**ORDINANCE NO. 2877**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF APOPKA BY AMENDING PART III – LAND DEVELOPMENT CODE; ARTICLE 2 ADMINISTRATION, SECTION 2.4 STANDARD REVIEW PROCEDURES, SUBSECTION 2.4.2 PRE-APPLICATION COMMUNITY MEETING PROVIDING FOR THE REMOVAL OF THE PRE-APPLICATION REQUIREMENT; BY AMENDING PART III, ARTICLE 3 ZONING DISTRICTS, SECTION 3.2 AGRICULTURAL AND TRANSITIONAL BASE ZONING DISTRICTS, SUBSECTION 3.2.3 AG: AGRICULTURAL DISTRICT TO MODIFY SETBACK REQUIREMENTS; BY AMENDING PART III, ARTICLE 3, SECTION 3.3 RESIDENTIAL BASE ZONING DISTRICTS, SUBSECTION 3.3.4 RSF-1A: RESIDENTIAL SINGLE-FAMILY ESTATE DISTRICT TO MODIFY LOT WIDTH REQUIREMENTS; BY AMENDING PART III, ARTICLE 3, SECTION 3.3, SUBSECTION 3.3.5 RSF-1B: RESIDENTIAL SINGLE-FAMILY DISTRICT-LARGE LOT TO MODIFY LOT WIDTH REQUIREMENTS; BY AMENDING PART III, ARTICLE 3, SECTION 3.3, SUBSECTION 3.3.6 RTF: RESIDENTIAL TWO FAMILY DISTRICT TO MODIFY LOT WIDTH AND SETBACK REQUIREMENTS; BY AMENDING PART III, ARTICLE 3, SECTION 3.3, SUBSECTION 3.3.7 RMF: RESIDENTIAL MULTI-FAMILY DISTRICT TO MODIFY LOT WIDTH AND SETBACK REQUIREMENTS; BY AMENDING PART III, ARTICLE 3, SECTION 3.3, SUBSECTION 3.3.8 RMU: RESIDENTIAL MIXED-USE DISTRICT TO MODIFY LOT WIDTH REQUIREMENTS; BY AMENDING PART III, ARTICLE 3, SECTION 3.6 SPECIAL PURPOSE BASE ZONING DISTRICTS; SUBSECTION 3.6.7 MU-ES-GT: MIXED USE EAST SHORE-GATEWAY SUBDISTRICT TO MODIFY TRANSPARENCY REQUIREMENTS; BY AMENDING PART III, ARTICLE 4 USE REGULATIONS, SECTION 4.2 PRINCIPAL USES, SUBSECTION 4.2.2 PRINCIPAL USE TABLE TO PROVIDE FOR PERMITTED USES AND SPECIAL EXCEPTION USES; BY AMENDING PART III, ARTICLE 4, SECTION 4.2, SUBSECTION 4.2.3 STANDARDS SPECIFIC TO PRINCIPAL USES TO MODIFY SWIMMING POOL STANDARDS; BY AMENDING PART III, ARTICLE 4, SECTION 4.2, SUBSECTION 4.2.3 TO ADD CAR WASH (ENCLOSED) STANDARDS; BY AMENDING PART III, ARTICLE 4, SECTION 4.3 ACCESSORY USES AND STRUCTURES; SUBSECTION 4.3.4 STANDARDS SPECIFIC TO ACCESSORY USES AND STRUCTURES TO MODIFY SWIMMING POOL STANDARDS; BY AMENDING PART III, ARTICLE 4, SECTION 4.4 TEMPORARY USES AND STRUCTURES, SUBSECTION 4.4.4 STANDARDS SPECIFIC TO TEMPORARY USES AND STRUCTURES TO ADD STANDARDS RELATING TO THE STORAGE OF BOATS, RECREATIONAL VEHICLES, AND TRAILERS; BY AMENDING PART III, ARTICLE 5 DEVELOPMENT STANDARDS, SECTION 5.1 OFF-STREET PARKING, BICYCLE PARKING, AND LOADING STANDARDS, SUBSECTION 5.1.5 GENERAL STANDARDS FOR OFF-STREET VEHICULAR PARKING AND LOADING AREAS TO MODIFY REAR-LOADING LOT STANDARDS; BY AMENDING PART III, ARTICLE 5, SECTION 5.2 LANDSCAPING AND BUFFER STANDARDS, SUBSECTION 5.2.5 LANDSCAPING AND BUFFER STANDARDS TO ADD FLORIDA-FRIENDLY LANDSCAPING GROUNDCOVERS STANDARDS; BY AMENDING PART III, ARTICLE 5, SECTION 5.5 FENCES AND WALLS; SUBSECTION 5.5.6 MATERIALS STANDARDS TO MODIFY CHAIN-LINK STANDARDS; BY**

**AMENDING PART III, ARTICLE 5, SECTION 5.6 EXTERIOR LIGHTING, SUBSECTION 5.6.7 GENERAL STANDARDS FOR EXTERIOR LIGHTING TO MODIFY MAXIMUM HEIGHT STANDARDS; BY AMENDING PART III, ARTICLE 5, SECTION 5.13 ROADS, STREETS, SIDEWALKS, AND BIKEWAYS, SUBSECTION 5.13.2 MINIMUM STREET DESIGN AND CONSTRUCTIONS STANDARDS TO MODIFY ACCESS POINTS STANDARDS; BY AMENDING PART III, ARTICLE 5, SECTION 5.13, SUBSECTION 5.13.5 PRIVATE STREETS TO MODIFY AUTOMATIC OPENING DEVICE STANDARDS; BY AMENDING PART III, ARTICLE 10 DEFINITIONS AND RULES OF MEASUREMENT, SECTION 10.2 RULES OF MEASUREMENT, SUBSECTION 10.2.4 EXCEPTIONS AND VARIATIONS TO MODIFY MEASUREMENT REQUIREMENTS; BY AMENDING PART III, ARTICLE 10, SECTION 10.4 DEFINITIONS TO DEFINE CIGAR BAR; BY AMENDING PART III, APPENDIX A MIXED-USE KELLY PARK INTERCHANGE (MU-KPI) FORM-BASED CODE, SECTION F PERMITTED USES TO MODIFY PERMITTED USES; BY AMENDING PART III, APPENDIX A, SECTION K BUILDING DESIGN STANDARDS, SUBSECTION G SINGLE-FAMILY RESIDNETIAL TO MODIFY REAR-LOADING LOTS STANDARDS; BY AMENDING PART III, APPENDIX B DROUGHT TOLERANT GRASSES LIST TO ADD FLORIDA-FRIENDLY LANDSCAPING GROUNDCOVERS STANDARDS; BY AMENDING PART III, APPENDIX D DEVELOPMENT DESIGN GUIDELINES, SECTION 4.2.3 BUILDING FACADES/FENESTRATION TO MODIFY REFLECTIVE GLASS STANDARDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Section 166.021(3), Florida Statutes, provides, in pertinent part, that "[t]he Legislature recognizes that pursuant to the grant of powers set forth in Section 2(b), Art. VIII of the State Constitution, the legislative body of each municipality has the power to enact legislation concerning any subject matter upon which the state legislature may act" except for certain very limited matters; and

**WHEREAS**, pursuant to Florida Law chartered municipalities have original jurisdiction over all streets and highways located within their boundaries; and

**WHEREAS,** the City of Apopka Land Development Code requires amending periodically to include needed amendments to protect the health, safety, and welfare of all persons in the City; and

**WHEREAS**, City of Apopka Code of Ordinances, Florida, Part III Land Development Code regulates the development and uses within the City of Apopka; and

**WHEREAS**, the City Council of the City of Apopka, Florida, has determined that the continued protection of the health, safety, and welfare of its citizens, and keeping the Land Development Code updated is for the benefit of the City, various Articles are being amended accordingly.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF APOPKA, FLORIDA, AS FOLLOWS:**

**(Words in ~~strike through~~ type are deletions; words in <u>underscore</u> type are additions; and * * * * indicate an omission from the existing text which is intended to remain unchanged.)**

**SECTION I.** Article 2, Section 2.4, subsection 2.4.2, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

## 2.4.2. - ~~Pre-Application~~ Community Meeting

A. **Purpose.** The purpose of the ~~pre-application~~ community meeting is to educate owners and residents of nearby lands about a proposed application that is reviewed under this LDC, and to provide the applicant an opportunity to hear comments and concerns about the proposal and resolve conflicts and outstanding issues where possible, before ~~formally submitting an application~~the public hearing process. A ~~pre-application~~ community meeting serves as an opportunity for informal communication between the applicant and owners and residents of nearby land, and other residents affected by a development proposal.

B. **Applicability**

1. **Community Meeting Required.** A ~~pre-application~~ community meeting is required before any of the following applications are submitted:

   a. Zoning district map amendments, except city-initiated amendments (Sec. 2.5.1.D, General Map Amendment and Sec. 2.5.1.E, Site-Specific Map Amendment (Rezoning));

   b. Planned developments, (Sec. 2.5.1.F Planned Development); ~~and~~or

   c. Special exceptions (Sec. 2.5.1.G Special Exception Permit).

   d. Additional applications as required by the Director.

2. **Community Meeting Optional.** A ~~pre-application~~ community meeting may also be held at the applicant's option before the first public hearing ~~submission~~ of any development application not identified in Sec. 2.4.2.B.1, ~~Community Meeting Required,~~ above. ~~Pre-application community~~ Community meetings are particularly encouraged as opportunities for informal communication before the public hearing process ~~submitting any application~~ requiring a public hearing in accordance with Table 2.2.1, Summary Table of Development Review Responsibilities.

3. **Community Meeting Waived.** The requirement for a community meeting may be waived by the Director.

C. ~~**Pre-Application**~~ **Community Meeting Procedure.** If a ~~pre-application~~ community meeting is conducted, it shall comply with the following requirements.

1. **Meeting Location and Time.** The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the application. It shall be scheduled to start between 6:00 p.m. and 8:00 p.m. on a weekday, or between 1:00 p.m. and 8:00 p.m. on a weekend it shall be completed before the application is submitted.

2. **Notification**

   a. **Mailed Notice.** The applicant shall mail notice of the meeting a minimum of 14 days in advance of the meeting, in a form and manner established by the Procedures Manual, to:

      1. The Director;

      2. The owner of land subject to the application (if different from the applicant);

3. Any persons to whom mailed notice of a public hearing on the application is required by Sec. 2.4.7.C.2, Mailed Notice Requirements; and

4. Any organization or person who have registered to receive notice in accordance with Sec. 2.4.7.C.8, Registration to Receive Notice by Mail.

b. **Posted Notice.** The applicant shall also post notice of the ~~pre-application~~ community meeting on the land subject to an application at least 14 days before the date of the meeting, in a form established by the Procedures Manual.

c. **Notice Content.** The mailed and posted notices shall state the time and place of the meeting, the purpose of the meeting, include a basic map identifying the land associated with the development, summarize the general nature of the development proposal, and the type of development approval or permit sought.

3. **Conduct of Meeting.** The meeting shall be open to the public. At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to questions and concerns attendees raise about the proposed application, and discuss ways to resolve conflicts or concerns.

4. **Written Summary of Meeting.** The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments and issues discussed related to the development proposal, and any other information the applicant deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection in accordance with Sec. 2.4.3.G, Examination and Copying of Application/Other Documents.

5. **Response to Summary.** Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Director after the application is determined complete. The response may state that person's understanding of attendee comments, discuss issues related to the development proposal, and include any other information deemed appropriate. All written responses to the applicant's summary of the community meeting shall be included with the application materials, and made available for public inspection in accordance with Sec. 2.4.3.G, Examination and Copying of Application/Other Documents.

**SECTION II.** Article 3, Section 3.2, subsection 3.2.3, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**3.2.3. - AG: Agriculture District**

* * * *

C. **Intensity and Dimensional Standards**

| **Standard** | **Single-family [1]<br>Mobile Home [3]** | **All Other Uses** |
|---|---|---|
| Lot Area, min. (sf.) | 108,900 | 108,900 |

| Standard | | Single-family [1]<br>Mobile Home [3] | All Other Uses |
|---|---|---|---|
| Living Area, min. (sf.) | | 2,000 | Not applicable |
| 1 | Lot Width, min. (ft.) | 150~~(1)~~[2] | None |
| 2 | Front Yard Setback, min. (ft.) | 45 | ~~100~~50 |
| 3 | Side Yard Setback, min. (ft.) | 35 | ~~100~~50 |
| 4 | Corner Side Yard Setback, min. (ft.) | 35 | ~~100~~50 |
| 5 | Rear Yard Setback, min. (ft.) | 50 | ~~100~~50 |
| Building Height, max. (ft.) | | 35 | 35 |
| Density, max (~~dus~~du/acre) | | 0.4[4] | 0.4[4] |

**Notes:** sf. = square feet; ft. = feet; min.= minimum; max.= maximum
[1] Lot area, minimum is applied for every dwelling unit.
[2] Lots located on culs-de-sac ~~and~~ or on curves are allowed to reduce lot width by up to 40 percent of the minimum width at the property line, but are required to maintain a 150 feet width at the building line.
[3] Use-Specific Standards in accordance with Sec. 4.2.3.C.1.d.
[4] Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) shall be restricted to no more than two dwelling units an acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan. Refer to Apopka Comprehensive Plan.

* * * *

**SECTION III.** Article 3, Section 3.3, subsection 3.3.4, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**3.3.4. - RSF-1A: Residential Single-Family Estate District**

* * * *

C. **Intensity and Dimensional Standards**

| Standard | | Single-family [one du] | All Other Uses |
|---|---|---|---|
| Lot Area, min. (sf.) | | 12,500 | 12,500 |
| Living Area, min. (sf.) | | 1,800 | Not applicable |
| 1 | Lot Width, min. (ft.) | 95[2] | 95[2] |
| 2 | Front Yard Setback, min. (ft.) | 25 | 25 |
| 3 | Side Yard Setback, min. (ft.) | 10 | 10 |
| 4 | Corner Side Yard/Double Front Setback, min. (ft.) | 25 | 25 |
| 5 | Rear Yard Setback, min. (ft.) | 25 | 25 |
| Building Height, max. (ft.) | | 35 | 35 |
| Density, max (du/acre) | | 3 [1] | 3 [1] |

**Notes:** sf. = square feet; ft. = feet; min.= minimum; max.= maximum; du = dwelling unit
[1] Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) shall be restricted to no more than two dwelling units an acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan. Refer to the Apopka Comprehensive Plan.
[2] Lots located on a cul-de-sac or on curves are allowed to reduce lot width by up to 40 percent of the minimum width at the property line, but are required to maintain a 95 feet width at the building line.

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**SECTION IV.** Article 3, Section 3.3, subsection 3.3.5, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**3.3.5. - RSF-1B: Residential Single-Family District—Large Lot**

* * * *

C. **Intensity and Dimensional Standards**

| **Standard** | | **Single-family [one du]** | **All Other Uses** |
|---|---|---|---|
| Lot Area, min. (sf.) | | 8,000 | 8,000 |
| Living Area, min. (sf.) | | 1,600 | Not applicable |
| 1 | Lot Width, min. (ft.) | 75 [2] | 75 [3] |
| 2 | Front Yard Setback, min. (ft.) | 25 | 25 |
| 3 | Side Yard Setback, min. (ft.) | 10 | 10 |
| 4 | Corner Side Yard/Double Front Setback, min. (ft.) | 25 | 25 |
| 5 | Rear Yard Setback, min. (ft.) | 25 | 25 |
| Building Height, max. (ft.) | | 35 | 35 |
| Density, max (du/acre) | | 5 [1] | Not applicable |

**Notes:** sf. = square feet; ft. = feet; min.= minimum; max.= maximum; du = dwelling unit
[1] Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) shall be restricted to no more than 2 development units an acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan. Refer to the Apopka Comprehensive Plan.
[2] Lots located on a *cul-de-sac* or on curves are allowed to reduce lot width by up to 40 percent of the minimum width at the property line, but are required to maintain a 75 feet width at the building line.
[3] Lots located on a *cul-de-sac* or on curves are allowed to reduce lot width by up to 40 percent of the minimum width at the property line, but are required to maintain a 75 feet width for other uses at the building line with Community Development Director's approval.

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**SECTION V.** Article 3, Section 3.3, subsection 3.3.6, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**3.3.6. - RTF: Residential Two-Family District**

* * * *

C. **Intensity and Dimensional Standards**

| | **Standard** | **Single-family [one du]** | **Two-Family [two du]** | **All Other Uses** |
|---|---|---|---|---|
| | Lot Area, min. (sf.) | 7,500 | 15,000 | 7,500 |
| | Living Area, min. (sf per unit) | 1,500 | 1,500 | Not applicable |
| 1 | Lot Width, min. (ft.) | 70 [3] | ~~140~~125 [1] | 70 |
| 2 | Front Yard Setback, min. (ft.) | 25 | 25 | 25 |
| 3 | Side Yard Setback, min. (ft.) | 7.5 [1] | ~~18~~7.5 and 0 [1] | 7.5 [1] |
| 4 | Corner Side Yard/Double Front Setback, min. (ft.) | 25 | 25 | 25 |
| 5 | Rear Yard Setback, min. (ft.) | 25 | 25 | 25 |
| | Building Height, max. (ft.) | 35 | 35 | 35 |
| | Density, max (dus/acre) | 5 [2] | 5 [2] | Not applicable |

**Notes:** sf. = square feet; ft. = feet; min.= minimum; max.= maximum; du = dwelling unit
[1] Minimum of 15 feet between structures; 0 feet on one side for duplex party wall attached dwelling units.
[2] Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) will be restricted to no more than two dwelling units per acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan. Refer to the Apopka Comprehensive Plan.
[3] Lots located on a *cul-de-sac* or on curves are allowed to reduce lot width by up to 40 percent of the minimum width at the property line, but are required to maintain a 70 feet width for Single-family at the building line.

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**SECTION VI.** Article 3, Section 3.3, subsection 3.3.7, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**3.3.7. - RMF: Residential Multi-Family District**

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C. **Intensity and Dimensional Standards**

| **Standard** | | **Single-family [one du]** | **Two-Family & Townhome** | **Multi-Family** | **All Other Uses** |
|---|---|---|---|---|---|
| Lot Area, min. (sf.) | | 7,500 | 15,000 | 43,560 | 7,500 |
| Living Area, min. (sf per unit) | | 1,500 | 1,500 | 750 (1 bd)<br>900 (2+ bd) | Not applicable |
| 1 | Lot Width, min. (ft.) | 70 [3] | ~~140~~125 | 100 | 70 |
| 2 | Front Yard Setback, min. (ft.) | 25 | 25 | 25 | 25 |
| 3 | Side Yard Setback, min. (ft.) | 7.5 [1] | 10 [1] | 15[1] | 7.5 |
| 4 | Corner Side Yard/Double Front Setback, min. (ft.) | 25 | 25 | 25 | 25 |
| 5 | Rear Yard Setback, min. (ft.) | ~~25~~20 | ~~25~~20 | 25 | 25 |
| Building Height, max. (ft.) | | 35 | 35 | 35 | 35 |
| Density, max (du/acre) | | 5 [2] | Two-Family: 5<br>Townhome: 10 [2] | 10 [2] | Not applicable |

**Notes:** sf. = square feet; ft. = feet; min.= minimum; max.= maximum; du = dwelling unit
[1] Minimum of 15' between structures, only applies to exterior units.
[2] Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) shall be restricted to no more than two dwelling units an acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan. Refer to the Apopka Comprehensive Plan.
[3] Lots located on a cul-de-sac or on curves are allowed to reduce lot width by up to 40 percent of the minimum width at the property line, but are required to maintain a 70 feet width at the building line.

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**SECTION VII.** Article 3, Section 3.3, subsection 3.3.8, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**3.3.8. - RMU: Residential Mixed-Use District**

* * * *

C. **Intensity and Dimensional Standards**

| **Standard** | | **Townhome** | **Multi-Family** | **Other Uses** |
|---|---|---|---|---|
| Lot Area, min. (sf.) | | 8,000 | 8,000 | 5,000 |
| Living Area, min. (sf per unit) | | 1,350 | 750 (1 bd)<br>900 (2+ bd) | 750 |
| 1 | Lot Width, min. (ft.) | 50 | 100 | 100 |
| 2 | Front Yard Setback, min. (ft.) | 15 | 15 | 15 |
| 3 | Side Yard Setback, min. (ft.) | 7.5 [1] | 10 [1] | 10 [1] |
| 4 | Corner Side Yard/Double Front Setback, min. (ft.) | 7.5 | 20 | 10 [1] |
| 5 | Rear Yard Setback, min. (ft.) | 20 | 25 | 25 |
| Building Height, max. (ft.) | | 35 | 35 | 35 |
| Density, max (du/acre) | | 5 [2] | 8 [2] | Not applicable [2] |

**Notes:** sf. = square feet; ft. = feet; min.= minimum; max.= maximum; bd = bedroom
[1] Only applies to the exterior units.
[2] Residential development north of Ponkan Road and west of Rock Springs Road (Park Avenue) will be restricted to no more than two dwelling units an acre, unless otherwise authorized through the adopted Wekiva Parkway Interchange Plan. Refer to the Apopka Comprehensive Plan.

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**SECTION VIII.** Article 3, Section 3.6, subsection 3.6.7, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

## 3.6.7. - MU-ES-GT: Mixed-Use East Shore-Gateway Subdistrict

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D. **Other Standards, MU-ES-GT (Gateway)**

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|---|---|
| Use Mixing | For sites over 25 acres that are adjacent to arterial or collector roads, nonresidential uses shall be at least 20 percent and no more than 50 percent of the site. Compliance with this requirement shall occur within seven years of the date of approval of the development. Compliance shall be measured based on the floor area of the use, as a percentage of the overall constructed floor area of the development.<br>An applicant may request an increase or decrease in the percentage by the City Council. Justifications by the applicant shall depend on surrounding land use, existing development patterns, or other land use factors including (but not limited to) utilities, roads, development intensity or environmental factors. |
| Block Standards | The maximum block perimeter shall not exceed 2,000 ft. |
| Connectivity | The vehicular, bicycle, and pedestrian circulation systems of development shall be designed to allow vehicular, bicycle, and pedestrian cross-access between the site and adjacent parcels of land. The Director may waive or modify the requirement on determining that such cross-access is impractical due to site constraints, or is inappropriate due to traffic safety issues, or undesirable due to the proposed development's incompatibility with existing development on the adjacent parcel.<br>Easements allowing vehicular, bicycle, or pedestrian cross-access between adjoining parcels of land, along with agreements defining maintenance responsibilities of the property owners, shall be recorded in the appropriate land records. |
| Pedestrian Circulation | Sidewalks shall be provided on both sides of the street, with a planting strip (Street trees at 1 per 40 feet on center (on average), ground cover and/or grates are located in this planting area) of 11 feet wide on avenue streets and six feet wide on local streets between the sidewalk and the street. Sidewalks shall be at least eight feet wide along avenue street frontages (to accommodate street furniture, outdoor dining, or other pedestrian amenities) and six feet wide along local streets. Sidewalks along pedestrian street frontages shall maintain a pedestrian "clear zone" that is unobstructed by any permanent or nonpermanent object for a minimum width of four feet.<br>Where a sidewalk or other walkway crosses a street, driveway, drive aisle, or parking lot, the crossing shall be clearly marked with a change in paving material, color, or height, or decorative bollards. |
| Building Facades | Façades shall not exceed 20 horizontal feet and ten vertical feet without including at least one of the following elements:(canopies, recesses, arcades, raised parapets, roof forms, adjacent display windows) to establish clearly |

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|---|---|
| | defined, highly visible, primary building entrances. Building facades along public streets shall maintain a pedestrian scale and integrate the public and private spaces using architectural elements. |
| Building Massing and Façade Articulation | Therefore, building facades shall not exceed 60 feet along a street frontage without providing a substantial volume break such as a volume recess, a tower or bay, or an architecturally prominent public entrance The recesses and projections shall have a minimum depth of three feet. |
| Flat Roof Design | When a flat roof is proposed, parapet walls with three-dimensional cornice treatments shall conceal the roof. The cornice shall include a perpendicular projection of a minimum of eight (8) inches from the parapet facade plane. |
| Building Orientation | Locate and configure outparcels and their buildings to define street edges, development entry points, and gathering spaces. The outparcels shall meet the build-to-line setbacks. Additional buildings may be on the same parcel and are permitted to be setback further from the road, if outparcels are framing the street and meet the building width minimum percentage requirement. |
| Building Entrances | All primary pedestrian entrances into principal buildings shall be clearly defined and emphasized using changes in the wall plane or facade material, pilasters, awnings, canopies, porches, or other architectural elements. Where the facade of a principal building abuts or faces a street, at least one operable pedestrian entrance providing both ingress and egress shall be provided. If the facade includes multiple tenant spaces, at least one such entrance shall be provided for each street-level tenant space. These required pedestrian entrances shall open directly to the street sidewalk without requiring pedestrians to pass through a garage, parking lot, or other non-pedestrian area located between the entrance and the street. |
| Transparency | Where the facade of a building abuts or faces a street or an adjoining public gathering space, a minimum of 25 percent the street-level facade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise so as to enhance safety and create a more inviting environment for pedestrians.<br>Window and door openings counting toward meeting this transparency requirement shall consist of glass that is relatively clear and nonreflective, with a minimum of twenty-five (25%) percent transparency (windows) (See 4.2.3) ~~visible light transmittance of 0.65 and maximum visible light reflectance of 0.2~~. |
| Parking | Along any street, all proposed new or additional surface vehicle parking shall be predominately located to the rear or side of the development's principal building(s) or in a parking structure. No more than two bays of parking may be located in the front of the building.<br>Surface parking lots with more than 100 parking spaces shall be organized into smaller modules that contain 50 or fewer spaces each and are visually |

| | |
|---|---|
| | separated by buildings or landscaped areas.<br>All vehicle parking lots and structures containing more than 50 parking spaces shall provide clearly identified pedestrian routes between parking areas and a primary pedestrian entrance(s) to the building(s) served by the parking area. |
| Bicycle Parking | New development shall provide at least one bicycle rack, locker, or other bicycle parking facility designed to accommodate parking spaces for at least four bicycles, plus additional or larger facilities designed to accommodate parking spaces for at least two additional bicycles for each 40 vehicle parking spaces over 80 parking spaces. Required bicycle parking facilities shall be located within 50 feet of the primary pedestrian entrance(s) to the development's principal building(s). |
| Parking Structure | Where the street-level facade of a parking structure abuts or faces a pedestrian street frontage, the facade shall be articulated through use of at least three of the following features: (1) windows or window-shaped openings; (2) masonry columns; (3) decorative wall insets or projections; (4) awnings; (5) changes in color or texture of exterior materials; (6) integrated vegetation (hanging or along trellises); or (7) other similar features approved by the Director. |
| Development Compatibility | Sec. 5.9, Neighborhood Compatibility Standards, shall only apply to proposed nonresidential and multifamily development abutting a residential zoning district, and only along shared property lines. No buffers shall be required between any other uses, unless specifically required as part of the approval of a special exception permit. (See Sec. 2.5.1.G, Special Exception Permit.) |
| Open Space | Each development shall provide outdoor gathering spaces such as courtyards, plazas, pocket parks, where appropriate for the area being served. At a minimum, provide pedestrian amenities such as plazas, seating areas or gathering spaces between buildings that are visible and accessible. |

**SECTION IX.** Article 4, Section 4.2, subsection 4.2.2, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**4.2.2. - Principal Use Table**

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## TABLE 4.2.2.C: PRINCIPAL USE TABLE

P = PERMITTED USE
A= ALLOWED USE IN A PD DISTRICT IF APPROVED AS PART OF PD PLAN
S=ALLOWED WITH APPROVAL OF SPECIAL EXCEPTION
BLANK CELL = USE IS PROHIBITED

| Principal Use Category | Principal Use Type | Agricultural & Transitional Districts | | Residential Districts | | | | | | | Commercial Districts | | | | | Industrial Districts | | Special Purpose Districts | | | | | | | Planned Development District | Use-Specific Standard |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | AG | T | RCE | RSF-1A | RSF-1B | RTF | RMF | RMU | MHP | C-N | C-C | O | C-COR | C-R | I-L | I-H | MU-D | MU-ES NM | MU-ES GT | MU-ES RTE | INST | PR | AIR | PD | |
| **** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **Public, Civic, and Institutional** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Community Service Uses | Adult day care facility | S | | S | S | S | S | P | P | | S | P | P | P | P | | | P | P | P | P | | | | A | 4.2.3.D.2.a |
| | Child care facility | S | | S | S | S | S | P | P | | S | S | S | S | S | | | P | P | P | P | | | | A | 4.2.3.D.2.b |
| | Club or lodge | | | | | | | | | | | P | | P | P | P | | P | P | P | P | | | | A | |
| | Community center/facility | | | | | | | P | P | | | P | P | P | P | | | P | P | P | P | P | P | | A | |
| | Cultural facility | S | | | | | S | S | P | | S | P | | P | P | | | P | P | P | P | P | P | | A | |
| | Emergency services facility | | | | | | S | P | P | | | P | P | P | P | P | P | P | P | P | P | P | | | A | |
| | Philanthropic institution | | | | | | | S | S | | S | P | | | P | | | P | P | P | P | P | | | A | |
| | Post office | S | | | | | | | | | | | | | | | | | | | | | | | | |
| | Place of worship | S | | S | S | S | S | S | S | | S | P | P | P | P | | | S | S | S | S | S | | | A | 4.2.3.D.2.b.7 |
| **** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Transportation Uses | Airport | | | | | | | | | | | | | | | | | | | | | | | P | | 4.2.3.D.4.a |
| | Heliport | | | | | | | | | | | | | | | | | | | | | S | | P | A | 4.2.3.D.4.b |
| | Park and ride facility | | | | | | | | | | | P | | P | P | P | | P | | P | P | | | | A | |
| | Parking facility (as a principal use) | | | | | | | | | | | P | P | P | P | P | | P | S | S | S | P | P | P | A | 4.2.3.D.4.c |
| | Terminal | | | | | | | | | | | | | | P | P | | P | | | | | | P | A | |
| **** | | | | | | | | | | | | | | | | | | | | | | | | | | |

## TABLE 4.2.2.C: PRINCIPAL USE TABLE

P = PERMITTED USE
A= ALLOWED USE IN A PD DISTRICT IF APPROVED AS PART OF PD PLAN
S=ALLOWED WITH APPROVAL OF SPECIAL EXCEPTION
BLANK CELL = USE IS PROHIBITED

| Principal Use Category | Principal Use Type | Agricultural & Transitional Districts | | Residential Districts | | | | | | | Commercial Districts | | | | | Industrial Districts | | Special Purpose Districts | | | | | | | Planned Development District | Use-Specific Standard |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | AG | T | RCE | RSF-1A | RSF-1B | RTF | RMF | RMU | MHP | C-N | C-C | O | C-COR | C-R | I-L | I-H | MU-D | MU-ES NM | MU-ES GT | MU-ES RTE | INST | PR | AIR | PD | |
| **Commercial** | | | | | | | | | | | | | | | | | | | | | | | | | | |
| * * * * | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Eating or Drinking Establishment Uses | Alcoholic Beverage establishments | | | | | | | | P | | P | P | P | P | P | | | P | P | P | P | | | | A | 4.2.3.E.4.a<br>4.2.3.E.4.b |
| | Brewpub or microbrewery | | | | | | | | P | | P | P | S | P | P | | | P | P | P | P | | | | A | 4.2.3.E.4.a<br>4.2.3.E.4.c |
| | Cigar bar | | | | | | | | | | | S | | | | | | S | | | | | | | A | |
| | Restaurant | | | | | | | S | P | | P | P | P | P | P | P | | P | P | P | P | | | | A | 4.2.3.E.4.a |
| | Restaurant, drive-in | | | | | | | | | | | P | | P | P | | | S | | P | P | | | | A | 4.2.3.E.4.a<br>4.2.3.E.4.d |
| | Restaurant, fast food | | | | | | | | | | | P | | P | P | | | | | P | P | | | | A | 4.2.3.E.4.a |
| * * * * | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Personal Service Uses | Art, music, dance, or martial arts studio/school | | | | | | | | P | | P | P | | P | P | P | | P | P | P | P | | | | A | |
| | Beauty salon or barber shop | | | | | | | | P | | P | P | P | P | P | | | P | P | P | P | | | | A | |
| | Confectionery store, ice cream, candy | | | | | | | | P | | P | P | S | P | P | | | P | P | P | P | | | | A | |
| | Dry cleaning or laundry drop-off/pick-up establishment | | | | | | | | P | | P | P | | P | P | P | | P | P | P | P | | | | A | |
| | Fortune telling establishment | | | | | | | | | | | | | P | P | | | | P | P | | | | | A | |
| | Laundry, self-service | | | | | | | | P | | P | P | | P | P | | | P | P | P | | | | | A | |

## TABLE 4.2.2.C: PRINCIPAL USE TABLE

P = PERMITTED USE
A= ALLOWED USE IN A PD DISTRICT IF APPROVED AS PART OF PD PLAN
S=ALLOWED WITH APPROVAL OF SPECIAL EXCEPTION
BLANK CELL = USE IS PROHIBITED

| Principal Use Category | Principal Use Type | Agricultural & Transitional Districts | | Residential Districts | | | | | | | Commercial Districts | | | | | Industrial Districts | | Special Purpose Districts | | | | | | | Planned Development District | Use-Specific Standard |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | AG | T | RCE | RSF-1A | RSF-1B | RTF | RMF | RMU | MHP | C-N | C-C | O | C-COR | C-R | I-L | I-H | MU-D | MU-ES NM | MU-ES GT | MU-ES RTE | INST | PR | AIR | PD | |
| | Lawn care, pool, or pest control service | | | | | | | | | | | | | P | P | P | | S | | P | | | | | A | |
| | Massage establishment | | | | | | | | P | | | | | P | P | | | | P | P | P | | | | A | |
| | Nail care establishment | | | | | | | | P | | P | P | | P | P | | | P | P | P | P | | | | A | |
| | Pawnshop | | | | | | | | | | | | | | P | | | | | P | P | | | | A | |
| | Personal or household goods repair establishment | | | | | | | | P | | P | P | | P | P | | | P | P | P | P | | | | A | |
| | Tanning salon | | | | | | | | P | | | | | P | P | | | S | P | P | P | | | | A | |
| | Tattoo or body-piercing establishment | | | | | | | | | | | | | P | P | | | | P | P | | | | | A | |
| | Taxidermy | | | | | | | | | | | | | P | P | P | | | | | | | | | A | |
| | Tobacco shop | | | | | | | | ~~P~~ | | ~~P~~ | P | S | P | P | | | S | P | P | P | | | | A | |
| | ~~Vape/Hookah lounge~~ | | | | | | | | | | | | | | | | | ~~S~~ | | | | | | | | |
| * * * * | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Vehicle Sales and Service Uses | Automobile service station | | | | | | | | S | | | S | | P | P | P | P | S | | P | P | | | | A | 4.2.3.E.7.a |
| | Car wash (enclosed) | | | | | | | | | | | S | | S | S | | | S | | | | | | | | 4.2.3.E.9 |
| | Commercial fuel depot | | | | | | | | | | | | | | P | | P | | | | | | | | | 4.2.3.e.7.c |
| | Commercial vehicle repair and maintenance | | | | | | | | | | | | | | P | P | P | | | | | | | | A | 4.2.3.E.7.c |
| | Commercial vehicle sales and rentals | | | | | | | | | | | | | | P | P | P | | | | | | | | A | |

## TABLE 4.2.2.C: PRINCIPAL USE TABLE

P = PERMITTED USE
A= ALLOWED USE IN A PD DISTRICT IF APPROVED AS PART OF PD PLAN
S=ALLOWED WITH APPROVAL OF SPECIAL EXCEPTION
BLANK CELL = USE IS PROHIBITED

| Principal Use Category | Principal Use Type | Agricultural & Transitional Districts | | Residential Districts | | | | | | | Commercial Districts | | | | | Industrial Districts | | Special Purpose Districts | | | | | | | Planned Development District | Use-Specific Standard |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | AG | T | RCE | RSF-1A | RSF-1B | RTF | RMF | RMU | MHP | C-N | C-C | O | C-COR | C-R | I-L | I-H | MU-D | MU-ES NM | MU-ES GT | MU-ES RTE | INST | PR | AIR | PD | |
| | Personal vehicle repair and maintenance (enclosed) | | | | | | | | | | | P | | P | P | P | P | | | | | | | | A | 4.2.3.E.7.b.1 |
| | Personal vehicle sales and rentals | | | | | | | | | | | P | | P | P | | | | | | | | | | A | 4.2.3.E.7.e |
| | Taxi or limousine service facilities | | | | | | | | | | | P | | P | P | P | | | | | | | | | A | |
| | Vehicle equipment and supplies sales and rentals | | | | | | | | | | | P | | P | P | | P | | | | | | | | A | |
| | Vehicle paint finishing shop | | | | | | | | | | | | | | | P | P | | | | | | | | | |
| | Vehicle or trailer storage yard | | | | | | | | | | | | | | S | | P | | | | | | | | | |
| | Vehicle towing or wrecker service | | | | | | | | | | | | | | S | | P | | | | | | | | | |
| **** | | | | | | | | | | | | | | | | | | | | | | | | | | |

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**SECTION X.** Article 4, Section 4.2, subsection 4.2.3, Land Development Code, Code of Ordinances, is hereby amended to read as follows:

**4.2.3. - Standards Specific to Principal Uses**

* * * *

**E. Commercial Uses**

* * * *

**5. Recreation/Entertainment Uses**

a. **Arena, stadium, or amphitheater**

1. An arena, stadium, or amphitheater shall be located at least 500 feet from any Residential district or residential development, as measured from all property lines.

2. An arena, stadium, or amphitheater shall have a minimum lot size of five acres.

3. An arena, stadium, or amphitheater shall have at least 300 feet of frontage on an arterial street at the point of access.

4. All points of vehicular access shall be from arterial streets, and located to minimize vehicular traffic to and through local streets in residential areas.

5. Safety fences up to a height of eight feet shall be provided in accordance with Sec. ~~5.6~~5.5, ~~Fence and Wall Standards~~ Fences and Walls, to any portions of the site directly adjacent to any Residential district or residential development.

b. **Recreation facility, outdoor**

1. **Swimming pool (outdoor) (as a principal use).** ~~An~~ A public or private residential outdoor swimming pool shall be enclosed by a fence at least ~~six feet~~ 48 inches high or a substantial barrier as approved by the Apopka Building Official, and further shall be ~~or~~ in accordance with State of Florida building standards and Florida Statutes, as amended.

* * * *

**SECTION XI.** Article 4, Section 4.2, subsection 4.2.3, Land Development Code, Code of Ordinances, is hereby amended to read as follows:

**4.2.3. - Standards Specific to Principal Uses**

* * * *

**E. Commercial Uses**

* * * *

9. **Car Wash (enclosed)**

a. Minimum of 1.5 acres.

b. Two access points to local and collector roads.

c. Minimum building setback of 25 feet.

d. Landscape buffer in accordance with Type E. Alternative Special Exception requirements, Table 5.2.5.B.3.D-2: Bufferyards and Types.

e. Required parking cannot infringe on landscape buffers.

* * * *

**SECTION XII.** Article 4, Section 4.3, subsection 4.3.4, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**4.3.4. - Standards Specific to Accessory Uses and Structures**

* * * *

B. **Standards for Specific Accessory Uses and Structures**

* * * *

19. **Swimming Pool (as an accessory use)**

a. An outdoor swimming pool accessory to a single-family dwelling may be located in a required side or rear yard except that it shall be set back at least eight feet from the rear lot line and five feet from all side lot lines.

b. An outdoor swimming pool accessory to a use other than a single-family detached dwelling shall comply with the minimum yard depth requirements for a principal building and any applicable locational standards in provisions d and e below.

c. An outdoor swimming pool accessory to a townhome or multifamily development is subject to the following additional standards:

1. The pool shall be for the sole use of the development's or subdivision's residents, and their guests.

2. The pool (including the apron, filtering and pumping equipment, and buildings) shall be located at least:

(a) One hundred and twenty-five (125) feet from land in a single-family zoning district (RSF-1A and RSF-1B districts) or an existing single-family detached dwelling.

(b) Fifty (50) feet from adjoining land in a Residential zoning district, or land an existing residential use; and

(c) Twenty-five (25) feet from land in a Nonresidential zoning district or existing nonresidential development.

3. The use of any public address or other loudspeaker system for an outdoor swimming pool shall be restricted to that necessary for safety purposes, and shall not be used for the playing of music or other entertainment.

4. A public or private residential outdoor swimming pool shall be enclosed by a fence at least 48 inches high or a substantial barrier as approved by the Apopka Building Official, and further shall be in accordance with State of Florida building standards and Florida Statutes, as amended.

* * * *

**SECTION XIII.** Article 4, Section 4.4, subsection 4.4.4, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**4.4.4. - Standards Specific to Temporary Uses and Structures**

The standards set forth in this subsection for a specific temporary use or structure shall apply to the particular individual temporary use or structure, regardless of the zoning district in which it is located or the review procedure by which it is approved, unless otherwise specified in this LDC. This subsection is intended to set forth and consolidate the standards for all temporary uses and structures for which a reference to this subsection is provided in the "Standards for Specific Temporary Uses and Structures" column of Table: 4.4.2.C, Temporary Uses and Structure Table. These standards may be modified by other applicable standards or requirements in this LDC.

* * * *

L. **Storage of boats, recreational vehicles and trailers**. Boats, boat trailers, recreational vehicles, personal utility trailers and similar items may only be stored on the rear of the property, subject to the following conditions:

1. In residential zoning districts, boats, boat trailers, recreational vehicles, personal utility trailers, and similar items may be parked only on the rear portion of a residential lot, at least 10-feet from any side lot line and five-feet from a rear lot line.

2. One boat, one boat trailer or one recreational vehicle may be parked in the front driveway (not yard) for a maximum period of 45 hours, for loading or unloading purposes.

3. At no time shall any boat or recreational vehicle be resided in while being stored or parked on the residential property.

4. Storage or parking of boats, boat trailers, recreational vehicles or utility trailers within a road right-of-way, swale or front yard is prohibited.

**SECTION XIV.** Article 5, Section 5.1, subsection 5.1.5, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.1.5. - General Standards for Off-Street Vehicular Parking and Loading Areas**

A. **Use of Vehicular Parking and Loading Areas**

1. **General.** Off-street vehicular parking areas required by this section shall be used solely for the parking of licensed motorized vehicles in operating condition. Required parking spaces and loading berths may not be used for the display of goods for sale (except that farmers' markets and food trucks permitted under this LDC may be permitted to operate within parking areas), or the sale, lease, storage, dismantling, or service of any vehicles, boats, motor homes, campers, mobile homes, building materials, equipment, or supplies.

2. **Parking of Vehicles at Residential Development.** Off-street vehicular parking shall not be located within any required front yard of a residential development, except up to two vehicles may be parked on-site of a residential use within an area whose surface is specifically prepared for parking and surfaced with concrete, asphalt, brick, gravel, or other similar materials clearly delineating such parking spaces.

3. **Rear-Loading Lots.** Lots 50 feet or less in width shall be rear-loading and locate on-site parking and access in the rear of the lot. Residential lots between 50 feet and 55 feet shall not be permitted to avoid the rear-loaded alley requirement.

* * * *

**SECTION XV.** Article 5, Section 5.2, subsection 5.2.5, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.2.5. - Landscaping and Buffer Standards**

* * * *

D. **Water-Wise Standards**

1. **Purpose.** It is the intent of this subsection to assist the City in achieving water conservation through proper plant selection, installation, and maintenance through the following:

a. Appropriate planning and design;

b. Limiting turf areas to locations where it provides functional benefits;

c. Efficient irrigation systems;

d. The use of soil amendments to improve water holding capacity of the soil;

e. The use of mulches, where appropriate;

f. The use of drought-tolerant plants;

g. The preservation of existing plant communities and the re-establishment of native plant communities;

h. The use of canopy trees to reduce transpiration rates of understory plant materials;

i. Retention of stormwater runoff on site; and

j. The use of pervious paving materials.

2. **Appropriate Plant Selection and Location.** All plants, shrubs, and trees planted shall comply with the following standards:

a. Plant selection shall be based on the plant's adaptability to the existing conditions present at the site, and shall consider the appropriate hardiness zone, soil type, and moisture conditions, exposure to sun, and mature plant size, established by the *Florida Friendly Landscaping Guide to Plant Selection & Landscape Design* maintained by the Florida Friendly Landscaping program. Plants selected must be suited to withstand the soil and physical growing conditions found in the microclimate of each location on site with supplemental irrigation only during periods of low rainfall.

b. Plants shall be grouped in accordance with their respective water and maintenance needs to provide for efficient irrigation. Plants with similar water, soil, climate, sun, and light requirements shall be grouped together.

c. Landscape shall be installed a minimum of 2.5 feet from the foundation of a building or structure.

d. Turf and non-turf areas shall be designed to be distinctly separate when irrigation is used.

e. A landscape maintenance checklist and information regarding the plants installed shall be provided to the property owner by the contractor.

f. A landscape architect must verify and approve the soil types being used for the plants are approved for the development project. Soil samples are recommended to be verified prior to planting to assure growth potential for the plants being used.

3. **Selection of Grass Species.** Turf applications shall comply with the following:

a. Lawn areas shall be planted with species suitable as permanent lawns. Effective erosion control is mandatory in swales, rights-of-way, or other areas subject to erosion. See Appendix B for turfgrass and groundcovers lists.

b. The primary types of grass used are encouraged to comply with the UF/IFAS Florida Yards and Neighborhoods (FYN) program for Central and South Florida.

c. No more than 50 percent of the green space area or one-half acre, whichever is less, may be planted with a lawn grass that has a rating of low in regards to drought tolerance as established in b, above. (e.g. St. Augustine grass). Florida-Friendly Landscaping™ Groundcovers for Apopka, FL that are listed in Appendix B are encouraged for use in all developments.

d. Grass with a rating of medium or better is strongly encouraged (e.g. Bahia grass).

e. Medians, and retention areas shall use drought tolerant grasses with a rating of medium or better as established in Sec. b, above.

f. In addition to those approved within b, above, drought tolerant grasses listed in Appendix B and the Florida-Friendly Landscaping™ Groundcovers for Apopka, FL are approved for use by this code.

* * * *

**SECTION XVI.** Article 5, Section 5.5, subsection 5.5.6, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.5.6. - Materials Standards**

A. **General.** Unless otherwise specified in Sec. 5.5.6.B, Prohibited Materials, fences and walls shall be constructed of any one or more of the following materials:

1. Masonry or stone;

2. Ornamental iron, except that fencing shall not incorporate spiked tops within a Residential district without approval of a security exemption plan in accordance with Sec. 5.5.12, Security Exemption Plan;

3. Painted wood, pressure treated wood, or rot-resistant wood such as cedar, cypress, or teak;

4. Composite materials designed to appear as wood, metal, or masonry;

5. Chain link only in AG, RCE, INST, PR, I-L, I-H, or AIR districts, or as a customary part of a sports field. Where chain link fencing is permitted, all chain link fences in RCE, INST, PR, I-L, I-H, and AIR shall be vinyl coated or powder coated (or equivalent as approved by the DRC), and installed with the pointed ends to the ground (rounded or smooth on top);

6. All fences in I-L and I-H that are adjacent to any road right-of-way, chain link, or wooden fences shall not be allowed. (see Appendix D – Development Design Guidelines, 4.6 Fences and Walls). Side or rear fencing in I-L and I-H chain link that is vinyl or powder coated, or solid fencing or wall as approved by the DRC.

7. Dog park chain link fencing shall be allowed provided it is vinyl or powder coated (or equivalent as approved by the DRC

8. Walls clad with substrate material intended to support living vegetation

B. **Prohibited Materials.** The following fence types or materials are prohibited:

1. Barbed ~~and/~~or razor wire, unless approved as part of a security exemption plan in accordance with Sec. 5.5.12, Security Exemption Plan, except on land that is assessed for agricultural use, or on land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution in connection with providing public

utility service in the City by a regulated public utility. In no event shall barbed wire be placed so as to project outward over any sidewalk, street, or public way, or over property of an adjacent owner. Where barbed wire is allowed, it shall be a minimum of six feet above the ground, held by vinyl-coated brackets matching the color of the fence, and limited to three strands;

2. Fences and walls erected in any Residential, Commercial, or the MU-D, MU-ES, or MU-KPI districts that contain any substance such as broken glass, spikes, nails, razor edges or similar materials designed to inflict pain or injury to any person or animal;

3. Fences constructed of chicken wire, corrugated metal, fabric materials, fiberboard, garage door panels, plywood, rolled plastic, sheet metal, debris, junk, or waste materials, unless such materials are recycled and reprocessed, for marketing to the general public, as building materials designed to resemble new building materials (e.g., picket fencing made from recycled plastic and fiber);

4. Chain link fences, except ~~for in the AG, I-H or AIR districts;~~as allowed per Sec. 5.5.6.A.

5. Above-ground fences that carry electrical current, except below-ground electrical fences intended for the keeping of pets.

**SECTION XVII.** Article 5, Section 5.6, subsection 5.6.7, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.6.7. - General Standards for Exterior Lighting**

* * * *

D. **Maximum Height.** Except for athletic fields, where poles shall not exceed 95 feet in height, and street lighting (see Sec. 5.6.6), the height of exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 5.6.7.D: Maximum Height for Exterior Lighting, unless otherwise approved by the DRC – Development Review Committee with Duke Energy (or its successor) reference.

| Table 5.6.7.D: Maximum Height for Exterior Lighting | |
|---|---|
| Zone | Maximum Height (Feet) |
| Residential and Agricultural and Transitional Districts | ~~15~~20 |
| Commercial, Industrial, and Special Purpose Districts | 25 |
| Within 100 feet of a Residential District | ~~15~~20 |

**SECTION XVIII.** Article 5, Section 5.6, subsection 5.6.8, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.6.8. - Lighting Design Standards for Specific Uses and Site Features**

In addition to complying with all applicable standards in Sec. 5.6.7, General Standards for Exterior Lighting, the specific uses and site features identified in this subsection shall comply with the standards established for that type of use or site feature.

A. **Awnings.** Awnings or canopies used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.

B. **Canopies.** Areas under a canopy shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:

1. A recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy that provides a full cutoff or fully-shielded light distribution.

2. A surface mounted fixture incorporating a flat glass that provides a full cutoff or fully-shielded light distribution.

C. **Sports and Performance Venues.** Lighting fixtures for outdoor sports areas, athletic fields, and performance areas shall be equipped with an existing glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.

D. **Wall Pack Lights.**

1. Wall packs on the exterior of the building shall be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and be of low wattage (100 watts or lower).

2. Wall pack light sources visible from any location off the site are prohibited.

E. **Pedestrian Lighting.** Pedestrian light fixtures within parks and recreation facilities shall comply with the following:

1. Light fixtures for sidewalks, walkways, trails, and bicycle paths, shall provide at least 1.2-foot candles of illumination, but not exceed 2.0-foot candles.

2. Light poles shall not be higher than ~~15~~18 feet above grade and shall be placed a maximum of 100 feet apart, unless otherwise approved by the DRC – Development Review Committee with Duke Energy (or its successor) reference.

3. Pedestrian bollard lamps shall be mounted no higher than four feet above grade and shall not exceed 900 lumens for any single lamp. See Figure 5.6.8.E.3: Examples of Pedestrian Bollard Lamps

* * * *

**SECTION XVIII.** Article 5, Section 5.13, subsection 5.13.2, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.13.2. - Minimum Street Design and Construction Standards**

* * * *

B. **Design Standards**

* * * *

11. **Minimum Number of Access Points.** A minimum of two points for vehicular access shall be provided into each ~~subdivision~~ residential development of 25 ~~lots~~ dwelling units or more. Nonresidential developments shall also provide a minimum of two points of vehicular access, as determined by the Development Review Committee (DRC). Additional access points may be required depending upon the size of the development (see below). Where adjoining existing development or other land development code requirements preclude the development of two public street access points, an unobstructed drivable stabilized surface for emergency vehicles (Fire/Police) and essential services (Sanitation/Public Works) may be substituted upon review and approval of the Development Review Committee (DRC).

The number of access points for residential developments shall be as follows:

a. 25-250 dwelling units: one full access point; plus one full access point or one planned secondary access point, or emergency access point to an existing right-of-way.

b. 251-750 dwelling units: two full access points.

c. 751-1000 dwelling units: two full access points; plus a third full access point or one planned third access point, or emergency access point to an existing right-of-way.

d. Over 1000 dwelling units: Planned access per DRC-Development Review Committee direction.

* * * *

**SECTION XIX.** Article 5, Section 5.13, subsection 5.13.3, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.13.3. - Street and Road Access**

A. **Number of Access Points**

1. **Paved Access Required.** All development shall be required to provide paved access to a public right-of-way. Paved access to a public right-of-way may include private streets or other appropriate cross-access easements. The requirement for paved access beyond the right-of-way may be waived for agricultural development or for a single-family detached dwelling which is located on a parcel at least one acre in size, if the nearest dwelling or accessory building wall is more than 150 linear feet from the property's access point.

2. **Number of Access Points.** The number of access points allowed for each development shall be based on the following standards:

   a. Type of road facility being accessed;

   b. Separation standards;

   c. Engineering design standards;

   d. Internal traffic circulation;

   e. Impact on transportation system; ~~and~~

   f. Emergency vehicles access; and

   g. In accordance with Sec. 5.13.2, B. 11. Minimum number of access points.

3. **Adjoining Property.** Access to adjoining property shall be coordinated as required in Sec. 5.13.2.B.3, Continuation of Existing Street Pattern and Sec. 5.13.2.B.4, Street Access to Adjoining Property.

* * * *

**SECTION XX.** Article 5, Section 5.13, subsection 5.13.5, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**5.13.5. - Private Streets**

* * * *

C. **Standards for Private Streets.** Private streets shall comply with the following standards:

* * * *

13. All new or modified gated developments that have private streets without 24-hour staffed guard houses and with automatic opening devices, such as but not limited to, single-family developments, multi-family developments, commercial, office, institutional, and industrial developments, shall be required to install the following: Numeric Keypad, SOS Siren Operated Sensor and Knox Gate Key Switch, as ~~3M Opticom Priority Control Equipment~~ approved by the Fire Department. The equipment shall be maintained so it is capable of proper operation at all times and shall be compatible with existing emergency vehicle preemption equipment. (Existing installations may continue in use subject to the approval of the Fire Department.)

* * * *

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**SECTION XXI.** Article 10, Section 10.2, subsection 10.2.4, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**10.2.4. - Exceptions and Variations**

* * * *

| Table: 10.2.4.B, Allowable Encroachments into Required Yards/Build-to Zones | |
|---|---|
| Feature | Extent and Limitations of Encroachment |
| 1. Open balconies and fire escapes | May extend up to five feet into any required minimum yard |
| 2.a. Front decks, porches (screened or unscreened), stoops, or exterior stairways | On a single-family dwelling, may extend up to five feet into a required minimum front yard; |
| 2.b. Rear deck, porch, patio or terrace (screened or unscreened) | On a single-family ~~attached~~ dwelling, may extend into a required rear yard provided at least a five-foot setback to the rear lot line is maintained, and not within a utility easement. Cannot be within any required side yard setback.<br>One-foot maximum height within a required rear yard setback.<br>Screen enclosure allowed only within the required rear yard setback — no solid roof. |
| 3. Bay windows | May extend up to three feet into any required minimum yard if no more than nine feet wide |
| 4. Chimneys or fireplaces | May extend up to three feet into any required minimum yard |
| 5. Moveable awnings | |
| 6. Roof eaves and overhangs, or marquees | |
| 7. Window sills or entablatures | May extend up to 18 inches into any required minimum yard |
| 8. Walkways | May extend into or be located in any required minimum yard if less than two-inches high and five-feet wide |
| 9. Signs, projecting or free-standing | May extend into or be located in any required minimum yard in accordance with Section 5.10, Signs. |
| 10. Driveways and parking areas | May be located in any minimum required yard unless restricted by other provisions in this LDC. Parking areas cannot encroach into landscape buffers without DRC approval. |
| 11. Garages, detached | May extend into or be located in any required minimum internal side yard or rear yard~~, Subject to the height-related setback standards in Sec. 4.3.3, General Standards for all Accessory Uses and Structures~~. Setback from rear or interior side lot lines a minimum of five feet, not within a utility easement. Maximum floor area of 500 square feet. ~~However, a~~ A detached |

| Table: 10.2.4.B, Allowable Encroachments into Required Yards/Build-to Zones | |
|---|---|
| Feature | Extent and Limitations of Encroachment |
| | garage shall not extend into a street-side setback on a double-fronted lot. Subject to the height-related setback standards in Sec. 4.3.3, General Standards for all Accessory Uses and Structures. |
| 12. Utility shed | Within ~~RSF-1A or RSF-1B~~ residential districts, utility shed with a maximum floor area of ~~120~~500 square feet may extend into or be located in any required minimum rear yard or internal side yard, setback from rear or side lot lines a minimum of five feet, not within a utility easement, and subject to the limitations in Sec. 4.3.3, General Standards for all Accessory Uses and Structures. A shed shall not extend into a street-side setback on a double-fronted lot. A shed shall have a maximum height of 15 feet. |
| 13. Flagpoles | May be located in any required minimum yard if less than 20 feet high, set back from side and rear lot lines by at least ten feet, and set back from abutting street rights-of-way by a distance equal to the flagpole height |
| 14. Lighting fixtures, projecting or free-standing (including lampposts) | May be located in any required minimum yard |
| 15. Mailbox, freestanding | May be located in any required minimum yard |
| 16. Fences or walls (including associated gates and arbors) | May be located in any required minimum yard, subject to the limitations in Section 5.5, Fences and Walls. |
| 17. Accessory structures other than those listed above | May be located in a required minimum side or rear yard, subject to the limitations in Sec. 4.3.3, General Standards for all Accessory Uses and Structures. However, an accessory structure other than those listed above shall not extend into a street-side setback on a double-fronted lot. |
| 18. Swimming pool | May be located in any required minimum side or rear yard, subject to the limitations in Sec. 4.3.4, B.19. |
| 19. Vegetation and landscaping and minor ornamental yard or garden features such as retaining walls, fountains, ponds, birdbath, sculptures and similar landscaping features. | May be located in any required minimum yard |

**SECTION XXII.** Article 10, Section 10.4, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**SEC. 10.4. – DEFINITIONS**

* * * *

**Chicane**. A traffic calming measure that involves offset curb extensions that deflect the path of moving vehicles with added horizontal curves in a street. They are used on streets to slow traffic for safety.

**Cigar Bar** means an alcoholic beverage establishment which is combined with a retail tobacco products dealer, and where smoking of the tobacco products sold at the establishment is permitted on the premises. Such an establishment must comply with all of the requirements for an alcoholic beverage establishment.

**City**. The City of Apopka, Florida.

* * * *

**SECTION XXIII.** Appendix A, Mixed Use Kelly Park Interchange (MU-KPI) Form-Based Code, Section F, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**F. – Permitted Uses**

* * * *

| Table 2: Uses Allowed in the Kelly Park Form-Based Code Area | | | | | |
|---|---|---|---|---|---|
| **Uses** | **Village Center** | **Employment** | **Interchange** | **Transition** | **Neighborhood** |
| * * * * | | | | | |
| **EATING, DRINKING AND ENTERTAINMENT** | | | | | |
| Bar, lounge, tavern | P | P | P | SE | N |
| Nightclub (Discotheque) | SE | N | N | N | N |
| Restaurants | P | P | P | P | SE |
| Restaurants with drive-up or drive-through facilities | ~~N~~SE[1] | SE | P | SE | N |
| Sit-Down restaurants with remote order system for curb-side or pickup drive-thru window service (no order box) | SE | P | P | SE | N |
| * * * * | | | | | |

1. The following conditions for drive through facilities for a restaurant shall be adhered to as part of any additional special exception conditions, as approved by the City:
   - All drive-through facilities shall be internal to a project.
   - Service windows, order kiosks and drive stacking spaces shall not be visible from any public road.
   - A combination of landscaping and opaque screen wall may be utilized for minor portions of the drive-through stacking lanes with DRC approval.
   - Drive-through stacking spaces shall not infringe on any parking lot spaces.
   - Must be incorporated into a multi-tenant building.
   - Maximum size of the tenant space shall be limited to 3,000 sq. ft.
   - Internal project signage directing drive-through traffic may be approved by the DRC. Maximum of two directional ground signs, three feet high and three-square feet, with DRC approval and building permits.

* * * *

**SECTION XXIV.** Appendix A, Mixed Use Kelly Park Interchange (MU-KPI) Form-Based Code, Section K, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**K. - Building Design Standards.**

* * * *

2. **Building Typology**. Form-based regulations use physical form, rather than separation of land uses, as their organizing principle of a community. This section addresses building form. Buildings within the Kelly Park Interchange Form-Based Code area shall adopt one of the following building typologies based on the location of the property within one of the five character zones (see Table 8). There is no minimum building width required. The maximum width of each building, however, is restricted by the maximum length permitted for blocks.

* * * *

g. **Single Family Residential.** Standards for designing single family residential buildings.

i. Building foundations are encouraged to be elevated above the finished grade. Residential buildings should incorporate either raised concrete pads or a raised wood joist floor with perimeter foundation above the finished grade.

ii. Flat roofs are discouraged as the principal roof structure.

iii. Garage frontage shall be limited for single family houses; garages shall not comprise more than fifty (50) percent of a building's front facade. Garage door width(s) may be used to measure the fifty (50) percent frontage requirement.

iv. Garages shall be provided in one of two ways:

- Attached and recessed from the primary façade (not including porches, bays, or other minor projections) by a minimum of four (4) feet, or

- Attached or detached, placed at the rear property line, and accessed by either an alley or a side yard driveway.

v. Standards for stoops and porches. Stoops are elevated entry porches/stairs placed close to the frontage line where the ground floor is elevated from the sidewalk, securing privacy for the windows and front rooms. Porches are commonly associated with residential buildings, wherein the façade is set back from the frontage line with an attached porch permitted to extend into the front yard.

- Stoops shall correspond directly with the building entry.

- Porches may be one (1) or two (2) stories.

- Porches shall be open and not air conditioned to be allowed to encroach into the street setback zone.

- A minimum three (3) foot wide entry sidewalk from the front porch or stoop to the street sidewalk and driveway must be provided, depending on front porch design, with city review and approval.

vi. Rear-loading lots.

- Residential lots 50 feet or less in width shall be rear-load with alley access and locate on-site parking and access in the rear of the lot. Residential lots between 50 feet and 55 feet shall not be permitted to avoid the rear-loaded alley requirement.
- This shall include single-family, duplex, townhomes or multi-family with design approval from the Apopka Development Review Committee (DRC).

- Additional parking in excess of required parking (per unit) may be dispersed throughout a development with DRC approval.

* * * *

**SECTION XXV.** Appendix B – Drought Tolerant Grasses List, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

| **Appendix B: Drought Tolerant Grasses List** | |
|---|---|
| Species | Drought Tolerance |
| Bahia grass | High |
| Bermuda grass | Medium |
| Centipede grass | Medium |
| Zoysia grass | Medium |
| St. Augustine Grass | Low |
| [1] Florida-Friendly Landscaping™ groundcovers may also utilize plants that may cover at a minimum of fifty percent (50%) coverage. Groundcovers other than turf grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year after planting. A landscape plan produced by a certified landscape architect or similar professional familiar with Florida-Friendly Landscaping™ is required for City approval. | |

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## APPENDIX B
## FLORIDA-FRIENDLY LANDSCAPING™
## GROUNDCOVERS FOR APOPKA, FL

The list of plants below is intended to be a starting point for making landscape decisions, and not an all-inclusive list of groundcovers suitable for Florida-Friendly Landscapes. As long as a plant is not invasive, and is planted in the right location ("right plant, right place") it could be considered for use in a Florida-Friendly Landscape

| Species Name | Growth Rate | Flower Color | Flower Season | Attracts Wildlife | Drought Tolerance | Sun/Shade Tolerance (Optimum Light) | Other Characteristics |
|---|---|---|---|---|---|---|---|
| **Bugleweed** *Ajuga reptans* | Fast | Purple/ Blue | Spring/ Summer | --- | Moderate | Any (Partial Sun) | Does not compete well with weeds, esp. in sun |
| **Perennial Peanut** *Arachis glabrata* | Slow | Yellow/ Orange | Summer/ Fall | --- | High | Sun only | No nitrogen fertilizer needed; withstands foot traffic; damaged by frost |
| **Wiregrass** *Aristida glabrata* | Fast | Tan | All year | --- | High | Sun/partial sun (Sun) | Also known as *Aristida beyichiana* |
| **Cast Iron Plant** *Aspidistra elatior* | Slow | Brown | Periodically All year | --- | Moderate | Partial Sun/Shade (Partial Sun) | Tolerates deep shade better than most plants |
| **Caladium** *Caladium x hortulanum* | Fast | White | Summer | --- | Moderate | Any (Shade) | Attractive colorful foliage; leaves die back naturally in fall |
| **Holly Fern** *Cyrtomium falcatum* | Moderate | --- | --- | --- | Moderate | Any (Partial Sun) | Evergreen; low maintenance |
| **Autumn Fern** *Dryopteris erythrosora* | Slow | --- | --- | --- | Moderate | Partial Sun/Shade (Shade) | Also known as shield fern |
| **Twin Flower** *Dyschoriste oblongifolia* | Fast | Lavender | All Year | Butterflies | High | Sun/partial sun (Sun) | --- |
| **Elliot's Lovegrass** *Eragrostis eliottii* | Fast | Tan | All Year, Esp. Fall | --- | High | Sun/partial sun (Sun) | --- |
| **Purple Lovegrass** *Eragrostis spectabilis* | Fast | Red/ Purple | All Year, Esp. Fall | --- | High | Sun/partial sun (Sun) | Grows best in hot, dry sites |
| **Algerian Ivy** *Hedera canariensis* | Fast | --- | --- | --- | Moderate | Shade Only | --- |
| **English Ivy** *Hedera helix* | Fast | --- | --- | --- | Moderate | Shade Only | --- |
| **Creeping Juniper** *Juniperus horizontalis* | Moderate | --- | --- | Birds | High | Sun only | --- |
| **Lily Turf, Monkey Grass** *Liriope muscari* | Moderate | Purple | Summer | --- | Moderate | Any (Sun) | Variegated cultivar is damaged by frost |
| **Muhly Grass** *Ophiopogon capillaris* | Moderate | Pink | Fall | --- | High | Sun only | Tolerates extreme drought and flooding |
| **Mondo Grass** *Ophiopogon japonicus* | Slow | White | Summer | --- | Moderate | Partial Sun/Shade (Shade) | No pest problems |
| **Asiatic Jasmine** *Trachelospermum asiaticum* | Fast | Yellowish-White | Rarely produced, in May | --- | Moderate | Sun/Partial Sun (Sun) | Withstands foot traffic; maintain to contain |
| **Confederate Jasmine** *Trachelospermum jasminoides* | Fast | White (fragrant) | Spring | Hummingbirds | Moderate | Sun/Partial Sun (Sun) | Can be aggressive |

**APPENDIX B**
**FLORIDA-FRIENDLY LANDSCAPING™**
**GROUNDCOVERS FOR APOPKA, FL**

The list of plants below is intended to be a starting point for making landscape decisions, and not an all-inclusive list of groundcovers suitable for Florida-Friendly Landscapes. As long as a plant is not invasive, and is planted in the right location ("right plant, right place") it could be considered for use in a Florida-Friendly Landscape

| Species Name | Growth Rate | Flower Color | Flower Season | Attracts Wildlife | Drought Tolerance | Sun/Shade Tolerance (Optimum Light) | Other Characteristics |
|---|---|---|---|---|---|---|---|
| **Fakahatchee Grass** *Tripsacum dactyloides* | Moderate | Cream/ Orange/ Red/ Yellow | Spring/ Summer | --- | Moderate | Sun/Partial Sun (Sun) | Pest resistant; tolerates occasionally wet soil |
| **Florida Gama Grass** *Tripsacum Floridiana* | Moderate | Yellow | Spring/ Summer | --- | Moderate | Sun/Partial Sun | Used to stabilize banks and steep slopes |

**SECTION XXVI.** Appendix D – Development Design Guidelines, Section 4.2.3, Land Development Code, Code of Ordinances, City of Apopka, is hereby amended to read as follows:

**4.2.3. - Building Facades/Fenestration**

- Continuous, solid walls are prohibited on facades adjacent to arterial or collector streets. At least thirty (30) percent of primary facade(s) shall be comprised of windows and doors. However, nearly continuous expanses of glass for walls shall be avoided. Patterns are encouraged by alternating solid elements and windows.

- The architecture of the building must incorporate articulation to avoid monotonous blank walls.

- Views into the interior of retail storefronts and restaurants are encouraged for pedestrian activity, safety and to create a community window shopping environment. The use of darkly tinted or reflective glass on these structures is prohibited. Reflective glass will be defined as having a visible light reflectance rating of 15% or greater and darkly tinted glass windows include glass with a visible light transmittance rating of ~~35~~25% or less or as approved by the Community Development Department. All plans submitted to the City for commercial, office and institutional uses shall include the glass manufacturer's visible light reflectance and visible light transmittance ratings for evaluation.

- Windows shall be recessed, a minimum of one-half inch, and shall include visually prominent sills, shutters, stucco reliefs, or other such forms of framing.

**SECTION XXVII:** AUTHORIZING INCLUSION IN CODE. The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the City of Apopka, as additions or amendments thereto

**SECTION XXVIII:** SEVERABILITY. Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

**SECTION XXIX:** CONFLICTING ORDINANCES. All ordinances or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

**SECTION XXX:** EFFECTIVE DATE. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon its passage and adoption.

**PASSED UPON** at the first reading of the City Council, this 1st day of December, 2021.

**PASED UPON** at the second and final reading of the City Council, this 15th day of December, 2021.

**BRYAN NELSON**
Mayor

**ATTEST:**

SUSAN M. BONE
City Clerk

DULY ADVERTISED FOR PUBLIC HEARING: November 5, 2021
December 3, 2021

APPROVED as to legal sufficiency and form:

MICHAEL A. RODRÍGUEZ
City Attorney