics, birth control centers

82	Colleges, kindergarten, elementary, middle and high schools, (private or public)
8299	Auto driving instruction
8361	Residential care such as crisis centers, juvenile correction homes, training schools for delinquents, drug rehab centers
8422	Zoos and botanical gardens
4225	Self-storage facility **

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

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** Specific design standards for self-storage facilities shall be established at the time of PD approval, PD substantial change approval, or PSP and DP approval (as may be applicable), and included on the respective land use plan or site plan. Notwithstanding application type, the specific design standards shall be subject to approval at a public hearing before the board of county commissioners. To ensure that self-storage facilities are developed in an architecturally compatible fashion, while not precluding pedestrian accessibility, design standards shall include the following:

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- Building modulation shall be employed to break up long façades and create a visually unique project. Building modulation may be achieved through the use of horizontal and vertical projections or recesses, including awnings, overhangs or other similar architectural features. Color and textural

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changes that diminish the perceived horizontal scale and massing of buildings, with particular attention given to building corners and primary entrances, may also be used. Regardless of building modulation, self-storage facilities shall have a maximum building length of two hundred seventy-five (275) feet;

- ___ At least one primary building facade shall have a minimum transparency of fifty (50) percent on the ground floor, and a minimum transparency of twenty-five (25) percent on all remaining floors. Each other primary building facade shall have a minimum combined transparency of twenty-five (25) percent for all floors. For purposes of these design standards, transparency may consist of transparent windows, vehicular breezeways, or spandrel glass features (without opening into building wall or structure); and dormers, shutters or other architectural elements may be used to further enhance facades;

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- ___ Building elements shall not function as signage, and unique or symbolic business elements shall be secondary to the overall architectural design;

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- ___ Access to storage units shall be encouraged from the interior of the building; however, any outdoor storage or outdoor access to storage units shall be screened from street view and shall not face or be visible from any street; and

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- ___ Regardless of street frontage, projects shall be limited to two (2) curb cuts on any block face and no more than three (3) curb cuts for any parcel.

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

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1. ___ The change shall be consistent with the comprehensive plan and/or specific area plan.

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2. ___ The change shall be similar and compatible with the surrounding area and shall be



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consistent with the pattern of surrounding development.

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

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

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(3) *Ground level retail.* Buildings fronting on any APF right-of-way, or village main street of an approved SAP within a village center district must be designed to accommodate ground level retail and shall have a minimum first floor finished ceiling height of ten (10) feet. The ground level floor area may also be used for office, or civic uses. Ground level retail is not required in residential only areas, which shall be designated on the PD land use plan.

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(4) *Maximum retail floor area.* The maximum allowable gross floor area per retail establishment (excluding grocery stores and self-storage facilities/buildings) is seven thousand five hundred (7,500) square feet. Retail establishments with a gross floor area between seven thousand five hundred (7,500) square feet and fifteen thousand (15,000) square feet may be approved at a public hearing by the board of county commissioners by way of a development plan review process pursuant to section 38-1389(e). Grocery stores may not exceed fifty-four thousand (54,000) square feet and self-storage facilities/buildings may not exceed seventy-six thousand (76,000) leasable square feet and one hundred thousand (100,000) gross square feet.

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

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

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

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

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

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

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

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e. Outside dining and seating areas must be consistent with the accessibility requirements of the most recent editions of applicable federal and state standards as adopted.

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(8) *Distance separation from religious institutions and schools for alcoholic beverages in village centers.* Notwithstanding the provisions of section 38-1415(a), in order to promote a mixed use village center, the distance separation requirements for establishments selling alcoholic beverages for on-site consumption, as specified in section 38-1415(a), shall be reduced for those establishments possessing a 1COP, 2COP or

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

~~(9) Subsequent establishment of church or school. Whenever a vendor of alcoholic beverage has procured a license permitting the sale of alcoholic beverages and, thereafter, a church or school shall be established within one hundred (100) feet of the vendor of alcoholic beverages located within a village center, the establishment of such church or school shall not cause the previously licensed site to discontinue use as a vendor of alcoholic beverages.~~

(109) *Streets.* All streets and blocks in the village center shall conform to the provisions of this section.

a. *Street standards.* Standards for streets shall be as set forth in the village street cross-sections ~~found in the approved SAP or~~ as approved on a PD/LUP. All streets shall meet all applicable standards of Chapter 34 and Section 21-176, including accessibility requirements.

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

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c. *Street type and pattern.* The types and patterns of all streets in the village shall be in conformity with the ~~master transportation plan found provisions outlined in the village SAP~~Future Land Use Element Objective FLU4.3 and its underlying policies. The location of streets on the master transportation plan is approximate. Precise locations of streets, consistent with the conceptual master block plan, shall be determined in conjunction with approval of a final development plan. Street patterns shall be based primarily upon a good system of interconnecting streets. Roadway connections to existing streets shall be in compliance with all accessibility requirements of currently-adopted editions of federal and state standards and shall provide two ramps per intersection quadrant on functionally classified roadways.

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

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

2698 (d) *Development standards and approval process.* The
 2700 following standards shall apply to all development within the
 2702 village center district. Modifications to these standards may be
 2704 permitted where alternative development practices will reinforce
 2706 the planning principles established by the goals, objectives and
 policies of the village land use classification, the adopted
 SAP comprehensive plan and this village development code. Any
 such modifications to these standards shall be identified separately
 in bold on the village PD land use plan, preliminary subdivision
 plan or development plan for approval by the board of county
 commissioners at a public hearing.

2708 (1) Buildings on both sides of the street should
 2710 be designed with similar height, bulk and yard standards. Heights
 of adjacent structures may vary, but ordinarily by not more than
 one (1) story.

2712 (2) All townhouse development shall have
 access and off-street parking from the rear or via an alley.

2714 (3) *Site development standards.*

a. Minimum lot width:

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Use	Minimum Width (ft.)
Townhouse	16
Multi-family	150
Condominium	85
Retail	30
Office	30
Civic	none

2718 b. Minimum lot depth for all uses shall
 be one hundred (100) feet.

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c. Maximum lot coverage and open

space:

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Use	Percent Maximum Lot Coverage*	Percent Minimum Open Space*
Townhouse	85	25
Multi-family and Condominium	80	25
Retail	80	20
Office	80	20
Civic	80	20
<p>* The area of a porch, bay window, or arcade fronting a public street is not included in the calculation of lot coverage. Max Lot Coverage for Multi-family, Retail, Office and Civic shall refer to maximum impervious surface coverage.</p>		

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d. Maximum F.A.R. for uses in the village center is four-tenths (0.4).

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e. Minimum living area per residential dwelling unit shall be ~~one thousand (1,000) square feet for townhouses, and five hundred (500) square feet for apartments and condominiums.~~

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f. Maximum building heights are as follows, with the exception of a turret, spire, tower, or other similar architectural feature, which may exceed the maximum height of the principal building by up to fifteen (15) feet.:

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Use	Number of Stories	Height in Feet
Townhouse	4	55
Multi-family and Condominium	5	75
Parking Structures	5	60
Retail	3	50
Office	3	50
Civic	3	50
Mixed use (Residential over Commercial)	5	75

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1. ~~Multi family development shall comply with the compatibility standards established in section 38-1258. However, to promote a mix of land uses and facilitate new urbanism development patterns, waivers from these standards should be considered at the time of the land use plan approval.~~
2. ~~A turret, spire, tower, or other similar architectural feature may exceed the maximum height of the principal~~

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~~building by up to fifteen (15) feet.~~

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

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1. Up to twenty-five (25) percent of any street frontage of a building may vary from the build to line, but shall not be less than five (5) feet or more than twenty-five (25) feet in variation.

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

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

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

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

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i. Side setback: Zero (0) feet.

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

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2794 k. Village Center perimeter exterior
side setback: Fifteen (15) feet.

2796 l. Primary buildings or parking
structures may not be constructed closer than twenty (20) feet from
2798 an adjacent building or structure except where a fire wall meeting
Orange County Code requirements is provided.

2800 m. Minimum setback requirements shall
apply in all cases, except that fireplaces, eaves, balconies, and
2802 fireproof stairways may extend up to a maximum of five (5) feet
into the required setbacks.

2804 n. Patios may not be constructed within
the required setback zone. This limitation, however, does not apply
to sidewalk cafes.

2806 o. Site access. Site access and curb cuts
shall be limited as follows:

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Use	Minimum Permitted Curb Cuts
Townhouse	Access required from rear alley
Multi-family and Condominium	Two (2) curb cuts per lot
Retail	Two (2) curb cuts per lot
Office	Two (2) curb cuts per lot
Civic	Two (2) curb cuts per lot

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2812 (4) *Parking.*

2814 a. Off-street and on-street facilities shall be provided for multifamily use, hotel use, retail use, office use, and civic use in accordance with this subsection.

2816 b. The village code encourages public safety and crime prevention through environmental design. All at
2818 grade parking lots fronting village roadways shall be set setback
2820 not less than ten (10) feet from the right-of-way line from such
2822 roadways, and buffered from the street utilizing landscaping in
accordance with the landscape requirements of the village code,
and may include approved public art or approved street vendor
stands.

2824 c. Parking structures, if required, should be designed to accommodate ground level retail. This
2826 ground level floor may also be used for office, civic, or approved
2828 conditional uses. Steel parking garages and steel guard cables on
garage façades are prohibited. Structures shall separate pedestrians
2830 and automobiles, shall provide covered bicycle parking on the
ground floor, and shall be enhanced with façade treatment to
2832 integrate with the surrounding buildings when they front public
streets.

2834 d. Maximum frontage for parking lots along a village center circulator or a village center major local
2836 street shall be sixty-five (65) feet. Maximum frontage for parking
lots along any other street shall be two hundred (200) feet.

2838 e. On-street parallel parking may be counted toward the parking requirements when said parking is on
2840 the same block as the building it serves. Assignment and allocation
of on-street parking shall be shown on the final development plan
and shall meet the requirements of Section 34-171.

2842 f. Shared parking. Uses may join in establishing shared parking areas if it can be demonstrated that the
2844 parking for two (2) or more specific uses occurs at alternating time
2846 periods. Required parking shall be determined based on parking
demand for the peak parking period, as determined by parking
analysis study approved by the county zoning division.

2848 g. Parking lots and parking garages shall not:

- 2850 1. Abut street intersections or civic use areas;

2852 2. Be adjacent to public squares;
or

2854 3. Occupy lots which are at the
terminus of a street vista.

2856 h. Parking. Off-street parking shall be
2858 located to the rear or side of buildings. Off-street parking shall
2860 comply with the parking standards established in Section 38-1476.
2862 Waivers for reduced parking will be reviewed on a case by case
2864 basis for mixed-use density. Landscaping for the screening and
2866 interior of off-street parking shall comply with chapter 24,
2868 including canopy trees planted forty (40) feet on-center average, no
2870 closer than twenty (20) feet and no farther than sixty (60) feet on
2872 center, and one (1) understory tree for every twenty (20) feet. In
2874 addition, a minimum forty (40) inch masonry street wall/knee wall
with decorative finish, such as stucco or brick, including a
decorative cap shall be installed between the parking lot and the
right-of-way but shall be outside the vertical and / or horizontal
sight distances of any intersection or driveway. The wall shall not
extend over twenty-five (25) feet without an offset/projection,
pilaster, or column feature to provide aesthetic variety. On-street
parallel parking is encouraged and may be counted toward the
parking requirements when it is within the projected property lines
as the building it serves and consistent with the requirements of
Section 34-171.

2876 i. Grocery store parking. Grocery store
2878 development shall encourage walking, feature a compact layout,
and be integrated into the village's block design and configuration.

2880 (i) Parking shall be located at
2882 the rear or side of the grocery
2884 store front façade, if the front
2886 façade faces a public right-of-
2888 way. In order to reduce
2890 parking lot depth and allow
the dispersal of parking on at
least two (2) sides of the
grocery store, placement of
the grocery store entrance is
encouraged at a corner of the
building.

2892 (ii) -If the side or rear of the
grocery store faces the right-
of-way, parking may be

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

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

(iv) — Parking shall be located in modules involving delineated groups of parking spaces which are separated by landscaping, landscaped

2938 pedestrian ways, and/or
architectural features.

2940 (v) Pedestrian walkways shall be
2942 designed to provide access
between parking areas and
2944 the building entrance in a
coordinated and safe manner
2946 using clearly delineated
pavement markings and / or
2948 crosswalks consistent with
Section 30-250.

2950 j. Parking lot drives. In order to ensure
shorter block patterns with a comfortable, convenient, and
2952 walkable scale, the village center's more expansive surface parking
lots shall incorporate clearly-defined pass-throughs which serve to
2954 extend the surrounding street pattern while keeping traffic speeds
slow and providing shoppers with a safe, shaded, convenient
environment. Drives can be defined by means of:

- 2956 - Parking modules
- Repeated street tree patterns
- 2958 - Knee walls repeated within lot
- Bollards
- 2960 - Pedestrian walkways with
textured or stamped concrete or
2962 asphalt and painted or
thermoplastic crosswalk
2964 markings
- Narrow dimensions
- 2966 - Shade
- Pedestrian oriented signage
- 2968 - Parallel parking spaces

2970 (5) *Street trees and parking lot landscaping*
requirements. Landscaping should complement the pedestrian
2972 scale and character of the neighborhood, screen vehicle use areas,
provide shade for large expanses of pavement, provide visual
interest, and enhance the common open space within the

2974 neighborhood center. Accordingly, all development within the
village center shall meet the following landscape requirements:

2976 a. Landscaping shall be provided as
2978 required in chapter 9 and chapter 24, except that where buildings
2980 are located immediately abutting the sidewalk, the seven-foot-wide
2982 landscape tree and shrub strip shall not be required. In addition, the
2984 eight-foot-wide planter strip along the foundation building primary
2986 façades shall not be required. Instead, plantings shall be
encouraged within narrower (twelve-inch to twenty-four-inch
wide) sidewalk cutouts, or raised planters or pots, located along the
foundation of building primary façades. Alternative methods and
clustering of landscape that meet the intent of this division may be
approved by the county.

2988 b. Street trees shall be arranged and
2990 maintained at intersections to provide reasonable visibility for
warranted traffic control devices. Street trees shall not be planted
closer than fifteen (15) feet to the corner.

2992 c. Off-street parking and vehicle use
2994 areas. Except as provided herein, off-street parking and vehicle use
2996 areas shall be landscaped in accordance with chapter 24. Shade
trees shall be a minimum of ten (10) feet tall and have six (6) feet
of clear trunk and a minimum caliper of three (3) inches at time of
planting.

2998 d. Screening of off-street parking and
3000 vehicle use areas. Off-street parking and vehicle use areas visible
3002 from the right-of-way/roadway shall be screened per landscape
3004 code chapter 24 and as detailed in subsection d.1 below. In
3006 addition, a minimum forty (40) inch tall solid masonry wall or
other approved type of solid construction with decorative finish,
such as stucco or brick including a decorative cap, shall be
installed between the parking lot and the right-of-way. The wall
shall not extend over twenty-five (25) feet without an
offset/projection, pilaster, or column feature to provide aesthetic
variety.

3008 1. A continuous hedge, a
3010 minimum of thirty (30) inches in height, shall be planted along the
3012 outside of the wall along the full linear length of the street
3014 wall/knee wall with one (1) canopy tree planted on average of forty
(40) feet on-center and one (1) understory tree planted on average
of twenty (20) feet on-center. Groundcover, other than sod, shall
be utilized for at least fifty (50) percent of the remaining
landscaped area.

3016 2. The width of the landscaped
3018 area shall be consistent with chapter 24 for vehicle use areas and
the street wall shall be placed no closer than five (5) feet from the
property line.

3020 3. Edges of vehicle use areas
3022 which abut an adjacent property shall be planted with shrubs at
least three (3) feet high at time of planting with a maximum
3024 spacing of thirty (30) inches on-center with canopy trees and
understory trees planted in accordance with subparagraph 1 above.

3026 4. All walls shall include
reasonable breaks for pedestrian connections to adjacent uses and
3028 external sidewalks. Linear wall length shall not exceed twenty-five
(25) feet without a column, offset, or projections, or other
architectural feature.

3030 5. For parking areas with one
| hundred (100) or more spaces, ~~aan~~ eight (8) foot wide landscape
3032 strip, including a continuous hedge at a minimum thirty (30) inches
in height and canopy trees at an average of forty (40) feet on-
3034 center, shall be required along the primary entrance drive lanes.

3036 (i) Primary entrance
drive lanes are drive
lanes or isles which
3038 are created at a
primary access point
3040 or curb cut into a
development or
3042 shopping center, as
well as those drive
lanes that abut and are
3044 parallel to a building
front.

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3048 (ii) -Back-out parking is
not permitted onto
primary entrance
3050 drive lanes. Angle
parallel parking is
3052 permitted along
primary entrance
3054 drive lanes.

3056 (iii) -One (1) isle access or
isle break to the

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primary entrance drive lane shall be allowed for each two (2) internal parking lot drive isles that are provided within the parking area.

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

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

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manager or his
designee, as long as
the intent of the code
is met.

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(vi) — Where buildings or
customer

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service/seating areas
are placed at the front

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setback line, the
parking is provided in

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the rear of the
building, street trees

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are provided along the
primary façade, and

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the building area is
less than six thousand

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(6,000) square feet,
the landscape adjacent

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to the perimeter of the
building's primary

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façade, as required by
the commercial

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design standards
ordinance, may be

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reduced from eight
(8) feet for four (4)

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feet in width with
only the requirement

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for shrubs and
groundcover.

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Required street trees
shall serve to meet the

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tree planting
requirements. Up to

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fifty (50) percent of
the required landscape

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area may be provided
within the street tree

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planters.

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(vii) For apartment or
other multifamily

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structures, landscape
adjacent to the

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primary façade of the
building shall be

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provided at the base of the building at a minimum of eight (8) feet in width and shall include a combination of hedges, a minimum of thirty (30) inches in height, and groundcover and a maximum of twenty-five (25) percent sod.

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Sec. 38-1390. Park and civic use development standards.

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

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

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[Remainder of page intentionally left blank]

3176 **Section 2. *Effective date.*** This ordinance shall become effective pursuant to general
law.

3178 **ADOPTED THIS 7TH DAY OF JUNE, 2022.**

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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By: _____
Jerry L. Demings
Orange County Mayor

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3186 **ATTEST:** Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

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By: _____
Deputy Clerk

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