

Board of County Commissioners

Chapter 38 Amendments
Public Hearing

February 9, 2021



Presentation Outline

- **Ordinance Overview**
- **Requested Action**



Ordinance Overview

- **Changes to Section 38-77 - SIC 7999 Amusement and Recreation, Not Elsewhere Classified and Section 38-79 (“Conditions for permitted uses, special exceptions, etc.”)**
 - **Modify the use table to allow for certain uses in the P-O district**
 - **Add an associated condition that would specify only judo instruction, karate instruction, and yoga instruction are permitted in the P-O district, as long as the use can meet the parking requirements**



Ordinance Overview

- **Modifying Section 38-1502 (b) (“Location of dwellings in residential districts”)**
 - Provide an option for lots or parcels created through the division or split of land to have access to a roadway via a minimum of a twenty foot wide permanent recorded easement when approved by the County Engineer.



Ordinance Overview

Section 38-1502 (b): No dwelling shall be erected on a lot which does not abut a street for a distance of at least fifteen (15) feet. Also, except to the extent that it may be inconsistent or conflict with a requirement of the subdivision regulations, Any lot or parcel created through a divisions or splits of land, lot or parcels shall have access to a roadway that is a minimum of twenty (20) feet in width of and exists in fee simple. ~~access to a roadway~~ **Alternatively, assuming a lot or parcel meets all applicable code and statutory requirements for development or, when approved by the County Engineer may, upon good cause shown, permit access for safe and adequate ingress or egress via as a recorded permanent easement of at least twenty (20) feet in width; such width may be reduced to fifteen (15) feet if such permanent easement was recorded prior to September 23, 2016. for safe and adequate access or ingress/egress.,** ~~except to the extent that requirement is inconsistent or conflicts with the requirements of the subdivision regulations.~~



Ordinance Overview

- **Amendment to Section 38-1755 (o) (“School site standards”)**
 - **38-1755 (o) (2) b. Reduce the minimum setback for an EMC ground sign from ten feet to five feet**
 - **38-1755 (o) (2) d. Allow the maximum allowable copy area for EMC ground signs be 32 square feet, regardless of proximity to a residential use or zone**
 - **38-1755 (o) (3) Allow the zoning manager or their designee to grant administrative waivers from the sign code where application of these provisions would result in a practical difficulty or physical hardship**



Action Requested

- **Make a finding of consistency with the Comprehensive Plan, and adopt the ordinance amending Chapter 38, with the revisions presented by the staff today, and with authorization to correct any non-substantial grammatical or scrivener's errors.**

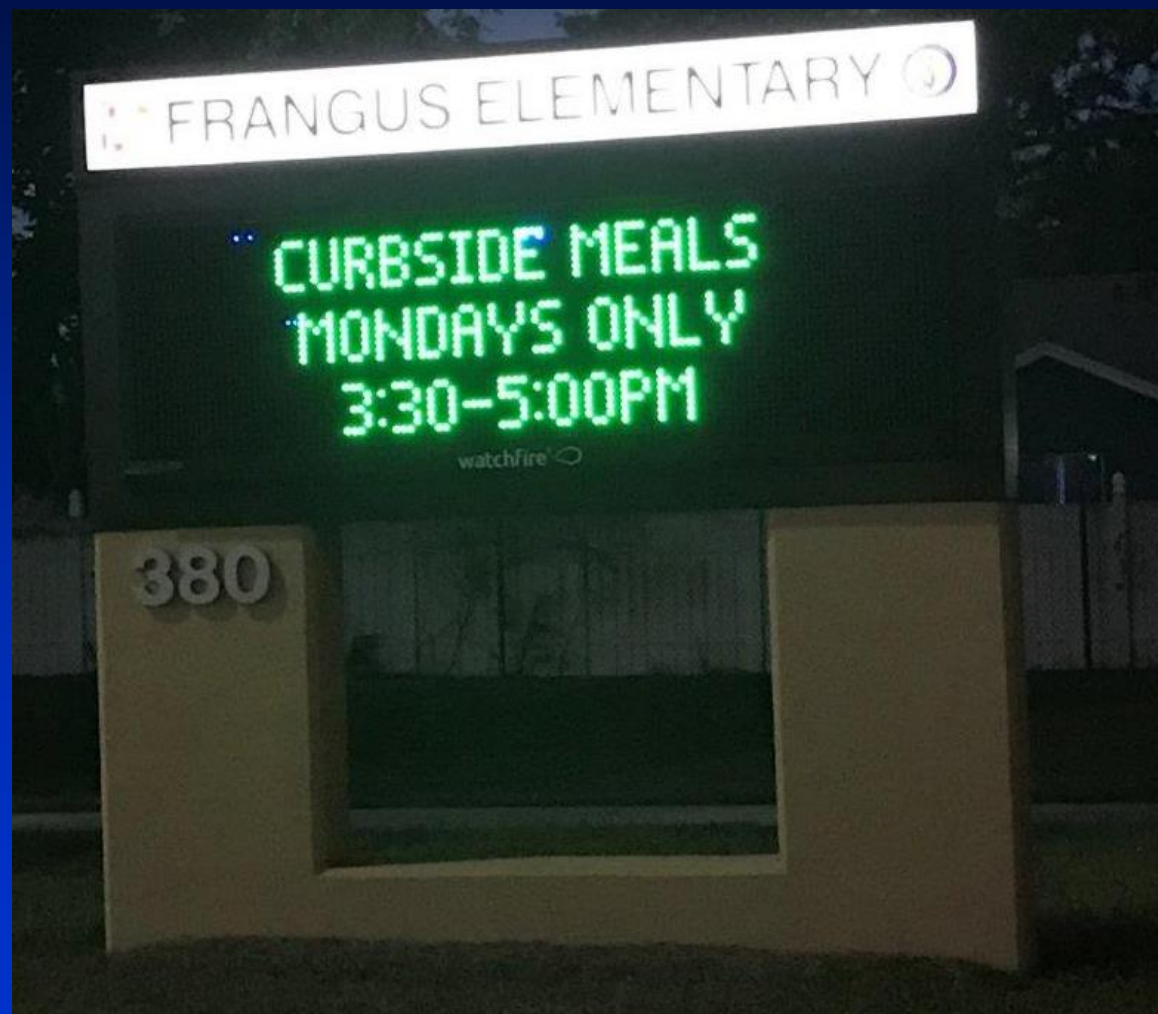


Existing and Proposed Signage





EMC Sign at Frangus ES





Ordinance Overview

Section 38-1502 (b): No dwelling shall be erected on a lot which does not abut a street for a distance of at least fifteen (15) feet. Also, except to the extent that it may be inconsistent or conflict with a requirement of the subdivision regulations, ~~Any lot or parcel created through a divisions or splits of land, lot or parcels~~ shall have access to a roadway that is a minimum of twenty (20) feet in width of and exists in fee simple access to a roadway or, when approved by the County Engineer in accordance with any applicable county policies, shall have access via as a recorded permanent easement for safe and adequate access or ingress/egress., ~~except to the extent that requirement is inconsistent or conflicts with the requirements of the subdivision regulations.~~



Ordinance Overview

Amendment to Section 38-77 ("Use Table"). Section 38-77, the Use Table as follows:

Uses Per Zoning Code	SIC Group	Land Use	A-1	A-2	A-R	RCE-5	RCE-2	RCE	R-1AAAA	R-1AAA	R-1AA	R-1A	R-1	R-2	R-3	RCE Cluster	RT	RT-1	RT-2	P-O	C-1	C-2	C-3	I-1A	I-1, I-5	I-2, I-3	I-4	U-V (see 29)	R-L-D	UR-3	NC	NAC	NR
Fortune tellers, billiard parlors, bingo parlors, indoor skating rinks, karate instruction	7999	Amusement & Recreation (Indoor Uses)																		<u>108</u>	85	85	85	85	85	85							
																				<u>P</u>	P	P	P	P	P	P							



Ordinance Overview

Amendment to Section 38-79 ("Conditions for permitted uses, special exceptions, etc.) as follows:

(108) ~~Reserved~~. Only the uses of judo instruction, karate instruction, and yoga instruction shall be permitted, subject to meeting the minimum parking requirements for such uses.



Ordinance Overview

Section 38-1755 ("School site standards')

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(o) Signage shall comply with the county's sign ordinance codified at chapter 31.5 of the Orange County Code, including section 31.5-16 related to electronic message centers (EMC), except that the following standards shall apply to an EMC to the extent these standards conflict or are inconsistent with chapter 31.5 and section 31.5-16:

(1) An EMC shall be prohibited on a wall sign and a pole sign.

(2) An EMC shall be permitted on a ground sign, provided:

a. The maximum height of the ground sign shall be eight (8) feet;

b. The minimum setback for the ground sign shall be ~~ten (10)~~ five (5) feet from all property lines;

c. A maximum of one (1) such ground sign may be permitted;



Ordinance Overview

Section 38-1755 ("School site standards')

- (2) d. The maximum allowable copy area for such a ground sign shall be thirty-two (32) square feet, ~~except that the maximum allowable copy area shall be nineteen (19) square feet when the ground sign is located within one hundred (100) feet of a residential use or zone;~~
- e. The EMC shall be used only to advertise school related functions or events;
- f. Such a ground sign shall be separated from a pole sign by a distance of at least one hundred (100) feet;
- g. The EMC shall be turned off or placed in "sleep mode" from 9:00 p.m. to 6:00 a.m. of the next day.
- (3) The zoning manager or his or her designee is authorized to grant an administrative waiver from this section where the school board shows that application of this subsection to a specific site would result in a practical difficulty or physical hardship affecting the use or operation of the property. If an administrative waiver is sought but not granted, the school board may request a modification pursuant to Section 38-1 758(c).