

ORDINANCE NO: 2020-20

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO REVISIONS TO THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER I, OVERVIEW, CHAPTER II, GENERAL, CHAPTER III, ZONING REGULATIONS, CHAPTER IV, SUBDIVISION REGULATIONS, CHAPTER V, SITE PLAN REGULATIONS, CHAPTER VI, DESIGN STANDARDS, CHAPTER VIII, DEFINITIONS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Chapter 166, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, pursuant to its home rule powers, the City of Mount Dora may regulate land use matters and design standards within the City limits through the adoption of Land Development regulations; and

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to its Land Development regulations in the best interest of its residential and business citizens; and

WHEREAS, on June 16, 2020, pursuant to City of Mount Dora Ordinance No.: 2020-04, the City adopted the Mount Dora Comprehensive Plan 2045 EAR-Based Amendments which necessitated various updates to the City's Land Development Code; and

WHEREAS, after a series of public meetings, workshops, stakeholder meetings and in cooperation with Lake County, on October 15, 2019, through Resolution No. 2019-106, and November 5, 2019, through Resolution No. 2019-183, the City adopted the Wolf Branch Innovation District Implementation Plan; and

WHEREAS, the City and Lake County developed the Wolf Branch Innovation District Design Guidelines, which include permitted, prohibited and conditional uses; and

WHEREAS, the City finds that the amendments to its Land Development Code, as set forth herein, are consistent with all applicable policies of the City of Mount Dora Comprehensive Plan; and

WHEREAS, the City has determined that the amendments to its Land Development Code, as set forth herein, advance a legitimate public purpose and promote and protect the health, safety and welfare of the citizens of the City of Mount Dora.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The City of Mount Dora has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. AMENDMENTS TO CITY OF MOUNT DORA LAND DEVELOPMENT CODE. The City of Mount Dora Land Development Code, is hereby revised and amended as follows:

Note: Underlined words constitute additions to existing text, ~~striketrough~~ constitutes deletions from existing text and asterisks (***) indicate omitted parts which are intended to remain unchanged.

CHAPTER I. OVERVIEW

1.3. Annexation.

Owners of land outside the city who desire to be incorporated within the city may petition for annexation subject to Florida law and the requirements of the city. The following steps should first be taken:

1. The existing city limits should be referenced ~~to determine if the parcel is contiguous to the city.~~

4. Petition. The petition for annexation must include:

- d. Requested land use designation and zoning. Upon annexation the existing County Future Land Use (FLU) designation shall remain until such time the City's Future Land Use Map is amended. Upon annexation the existing County zoning classification shall remain until such time a City zoning district is assigned, which maybe concurrent with annexation.
- e. Method of providing services including water, sewer, roads, drainage, schools and police protection.
- ~~f. Justification for the proposal in relation to the comprehensive plans of the city and the county for ultimate review by the department of community affairs.~~
- g. Processing fee established and amended from time to time by resolution.

1.4. Land use category and zoning district compatibility.

All development must be consistent with the city's comprehensive plan which establishes the basis and general guidelines for guiding and regulating land uses. The future land use map of the comprehensive plan should be reviewed to determine if the land use shown would allow the type of development contemplated. The land use categories and zoning districts permitted in each are as follows:

Land Use Category	Permitted Zoning Districts
Low-Density Residential (0—2.5 dwelling units per acre)	R-1AAAA, R-1AAA, R-1AA, R-1A, PUD
Low/Medium Density Residential (0—4.0 dwelling units per acre)	R-1AAAA, R-1AAA, R-1AA, R-1A, R-1, PUD
Medium-Density Residential (0—6.0 dwelling units per acre)	R-1, R-2, plus all districts permitted in the low-density residential category
High-Density Residential (0—12.0 dwelling units per acre <u>with design criteria for maximum 18.00 du/ac</u>)	R-1B, R-3, MHP, plus all districts permitted in the medium and low-density residential category
Office* <u>(FAR maximum 1.00)</u>	RP , OP, PLI, PUD
Residential Professional Office* ¹ <u>(FAR maximum 0.30. Maximum Density 0—6.0 dwelling units per acre)</u>	RP, OP, PUD
Commercial* (Maximum Density 0—12.0 dwelling units per acre. <u>FAR maximum by zoning districts are as follows: C-1 at 0.25; C-2 within downtown exempt at 2.00; C-2 outside downtown exempt at 1.00; C-2A within downtown exempt at 0.50; C-2A outside downtown exempt at 0.50; C-3 at 1.00; and Mixed Use outside downtown exempt 1.00</u>)	C-1, C-2, C-2A, C-3, OP , PUD
Mixed Use <u>Traditional</u> (Maximum FAR 3.00. Minimum Density 6.0 dwelling units per acre. Maximum Density 35 dwelling units per acre)	MU-1, MU-2 <u>C-3</u>
<u>Mixed Use Downtown (Maximum FAR 3.00. Minimum Density 6.0 dwelling units per acre. Maximum Density 35 dwelling units per acre)</u>	<u>MU-2, C-2</u>
Employment Center (FAR maximum 3.00. A total of multi-family dwelling units shall be one unit per 10,000 sf of gross floor area) <u>(FAR maximum 1.00. FAR up to 2.0 with bonus)</u>	EC , <u>WBI-E</u> , PUD

<u>Employment Center Gateway Sub-District (FAR minimum 0.15 for parcels or lots existing as of May 31, 2021 that are less than 4 acres; and minimum 0.25 FAR for all other parcels of lots; and FAR maximum 1.00)</u>	<u>WBI-G, PUD</u>
Industrial <u>(FAR maximum 0.70)</u>	C-3, WP-1, WP-2, PUD
Conservation	GB, PUD
Recreation	GB, PUD, PLI
Public Lands and Institutions	PUD, PLI
<p>*Development intensity based on minimum site performance standards, such as maximum impervious percentage, building heights, parking, stormwater, setbacks, buffers, etc. <u>Notes:</u></p> <ul style="list-style-type: none"> <u>Floor Area Ratio (FAR) is defined as the total floor area of a building or buildings on a parcel divided by the gross area of the parcel.</u> <u>The gross area of a parcel shall be defined as the full area of a parcel minus any areas within natural bodies of water, wetlands, and floodplains.</u> <u>The maximum development potential for a parcel shall be calculated using gross area. Within land uses that allow both residential and non-residential uses, maximum density shall be calculated in addition to the maximum intensity.</u> 	

1.11. Development/Application approval processes.

The general processes for various types of development/application approvals are as follows:

2. Subdivisions (see chapter IV):

- a. *Development plan* (optional).

c. Final Construction Plan

1. Development Review Committee

2. Site Development Permit

c. Final plat.

1. Development review committee.
2. Planning and zoning chairman plat signature.
3. Mayor plat signature.
4. City Clerk seal and signature.
5. City surveyor and certification.

e. *Replat.*

1. Development review committee.

2. City council.

3. Mayor plat signature.

4. City Clerk seal and signature.

5. City surveyor and certification.

Note: Depending on the nature of the replat, Planning and Zoning Commission signature may be required.

4. Planned unit developments (see subsection 3.4.5):

a. Preliminary ~~development~~ PUD master plan.

1. Development review committee.

~~i. An optional joint workshop between the planning and zoning commission, the city council and the applicant may be held at the request of the applicant to help provide better feed-back on the pending proposal and to ensure consistency of staff and planning and zoning commission recommendations.~~

b. Final ~~development~~ master plan.

5. Mixed Use (MU-1 and MU-2) (see subsections 3.4.5 and 3.4.16):

a. Preliminary ~~development~~ master plan.

b. Final ~~development~~ master plan.

6. Wolf Branch Innovation Employment and Gateway (WBI-E and WBI-G)

a. Preliminary master plan.

1. Development review committee.

2. Planning and zoning commission.

3. City council.

b. Final master plan.

1. Development review committee.

2. Planning and zoning commission.

3. City council.

- c. Subdivision plat or site plan for each section of the WBI-E or WBI-G Final Master Plan (See: Subdivision site plan regulations).

Note: Preliminary and Final Master Plan steps may be combined and/or concurrent reviews may be conducted at the applicant's request and based on the nature of the request and the quality of submittals.

67. Conditional uses permits (CUP) (see subsection 2.5.1.5):

- a. Development review committee.
- b. Planning and zoning commission.

78. Variances (see section 2.5.1.6):

- a. Development review committee.
- b. Planning and zoning commission.

89. Appeals see section 2.6.

CHAPTER II. GENERAL

2.2. Development review committee.

- 2.2.2. *Composition of committee.* Members of the development review committee shall include representatives of various city departments and outside consultants whose field of interest is called into play by the new development. The city manager shall designate the members including a chairman. The members shall represent the departments of public services, economic development, electric, building, zoning, planning, leisure services, community development, police and fire.

2.7. Fees and services.

4. Pass Through-Fees: The City is hereby authorized to assess and collect fees, cost, and expenses relating to the review, inspection, appeal, regulation and defense of development activities pursuant to adopted fee schedules and this code.

a. Invoices and Payments

1. The City Department in which the application was originally submitted may periodically calculate the costs expenses and fees incurred by the City for each application and send an invoice to the applicant for payment. The applicant shall have thirty (30) days from the date of the invoice to pay to the City the invoiced amount.
2. In such cases where payment and/or fee reimbursement has not been made by the applicant after the 30 day notice the applicable City Department shall send a second notice to the applicant instructing the applicant to cease all work relating to such application or project until all invoice fees have been paid.
3. Upon receipt of the second notice, work by the City staff, City Attorney, and City consultants on the application or project shall cease, and neither building permits, certificates of completion, temporary certificates of occupancy, nor certificates of occupancy will be issued with the respect to such real property. Continuation of the review of the application or project with the respect to the real property for which payment was not made will not be undertaken by the City until such time as all outstanding fees, costs and expenses due under this sub-section are paid in full.
4. Unless otherwise provided for in this sub-section if an applicant receives or is granted approval on an application or project or is issued a building permit, certificate of completion, temporary certificate of occupancy, certificate of occupancy, occupational license or other development order by the City, and additional fees, costs, expenses or such other obligations attributable to the applicant are thereafter posted to the project account for work that is associated with said approval or issuance, the applicant or his/her successor in interest shall pay said cost, fees and expenses incurred by the City for such application. The City shall send an invoice to the applicant or successor for such fees or expenses, and the applicant or successor shall reimburse the City for such fees or expenses within ten (10) days.

b. Assessable cost, expenses, and fees.

1. Payment for costs, expenses and fees incurred by the City under this sub-section is a requirement for the City's final approval of the applicant and project.
2. Fees, costs and expenses for any City consultant time directly to the review, processing inspection, appeal or regulation of any application or development pursuant to this Section the City Code and/or State Statutes, and all other directly related expenses, including but not limited to legal, notification mailing, inspection and engineering cost are to be invoiced to the applicant requesting payment pursuant to this sub-section.
3. All direct costs, expenses and fees incurred by the City that relate directly to the review processing, inspection, appeal, regulation or defense of an application

including but not limited to expenses incurred by City consultants who review or defend the application at the direction of the City, as well as other expenses related directly to advertising, notification mailing, surveying, legal review and/or engineering review for an application or project shall be assessed to the applicant and reimbursed to the city. Assessable expenses shall not include the cost employee time in reviewing such application as such time shall be deemed to have been reimbursed by the application fee.

4. City consultants shall submit records of their time, fees, costs and expenses to the City Department in which the application was generated and such fees, costs and expenses shall be invoiced to the applicant on a dollar-for-dollar basis for services provided under the direction of the City to review. The rates charged to the applicant for said services shall not exceed those charged to the City.
- c. Objections and appeal. Any objection to any invoice or to any matter set forth in this sub-section must be set forth in writing and addressed and delivered to the City Department in which the application was originally submitted on or before the tenth day after the date of the relevant invoice. In the event the Department Director denies the objection, the applicant shall have ten (10) days after the date of the Director's written decision to file an appeal of such decision with the City Manager or his/her designee, which appeal shall be heard by the City Council. All objections and appeals shall set forth in detail the reasons and evidence upon which the objection and appeal are based. Failure of the applicant to establish beyond a preponderance of evidence that an invoice is not appropriate and is not based upon competent substantial evidence shall result in a denial of the objection and appeal.
- ~~e.~~ Attorney's fees in event of failure to pay review cost. In the event City is required to enforce this Section, then the City shall be entitled to recover from the applicant all costs and expenses incurred, including but not limited to its reasonable attorneys' fees, paralegal fees and other costs and expenses, whether incurred prior to or subsequent to court proceedings or on appeal and/or in any bankruptcy proceedings involving the applicant, the real property and/or the project being reviewed.
- d. Agreement to be bound by pass-thru fees. Submission of an application shall constitute the consent and agreement for the applicant and the owner, if the application is being executed by the owner's authorized agent, to be bound by the provisions of this section.
- f. Deficiency and liens.
 1. Failure to pay an invoiced amount within requested time shall constitute a violation of this sub-section. Any deficiency owed to the City, whether incurred before or after project approval, shall bear interest from the date of the aforementioned notice of non-payment at the rate of 18 percent simple interest per annum or otherwise at the highest rate permitted by law until paid. The amount of any such deficiency owed to the City shall together with interest and the costs of the collection as hereinafter

provided, shall be the personal obligation of the applicant and shall be a continuing lien on the real property related to the application or project under review. Any subsequent or new owner of the real property related to the application or project shall take title subject to the obligations of the applicant under the terms of this subsection and shall be jointly and severally liable for such obligations. An applicant may not escape liability for the deficiency by abandonment of the application or project withdrawal of such application or sale of the real property with the respect to which such application has been submitted. If the initial or subsequent invoices are not paid in a timely fashion, the City may take whatever legal means it deems appropriate to collect the deficiency, including, but not limited to retaining the services of a collection agency or attorney, initiating legal proceedings for thereof recording a notice of lien as hereinafter provided and foreclosing same in the same manner as mortgage liens are foreclosed.

2. If the project is subject to the provisions of a development agreement, and the applicant is found to be in default of such development agreement and whatever remunerative such development agreement calls for would be applied as opposed to the provisions called for in this Appendix.

2.12. Effective date.

This code shall take effect upon adoption by the city council. Subdivisions or site plans for which preliminary or final plans or plats have been submitted prior to the effective date may be developed and completed according to the preexisting requirements for subdivisions. However, preliminary or final subdivision plans or plats which are submitted prior to the effective date shall not be substantially amended or changed after the effective date except to conform with the regulations established herein. Nothing herein shall vest a preliminary ~~planned-unit development~~master plan. Planned unit development plans shall only become vested at the time of approval of the final ~~development~~master plan.

2.13. Vested rights.

2.13.1. Procedures.

- ~~4.5.~~ Any applicant or developer claiming vested rights must do so on a form provided by the ~~community planning and~~ development department. Failure to claim such vested rights at the time of any application wherein vesting might be an issue shall cause any vested rights which might otherwise be in existence to be waived.

CHAPTER III. ZONING REGULATIONS

3.2. Mapping of districts.

The boundaries of the various districts are shown on the official zoning map adopted concurrent with this code which shall be maintained by the city. The map shall be by reference a part hereof. ~~All changes to the district boundaries, as approved by the city council shall be noted on the map, dated and signed by the development review coordinator. A log shall also be maintained to support the map. The log shall indicate the date of the zoning and the ordinance adopting the change.~~ The map may be supplemented from time to time by the city council.

3.3. Procedures for rezoning.

3.3.3. *Review process.*

1. The development review coordinator shall schedule the application for review by the development review committee and notify all members of the development review committee. ~~The applicant(s) shall be invited to the development review committee meeting.~~
2. ~~For rezoning to planned unit development, an optional joint workshop between the planning and zoning commission, the city council and the applicant may be held at the request of the applicant to help provide better feed back on the pending proposal and to ensure consistency of staff recommendations.~~
3. ~~All comments of the development review committee shall be presented to the planning and zoning commission at a public hearing.~~
42. The planning and zoning commission shall review the application ~~and the comments of the development review committee~~ and make a recommendation, based on the criteria in subsection 3.3.4, to the city council.
53. All comments and recommendations shall be presented to the city council at a public hearing.
64. The city council shall have final authority to approve or deny the request.
75. An applicant may postpone a rezoning case by submitting a written request to the DRC coordinator. If a postponed case is not reactivated within six months of the postponement request, the application expires and all paid rezoning fees are forfeited.

3.4. Establishment of zoning districts.

In order to classify, regulate and restrict the uses of land, water, buildings and structures; to regulate and restrict the height and bulk of buildings; to regulate the area of yards and other spaces around buildings; and to regulate the intensity of land use, the City of Mount Dora is divided into the following zoning districts:

R-2	<u>Single-Family or Duplex Residential</u>

EC <u>WBI-E</u>	Employment Center <u>Wolf Branch Innovation Employment</u>
<u>WBI-G</u>	<u>Wolf Branch Innovation Gateway</u>

3.4.1. GB Greenbelt District:

- h. Public utility and public facilities
- i. Public parks and recreation facilities
- j. Home occupations (subsection 3.5.12).

3. Conditional uses:

- a. Private ~~and public~~ parks.
- ~~ba.~~ Golf courses.
- ~~eb.~~ Retail or wholesale plant production, nurseries and greenhouses.
- ~~dc.~~ Fishing clubs and marinas.
- ~~ed.~~ Environmental study centers.
- ~~f.e.~~ Riding stables.
- ~~g. Public utility and service facilities.~~
- ~~hf.~~ Cemeteries.
- ~~ig.~~ Churches.

4. Prohibited uses:

- d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. Site development standards:

d. Minimum building setbacks:

Front yard: 50 feet.

Side yard: 25 feet.

Rear yard: 30 feet.

From any street: 50 feet.

Exempt District defined in this code: No setbacks

Public Parks and Recreation Facilities: No setback

Private park structures and facilities setbacks: All 25 feet

e. Maximum building height: 35 feet.

f. Parking: See [section 6.5](#).

g. Landscaping and buffers: See [section 6.6](#).

h. Signs: See [section 6.7](#).

i. Access: See subsection 6.3.7.

j. Minimum dwelling size (sq. ft.): 2,000.

3.4.2. *R-1AAAA, R-1AAA, R-1AA, R-1A, R-1, R-1B, Single-Family Residential Districts:*

2. *Permitted uses:*

c. Public parks and public recreation facilities.

d. Home occupations (subsection 3.5.12).

3. *Conditional uses (See section 2.5.1.5):*

~~d. Recreation, including live theater or other city sponsored cultural uses.~~

e. Private parks and recreation facilities.

~~ef.~~ Temporary sales offices (subsection 3.5.14).

~~f. Home occupations (subsection 3.5.12).~~

g. Bed and breakfast establishments in R-1 and R-1B zoning districts (subsection 3.5.17).

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

	<u>Park and recreation facilities setbacks: All 25 feet</u>

*Note: Also, see section 3.5.1 for minimum setback averaging in certain cases.

3.4.3. *R-2 Duplex (one- and two-family) Residential District:*

2. *Permitted uses:*

e. Public parks and public recreation facilities.

f. Home occupations (subsection 3.5.12).

3. *Conditional uses (See section 2.5.1.5):*

d. Private Parks and Private Recreation facilities.

~~h. Home occupations (subsection 3.5.12).~~

hi. Day care centers.

ji. Group homes and adult living facilities (subsection 3.5.13).

~~k.j.~~ Parking associated with adjacent nonresidential uses provided that the vacant land used for the construction of a parking facility is not created as the result of the demolition of an existing structure (subsection 6.5).

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

		Single-Family Dwelling	Duplex

	From any street	<u>25-15</u>	25
<u>Park and recreation facilities setbacks: All 25 feet</u>			

*Note: Also, see section 3.5.1 for minimum setback relief for residential dwellings.

3.4.4. *R-3 Multifamily Residential District:*

2. *Permitted uses:*

- b. Duplexes meeting R-2 development standards and customary accessory uses.
- c. Single-family dwellings and customary accessory uses including boathouses, for watercraft or human occupancy, of no more than 25 feet in height, meeting at a minimum, the requirements of the R-1B zoning district.
- d. Public parks and public recreation facilities.
- e. Private park and recreation facilities as an accessory use within multiple-family development only.
- f. Home occupations (subsection 3.5.12).

3. *Conditional uses (See section 2.5.1.5):*

- e. Private Park and Recreation facilities other than accessory to a multiple-family development.
- ~~f. Temporary sales offices (subsection 3.5.14).~~
- ~~g.~~ Bed and breakfast establishments (subsection 3.5.17).
- ~~h.~~ Hospitals.
- ~~i.~~ Funeral homes.
- ~~j.~~ Day care centers.
- ~~k. Home occupations (subsection 3.5.12).~~
- ~~l.~~ j. Parking associated with adjacent nonresidential uses provided that the vacant land used for the construction of a parking facility is not created as the result of the demolition of an existing structure (subsection 6.5).

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

b. Maximum gross dwelling units/acre (du/ac) residential density: 0—12.00; however, the density may increase from 12.01 du/ac to a maximum 18.00 du/ac provided one of each element of the three categories are selected below. Alternative type elements may be considered that meeting or exceed the intent of each category.

1. Building Elements:

- Renewable energy systems – solar panels;
- Heat island effect reducers – green roofs, green walls, roof decks;
- Green building materials and finishes – locally sourced, environmentally responsible manufactured or recycled materials; or
- Smart home technology – LED lighting, Energy Star certified products, programmable thermostats, electrochromic windows, occupancy sensors, dimmers.

2. Architecture Elements:

- Cool roofs – materials with high solar reflectance index (SRI), cool roof shingles, wood roof deck
- High performance windows – noise-reducing, heat reducing
- Soundproofing – walls and floors
- Terraced floor setbacks
- Secured bicycle storage areas

3. Site Elements:

- Industry certification submittals – LEED;
- Enhanced stormwater management – Low Impact Design (LID) measures that reuse or recycle water for onsite use;
- Community outdoor space – urban plazas, green space, parks; or
- Sculpture art-work approved by the City’s Public Arts Commission.

	One Story	Two Story	Three Story
Front	25	30	35
Side	25	30	35
Rear	25	30	35

f. Minimum multifamily setbacks abutting a single-family district (ft.):

	One Story	Two Story	Three Story
Front	25	35	45
Side	50	75	100
Rear	50	75	100
<u>Park and recreation facilities setbacks: All 25 feet</u>			

3.4.5. *PUD Planned Unit Development District:*

1. *Description of district.* This district is established to:

- a. Provide for planned residential communities containing a variety of residential structures and a diversity of building arrangements, with complementary and compatible commercial or industrial uses or both; planned commercial centers with complementary and compatible residential or industrial uses or both; or planned industrial parks with complementary and compatible residential or commercial uses or both developed in accordance with an approved final development-master plan.

- d. Ensure that development will occur according to the limitations of use, design, density, coverage and phasing stipulated on an approved final development master plan.

- g. Provide the maximum opportunity for the application of innovative concepts of site planning in the creation of aesthetically pleasing living, shopping and working environments on properties of adequate size, shape and location. The Planned Unit Development district is permitted within all land use categories shown on the future land use map of the comprehensive plan, unless otherwise specified in this code.

2. *Permitted uses:*

- e. New developments within the WBI-E and WBI-G zoning districts are required to following the preliminary and final master plan procedures of this section. The uses and standards shall be consistent with the underlying WBI-E and WBI-G zoning districts of this code. In these two zoning district the lands would be rezoned WBI-E or WBI-G zoning districts and include a final master plan outlining the conditions, minimum site area, uses, and standards at time of change of zoning. Amendments to an approved WBI-E or WBI-G Final Master Plan follows the procedures of the PUD section.

3. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

4. *Site development standards.*

f. New developments to provide conservation design and practices, such as but not limited to dark sky lighting principals, energy star, green building design, solar, LEED principals, etc.

5. *Approval procedures.* The review outlined in section 3.3 of this code shall be followed for first a preliminary ~~development-master~~ plan and then a final ~~development-master~~ plan, which shall be adopted by ordinance. The two steps are designed to allow the applicant to gain review and approval of general concepts prior to the preparation of detailed plans. Subdivision plats and/or site plans are required for each separate section of the PUD. However, if the applicant so chooses and is permitted by the development review coordinator, steps may be bypassed or combined in an attempt to reduce the time involved at the applicant's own risk.

6. *Submittals.* The following items must be submitted to the development review coordinator:

a. *Preliminary ~~development-master~~ plan:* The preliminary ~~development-master~~ plan, consisting of properly identified exhibits and supporting materials, shall clearly indicate the following:

b. *Final ~~development-master~~ plan:* The final ~~development-master~~ plan for portions of, or the total PUD, shall include the following submittals:

1. Development report. An 8½ × 11-inch report with folded drawings, including the following information (electronic submittals of drawings and documents may be considered):

a. A location map showing the relationship between the area proposed for development, the remainder of the area within the approved preliminary ~~development-master~~ plan and the surrounding area;

c. *Additional approvals:* Based on the scope of the PUD project and the level of detail and scope of the final ~~development-master~~ plan, additional submittals in the form of a subdivision plat or site plan may be required for any section of the project before authorization can be given to proceed with development of that section. Procedures and submittals outlined in chapters IV and V of this code apply. Combined or concurrent reviews may be allowed as previously described.

d. *Alterations to preliminary or final ~~development-master~~ plans:*

1. Substantial proposed changes in requested uses, density, phasing or other specifications of the preliminary ~~development-master~~ plan may be permitted

only upon resubmittal to the development review committee and the planning and zoning commission.

2. Substantial proposed changes in requested uses, density, phasing or other specifications of the final ~~development-master~~ plan may be permitted following review by the development review committee, the planning and zoning commission and approval by the city council.

e. *Control of development following completion:*

1. Upon the completion of the final ~~development-master~~ plan or any phase thereof, the development review coordinator shall certify the completion in the official zoning map.
2. After such certification, the use of land and the construction, modification or alteration of any buildings or structures within the planned unit development will be in accordance with the approved final ~~development-master~~ plan, rather than with standard provisions of the zoning regulations.
3. After certification, no changes may be made in the approved final ~~development-master~~ plan except under the procedure provided below:
 - a. Minor extensions, alterations or modifications of existing buildings, structures or utilities which are consistent with the purposes and intent of the final ~~development-master~~ plan, they may be authorized by the development review coordinator.
 - b. Uses not authorized by the final ~~development-master~~ plan may be added to the final ~~development-master~~ plan if approved by the city council, which shall hold a public hearing.
 - c. A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final ~~development-master~~ plan as approved under the provisions of this part.

f. *Approval expiration:*

1. If a final ~~development-master~~ plan for all or part of the preliminary ~~development-master~~ plan has not been submitted within ~~six months~~one (1) year following the approval of the preliminary ~~development-master~~ plan, the preliminary ~~development-master~~ plan approval shall be void. Upon request by the applicant prior to expiration, the ~~city council~~development review committee may review the preliminary ~~development-master~~ plan and current conditions and determine whether the approved uses are still appropriate. Following this review, the ~~city council~~development review committee may take the following action:
 - a. If there have been no significant changes in the surrounding area, the ~~city council~~development review committee may extend the approval for an additional six months. A second six (6) month extension may be

approved by the planning and zoning commission. A third six (6) month extension will require a PUD amendment.

b. If significant changes have occurred in the area that make the approved uses inappropriate, the city council may, after public hearing and recommendations of the planning and zoning commission:

1. Revise the preliminary- ~~development-master~~ plan; or

2. Change the zoning classification to a more appropriate district.

2. Actual construction must begin within the Planned Unit Development within 12 months of approval of the final ~~development-master~~ plan. If actual construction has not begun, the final ~~development-master~~ plan approval and any vesting which may be claimed thereby shall be void. The applicant may request ~~an six (6) month~~ extension prior to expiration to the Development Review Committee. Construction shall be deemed to commence upon receipt of a site development permit or building permit for the development. Lapse of said site development or building permit shall constitute a termination of construction. Upon a termination of construction, construction must recommence during that portion of the 12-month period which was not exhausted prior to commencement of construction. If recommencement does not occur in a timely manner the final ~~development-master~~ plan approval and any vesting which may be claimed thereby shall be void.

~~[g. Reserved.]~~

hg. *Bonds:* Improvement bonds for facilities to be owned and maintained by the city shall be posted before the issuance of building permits.

3.4.6. *C-1 Neighborhood Commercial District:*

1. *Description of district.* This district is established to provide commercial areas that serve neighborhood needs without damaging the residential character of the neighborhood and without attracting traffic from outside the neighborhood. The architecture of the proposed development shall be compatible with the established neighborhood. Areas of the city in which this district is appropriate are designated as "commercial" on the future land use map of the comprehensive plan and are generally located adjacent to Gorham Street, Grandview Street; and between Grant Avenue and Lincoln Avenue. Other areas may be considered which support neighborhood type commercial uses. Proposed sites must be of sufficient size to allow for required buffers.

4. *Prohibited uses.*

g. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:* ~~Within this district, development will generally be required to be compatible with the existing character of the Northeast District.~~

f. Floor Area Ratio (FAR): 0.25

3.4.7. *C-2 Downtown Commercial District.*

4. *Prohibited uses:* The following uses are specifically excluded from the C-2 district:

e. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

b. Building height maximum: 35 feet.

ii. Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora

5. *Site development standards:* ~~Within this district, development will generally be required to be compatible with the existing character of the Northeast District.~~

j. Floor Area Ratio (FAR):

C-2 within downtown exempt district FAR: 2.00

C-2 outside downtown exempt district FAR: 1.00

3.4.7-A. *C-2-A Peripheral Commercial District.*

4. *Prohibited uses:*

e. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

a. Building setbacks (ft.):

- i. Front yard: Along Highland Street Five feet maximum setback. Front setbacks shall be used as pedestrian access or as seating areas with landscaping used as accents rather than as buffers. Additional front setback may be considered provided that the entire front setback area is used for pedestrian access and hardscape features. Other C-2A areas minimum front setback 10 feet.

b. Building height maximum: 35 feet.

- ii. Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora

k. Floor Area Ratio (FAR):

C-2A within downtown exempt district FAR: 0.50

C-2A outside downtown exempt district FAR: 0.50

3.4.8. *C-3 Highway Commercial District.*

- ~~m. Other uses which are similar or compatible to the uses permitted herein and which are not specifically permitted in a more permissive district and which are not prohibited and which promote the intent and purposes of this district. This determination shall be made by the planning and zoning commission.~~

3. *Conditional uses (See section 2.5.1.5):*

- j Other uses which are similar or compatible to the uses permitted herein and which are not specifically permitted in a more permissive district and which are not prohibited and which promote the intent and purposes of this district. This determination shall be made by the planning and zoning commission.

4. *Prohibited uses:*

5. *Site development standards:*

		Adjacent to Residential	Standard

5.	Maximum building size (sq. ft. leaseable area) Floor Area Ratio (FAR)	100,000	100,000* 0.35

~~*Subparagraph 5 relating to maximum building size shall apply to all new buildings for which a development order is sought after the effective date hereof unless such development order is sought in conjunction with a planned unit development for which an exception to subparagraph 5 has been granted, in which case subparagraph 5 shall not apply.~~

3.4.9. *RP Residential Professional District.*

c. Public buildings, public facilities, and public uses

d. Fire and Police Stations

e. Home occupations (subsection 3.5.12).

d. Bed & Breakfasts

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

3.4.10. *OP Office Professional District.*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

		Adjacent to Residential	Standard

<u>i.</u>	<u>Floor Area Ratio (FAR)</u>		<u>0.30</u>

* Includes any single-family or duplex residential zoning district.

3.4.11. *WP-1 Workplace District.*

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

<u>e.</u>	<u>Floor Area Ratio (FAR)</u>	<u>0.70</u>
<u>ef.</u>	Landscaping/buffers: The 25 feet of the front yard adjacent to the right-of-way shall be retained as a landscaped green area, with parking permissible in the remaining portion of the front yard only for passenger vehicles. See section 6.6.	
<u>fg.</u>	Signs: See section 6.7.	

3.4.12. *WP-2 Workplace District.*

c. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

		Adjacent to Residential	Standard

<u>e.</u>	<u>Floor Area Ratio (FAR)</u>		<u>0.70</u>
<u>ef.</u>	Landscaping/buffers: The 25 feet of the front yard adjacent to the right-of-way shall be retained as a landscaped green area, with parking permissible in the remaining portion of the front yard only for passenger vehicles. See section 6.6.		
<u>fg.</u>	Signs: See section 6.7.		
<u>gh.</u>	Outside storage: Any outside storage shall be screened from view from adjacent property.		

3.4.13. *PLI Public Lands and Institutions District.*

f. Parking garage.

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

Rear yard: 25 feet.

b. Maximum building height: 35 feet.

Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora

g. Floor Area Ratio (FAR): 0.70

3.4.14. *MHP Mobile Home Park District.*

2. *Permitted uses:*

d. Home occupations (subsection 3.5.12).

3. *Conditional uses (See section 2.5.1.5):*

~~e. Home occupations (subsection 3.5.12).~~

4. *Prohibited uses:*

d. All uses not allowed as either a permitted use or a conditional use above are prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

6. *Additional requirements:*

~~3.4.15. EC Employment Center District.~~

~~1. Description of district. The intent of the EC Employment Center District is to promote orderly and logical development of land for major office complexes and light, clean industrial development in attractively designed, park-type settings, and to assure adequate design in order to maintain the integrity of existing or future nearby residential areas. The ultimate site must be large enough to meet the standards set forth herein while retaining a well-landscaped image so as to readily blend with nearby residential areas. It is intended that a minimum number of points of ingress and egress be utilized in order to reduce the traffic impact on adjacent streets and thus enhance traffic movement. The district is most generally located on, or having access to, arterial or collector roadways. Areas of the city appropriate for this district are included in the "office" designations on the future land use~~

~~map of the comprehensive plan and within the "employment center" of the Lake County/Mount Dora Joint Planning Area.~~

~~2. *Permitted uses:*~~

- ~~a. Medical and pharmaceutical research complexes.~~
- ~~b. General office buildings.~~
- ~~c. Professional offices.~~
- ~~d. Financial offices.~~
- ~~e. Telephone and utility business offices.~~
- ~~f. Public uses.~~
- ~~g. Banking centers.~~
- ~~h. Technology based research and development.~~
- ~~i. Hospitals.~~

~~3. *Conditional uses (see section 2.5.1.5 for criteria) and certain uses permitted within properties assigned the Planned Unit Development (PUD) District:*~~

- ~~a. Commercial parking facilities.~~
- ~~b. Public and private schools, colleges and universities.~~
- ~~c. Nursing homes.~~
- ~~d. Day care centers associated with another use.~~
- ~~e. Telecommunication towers (subject to subsection 3.5.21).~~
- ~~f. Manufacturing, warehousing and distribution centers associated with corporate headquarters or research and development facilities.~~
- ~~g. Retail uses associated with another use so long as such use occupies no more than ten percent of the space available for use~~
- ~~h. Limited multi family residential subject to compliance with the standards of subsection 3.4.5.2.b pertaining to the Planned Units Development (PUD) District (planned commercial/office centers).~~
- ~~i. Other similar uses if determined to be compatible by the planning and zoning commission.~~

~~4. *Prohibited uses:*~~

- ~~a. Medical marijuana dispensaries.~~
- ~~b. Non medical marijuana sales.~~
- ~~c. Cannabis farms.~~
- ~~d. Single family residential.~~

~~5. *Other requirements.* In addition to the requirements of section 2.5 for the conditional uses set forth above, the planning and zoning commission shall determine that there are adequate systems to prevent ground, air or noise pollution, that the required setback requirements of the EC district are adequate for the proposed conditional use, and that the~~

facility shall conform to the standards set in the description of the EC district in subsection 3.4.15.1 above.

~~6. Site development standards:~~

		Adjacent to Residential	Standard
a.	Minimum building setbacks (ft.)		
	Front yard	100	50
	Side yard	100	50
	Rear yard	100	50
	From any street	100	50
b.	Minimum lot size (sq. ft.)	100,000	
c.	Minimum lot width (ft.)	200	
d.	Maximum building height (ft.)	Maximum FAR 3.0	
e.	Parking	See section 6.5	
f.	Landscaping/buffers	See section 6.6*	
g.	Signs	See section 6.7*	
h.	Access	See subsection 6.3.7	
*C-3 standard shall apply			

~~Note—Amendments to this section made by Ordinance No. 849 adopted June 15, 2004, shall be prospective in nature and shall not apply to any development for which approvals were granted on or before June 15, 2004.~~

3.4.15. WBI-E Wolf Branch Innovation Employment and WBI-G Wolf Branch Innovation Gateway Districts:

1. Description of the districts. The intent of the WBI-E and WBI-G districts are to provide for a variety of office uses, high-tech industrial, multi-family residential, and limited commercial uses that support office uses. These districts are intended to accommodate employment development which exhibits a high level of site and building amenities to include extensive landscaping, plazas and pedestrian/employee-friendly gathering areas, central building entrances, enhanced building and site security features, and accessory uses included within the building footprint. The development standards of the WB-E and WBI-G are calibrated to the varied existing development and desired future character for the property within these districts. If there are conflicts between these standards and standards contained elsewhere in the land development code, the standards in this division shall prevail. The use of PUD Master Plan process of this code is required for the lands within the character area for new developments. The Master Plan allows for a mixture of permitted uses that a parcel's or lot's current underlying zoning district may not, and shall follow the underlying Future Land Use classification.
2. Purpose. These standards are intended to serve the following purposes:
 - a. Ensure sufficient land area designated for employment center uses;

- b. Allow for the development of employment center uses in an effective and efficient configuration;
 - c. Create a transportation network with people-oriented transportation focusing on a robust network of street and trail connections rather than a limited system of roads;
 - d. Promote the creation of a high quality of place that is consistent with the elements seen in Mount Dora;
 - e. Allow for a central node of mixed or multi-use development that focuses activity;
 - f. Maintain and enhance property values and quality of life in the surrounding neighborhoods;
 - g. Facilitate high quality, high value economic development;
 - h. Provide the maximum opportunity for the application of innovative concepts of site planning on properties of adequate size, shape and location; and
 - i. Ensure consistent land use patterns and design standards consistent with the WBI-E and WBI-G Districts.
3. Applicability. The standards set forth in this division shall apply when vacant property is developed. Existing principal structures may be repaired or replaced and additions to principal structures are allowed so long as the use of the property does not change. Subdivision, including lot splits, requires conformance with these standards.
4. Relationship to Other Standards. Aspects of development not covered by these standards shall be governed by the standards contained elsewhere in the land development code. Where these standards are silent, the underlying zoning regulations shall apply.
- 4.5. Process and application requirement. In addition to the requirements contained herein all new developments, shall be processed through the City's normal Planned Unit Development (PUD) process of this code and shall follow the uses and design standards of this section. The actual assignment of the zoning of lands shall be WBI-E or WBI-G and include a master plan outlining these standards, permitted uses, performance standards, architectural design, phasing plans and the development configuration. The master plan will establish the overall project development conditions. Following assignment of the WBI-E or WBI-G zoning district all other city review site plan and platting processes are required per this code. Amendments to an approved master plan shall be by resolution processed by the Planning and Zoning Commission and City Council per this code.
6. Existing Uses/Structures. Uses and structures that are in existence upon a property at the time of the adoption of this section or at the time the WBI-E or WBI-G zoning district is assigned to the property shall be deemed legally permitted and conforming and such may be reconstructed, remodeled, altered, enlarged and expanded upon the property notwithstanding other provisions of this code. The substitution of occupant(s) of such existing uses and structures with similar businesses and uses is permitted. Waivers to applicable performance standards of the WBI-E and WBI-G zoning districts shall be granted by the city in order to implement the intent of this subsection.

7. WBI-E Wolf Branch Innovation Employment District Development Standards are as follows:

- a. Purpose and intent. The purpose of the Wolf Branch Employment (WIB-E) District is to allow and encourage the attraction of a variety of office types, highly specialized and technological industries, research and experimental institutions, light industrial support facilities, and business services. Higher density residential uses and commercial uses are allowed in support of these uses.
- b. In addition to the requirements of this code, the Wolf Branch Innovation Design Guidelines dated April 20, 2021, or as amended from time to time shall be incorporated herein by reference.
- c. Development standards. The following table summarizes the development standards for the WBI-E District:

<u>Building Height (max)</u>	<u>100 ft. Where buildings are located adjacent to residential uses not located within the WBI-E or WBI-G District, a 25 ft. setback shall be provided. An additional 1 ft. setback is required for each 3 ft. of additional building height above 35 ft.</u>
<u>Residential Density (min)</u>	<u>8 du/ac</u>
<u>Intensity (max)</u>	<u>1.0 FAR (2.0 FAR with bonus of this section). Floor Area Ratio as defined by this code.</u>
<u>Impervious Surface Ratio ISR (max)</u>	<u>0.75</u>
<u>Employment floor area (min)</u>	<u>A total of 900 SF of employment floor area must be provided within the Master Plan for each proposed dwelling unit.</u>
<u>Open Space (min)</u>	<u>15%</u>
<u>Commercial Uses</u>	<u>No more than 20% of total floor area (hotel excluded from total)</u>
<u>Residential Uses</u>	<u>No more than 25% of land area can be allocated to residential use; vertically mixed-use buildings are exempt from this standard</u>
<u>Parking</u>	<u>For parking spaces required, see Section 6.5 of this code</u>
<u>Landscaping/buffers</u>	<u>See Section 6.6 of this code for buffer treatments and design not listed in this section.</u>

Access

See Subsection 6.3.7 of this code

Signs

A sign master plan and as guideline is required for new development proposals in general following the sign design standards commensurate to the C-3 zoning district of this code.

- d. Minimum Site Area Requirements: New developments in the WBI-E District require a minimum development three (3) acres in site area.
- e. Intensity bonus. An intensity bonus of up to 1.0 FAR may be allowed at the sole discretion of the City Council for any site within the WBI-E District based on the provision of public benefit elements including:
- (1) Dedicated public park open to the public managed privately;
 - (2) Additional open space above the required minimum;
 - (3) Park and ride lot;
 - (4) Off-site infrastructure including streets and trails; and/or
 - (5) Land donation for transportation improvements.
- f. WBI-E Permitted Uses. The following uses are permitted within the WBI-E District:
- (1) Medical and pharmaceutical research complexes
 - (2) General office buildings including: research and development and health care
 - (3) Limited commercial retail trade uses that support office land uses;
 - (4) Light industrial uses such as manufacturing, wholesale trade, office/showroom, transportation, communications, electric, gas and sanitary services. Activities are limited to those without off-site impacts and take place primarily within an enclosed building.
 - (5) Day care
 - (6) Professional offices
 - (7) Financial, insurance and real estate offices
 - (8) Telephone and utility business offices
 - (9) Public facilities and civic uses (includes public utilities, fire and police stations, or similar)
 - (10) Recreation and parks
 - (11) Banking centers
 - (12) Technology based research and development
 - (13) Manufacturing, warehousing and distribution centers associated with corporate headquarters or research and development facilities
 - (14) Hospitals and health services
 - (15) Churches or religious organizations
 - (16) Schools (public or private)
 - (17) Assisted (Adult) Living Facilities
 - (18) Multifamily dwellings and customary accessory uses (consistent with the Development Standards listed the above table Sub-Section 3.4.15(7.b)).
 - (19) Single-family attached residential of at least 8 DU/Ac (dwelling units per acre)
 - (20) Public and private schools, colleges and universities

- (21) Telecommunication towers (subject to other applicable codes of Section 3.5.6 “Height” and Section 3.5.21 “Communications towers.”).
- (22) Other similar uses if determined to be compatible by the planning and zoning commission.

g. The following uses are prohibited in the WBI-E District:

- a-
- (1) Medical marijuana dispensaries
- (2) Non-medical marijuana sales
- (3) Cannabis farms
- (4) Gas stations
- (5) Single-family detached residential
- (6) Electrical sub-stations or similar uses
- (7) Off Site Advertising sign (billboards
- (8) Heavy industrial uses
- (9) Cross-dock truck dependent warehouse and distribution uses
- (10) Outside flea market or outside sales, outside storage or staging of equipment, activities, or services
- (11) Single-use highway commercial uses not located within a mixed use building. Mixed use means at least two of the following uses within a single building: commercial, office, or residential. Multiple commercial buildings developed on the same site are not allowed by definition of mixed use. These single-use highway commercial uses are intended to prohibit free-standing highway orientated commercial uses such as but not limited to fast-food restaurants (with or without drive-thru), banks, financial institutions, drug stores, automotive parts or mechanical repair stores/shops of any kind, coffee houses, day care, veterinarian office, animal clinic, grocery/specialty markets, or single tenant standalone retail uses.

8. WBI-G Wolf Branch Innovation Gateway District Development Standards are as follows:

- a. Purpose and intent. The purpose of the WBI Gateway (WBI-G) District is to form the ‘core’ of the Wolf Branch Innovation District where the highest concentration of retail and services are located to conveniently serve the needs of the tenants of the Wolf Branch Innovation District and residents of surrounding neighborhoods. The vertical mixing of uses is encouraged and residential uses are allowed as part of a mixed- or multi-use site.
- b. Development standards. The following table summarizes the development standards for the WBI-G District.

<u>Building Height (max)</u>	<u>100 ft</u>
<u>Residential Density (min)</u>	<u>8 du/ac; No residential use and density required for parcels or lots existing as of May 31, 2021 that are less than 4 acres.</u>

<u>Intensity (min/max)</u>	<u>0.25 FAR / 1.0 FAR (Floor Area Ratio as defined by this code); Minimum FAR of 0.15 for parcels or lots existing as of May 31, 2021 that are less than 4 acres.</u>
<u>Impervious Surface Ratio</u> <u>ISR (max.)</u>	<u>0.75</u>
<u>Employment floor area</u> <u>(min)</u>	<u>N/A</u>
<u>Open Space (min)</u>	<u>15%</u>
<u>Commercial Uses</u>	<u>No more than 75% of land area may be allocated to commercial use. This does not apply to parcels or lots existing as of May 31, 2021 that are less than 4 acres.</u>
<u>Residential Uses</u>	<u>Permitted as part of mixed- or multi-use site, provided no more than 60% of land area allocated to residential use</u>

c. Minimum site area requirements: New developments in the WBI-G District require a minimum development size of two (2) acres in site area. This requirement does not apply to parcels or lots existing as of May 31, 2021.

d. WBI-G Permitted Uses. The following uses are permitted within the WBI-G District:

- (1) Medical and pharmaceutical research complexes
- (2) General office buildings
- (3) Professional offices
- (4) Financial offices
- (5) Telephone and utility business offices
- (6) Public facilities and civic uses (includes public utilities, fire and police stations, or similar)
- (7) Recreation and parks
- (8) Banking centers
- (9) Technology based research and development
- (10) Retail and Service Uses including:
 - i. Antique shops.
 - ii. Art galleries.
 - iii. Banks, finance, and insurance.
 - iv. Bakeries.
 - v. Bed and breakfast establishments.
 - vi. Bars and cocktail lounges.
 - vii. Business service establishments, specialty shops, tailor shops, shoe repair, jewelry stores, camera stores, variety stores, and luggage stores.
 - viii. Childcare centers.
 - ix. Commercial recreational facilities, indoor only.

- x. Convenience stores
- xi. Drug stores.
- xii. Florists.
- xiii. Grocery/Specialty markets.
- xiv. Hardware stores, paint stores, office supplies.
- xv. Health spas.
- xvi. Liquor stores selling liquor for consumption off premises.
- xvii. Motels and hotels.
- xviii. Restaurants, including outside seating areas; dining table service only.
- xix. Retail trade establishments, enclosed.
- xx. Personal service establishments.
- xxi. Photographic studios and fine arts studios.
- xxii. Veterinarian office and animal clinic (no overnight boarding)
- xxiii. Theaters, indoor.
- xxiv. Similar retail sales activities to those listed above.
- xxv. Electric vehicle charging stations

(11) Multifamily dwellings and customary accessory uses.

(12) Single-family attached residential of at least 8 du/ac.

(13) Public and private schools, colleges and universities.

(14) Telecommunication towers per this codes.

(15) Other similar uses if determined to be compatible by the planning and zoning commission.

(16) Only the permitted uses under a planned commercial (CP) ordinance previously approved by Lake County and recorded in the public records prior to May 31, 2021 for a property within the WBI-G District or the Employment Center Gateway Sub-District future land use. This provision controls over any conflicts with the prohibited use provisions. The above CP ordinances only pertains to permitted uses and all other design standards and Conditional Uses listed in this code shall apply upon new developments.

(17) Existing uses on a property that legally existed prior to annexation of a property designated with the WBI-G District zoning or the Employment Center Gateway Sub-District future land use. The expansion of such uses and their principal and accessory structures are also permitted. This provision controls over any conflicts with the prohibited use provisions.

e. WBI-G District Conditional Use Permit (see section 2.5.1.5):

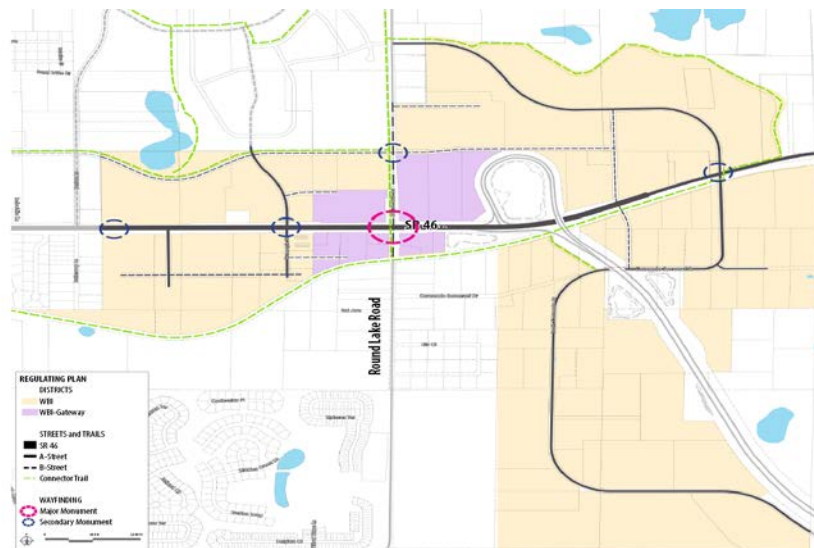
- (1) One (1) single highway commercial use with drive-thru window for the SR 46 frontage within each quadrate of the WBI-G District, subject to the design elements listed below of sub-sub section (e.3).
- (2) One (1) gas station/convenience store use for the SR 46 frontage within each quadrate of the WBI-G District, subject to the design elements listed below of sub-sub section (e.3).
- (3) Design Elements: In cases of Conditional Use Permits for the uses listed in the sub-section the following design elements are required in addition to other standards of this code:
 - i. Gas convenience store use shall front on SR 46. Gas pumps and canopy must be located behind the rear of the primary building facing SR 46.
 - ii. Building placement/site design conducive to shielding gas pump canopy from the primary view shed of the intersection of SR 46 and Round Lake Road shall provide a corner location for a gateway “feature”;
 - iii. Building with drive-thru would need to have a structured canopy over drive-thru window;
 - iv. Each corner of the SR 46 and Round Lake intersection are required to designate for public/common gateway entrance “feature” to be designed and installed by the developer for dedication to the City. Owner/Developer shall be subject to initial feature design construction and a special assessment though an annual maintenance, repair and replacement cost;
 - v. Dedication of “feature” site (via easement or other restrictions determined appropriate by the City), site design, and/or funding commitment would be required prior to first building permit for each corner;
 - vi. Design illustration examples of gateway feature will be provided by the City. Owner/developer may either construction or provide city payment for design feature. A Developer’s Agreement shall be required; and
 - viii. Requirement for simultaneous development of other mix of uses with gas station or commercial outparcel, so that they cannot develop before other uses and result in them being stand-alone use of the parcel.

f. The following uses are prohibited in the WBI-G District:

- (1) Medical marijuana dispensaries
- (2) Non-medical marijuana sales
- (3) Cannabis farms
- (4) Single-family detached residential
- (5) Churches or religious organizations
- (6) Schools (public or private)
- (7) Outside flea market or outside sales, outside storage or staging of equipment, activities, or services
- (8) Vehicle repair and mechanic shops
- (9) Electrical sub-stations or similar uses
- (10) Off Site Advertising sign (billboards)
- (11) Heavy industrial uses
- (12) Cross-dock truck dependent warehouse and distribution uses
- (1)(13) Single-use highway commercial uses, unless granted a Conditional Use Permit under provisions of Section 3.4.15(8.e), not located within a mixed use building. Mixed use means at least two of the following uses within a single building: commercial, office, or residential. Multiple commercial buildings developed on the same site are not allowed by definition of mixed use. These single-use highway commercial uses are intended to prohibit free-standing highway orientated commercial uses such as but not limited to fast-food restaurants (with or without drive-thru), banks, financial institutions, drug stores, automotive parts or mechanical repair stores/shops of any kind, coffee houses, day care, veterinarian office, animal clinic, grocery/specialty markets, or single tenant standalone retail uses.

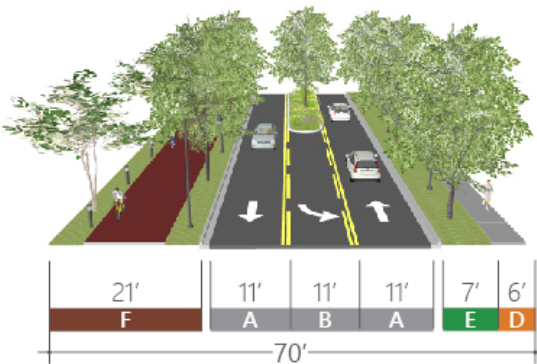
8. Streets and Blocks with the WBI-E and WBI-G:

- a. Regulating Plan. The Regulating Plan shows the intended location of the WBI-E and WBI-G Districts, Streets, Trails, and Wayfinding. Individual development Master Plans shall demonstrate consistency with the Comprehensive Plan Policies and these following the general street (Street-A and Street-B) and block layout depicted in the illustration below.



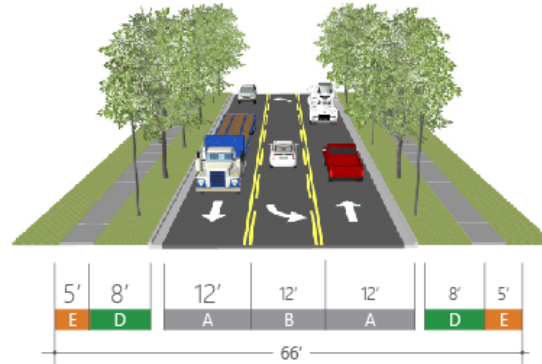
- b. Block Structure. A system of connected streets and well-proportioned blocks is a key element of the vision for the WBI-E and WBI-G Districts. Consistent with this vision, development of certain areas will require new streets to create this block system. The Regulating Plan provides a representation of the desired street network and may require adjustments to address site conditions. An alternate but comparable network, consistent with the intent of providing connectivity, may also be considered as part of the development master plan approval process. New streets shall be designed consistent with the standards shown below.

A-Street Section



Street design	
Right-of-way width	70 ft
Design speed	35 mph
Travelway	
A Travel lanes	11 ft
B Turn lane/planted median	11 ft
C Curb and gutter	2 ft
Streetscape	
D Walkway (min)	6 ft
E Planting strip	7 ft
F Bikeway (multi-use trail)	21 ft

B-Street Section



Street design	
Right-of-way width	66 ft
Design speed	35 mph
Travelway	
A Travel lanes	12 ft
B Turn lane/planted median	12 ft
C Curb and gutter	2 ft
Streetscape	
D Walkway (min)	6 ft
E Planting strip	8 ft

9. Building Frontage.

- a. General. Throughout the WBI-E and WBI-G, buildings shall be located and oriented toward the street to create a character of place that is defined by buildings and landscape rather than parking areas. In order to create a consistent building wall along the street, design standards for the area require a significant percentage of each lot to maintain a building frontage within a Build-to-Zone along all streets. The width of this Build-to-Zone varies to allow variation in building setbacks to avoid monotony along a street. The standards in this section apply to both the WBI-E and WBI-G Districts.
- b. Build-to zone. Building facades shall be placed in the Build-To Zone of the applicable street frontage and shall occupy at least the specified percentage of the linear frontage of the site.
- c. Landscape zone. The Landscape Zone accommodates a consistent landscape identity throughout the WBI-E and WBI-G Districts. Buildings are allowed to be located within the Landscape Zone pursuant to setbacks and the Landscape Zone Planting requirements of this section. Driveway access may cross the Landscape Zone, however parking is not permitted within this zone.
- d. Parking and service zone. Parking and service areas shall not be located between the principal building and the street, with the exception of the SR 46 frontage. Along SR 46, a single bay of parking is permissible within the Build-to-Zone so long as the frontage requirements of this section are met. Buildings on corner parcels shall be located up to and address the corner. They are encouraged to wrap the corner where possible. Building service elements (e.g., loading docks, dumpsters, etc...) shall be located at the rear of the building and screened from view of all adjacent streets. New development is encouraged to develop a system of service alleys to provide access to these areas.

SR-46/Round Lake Rd

<u>A</u>	<u>Build-to zone</u>	
<u>A1</u>	<u>Setbacks (min/max)</u>	<u>10/100 ft</u>
<u>A2</u>	<u>Building frontage (min)</u>	<u>60%</u>
<u>B.</u>	<u>Landscape zone</u>	<u>25 ft</u>
<u>C</u>	<u>Parking & service zone</u>	
<u>C1</u>	<u>Walkway (min)</u>	<u>6 ft</u>
<u>D.</u>	<u>Access</u>	<u>Governed by FDOT/Lake County standards as applicable</u>

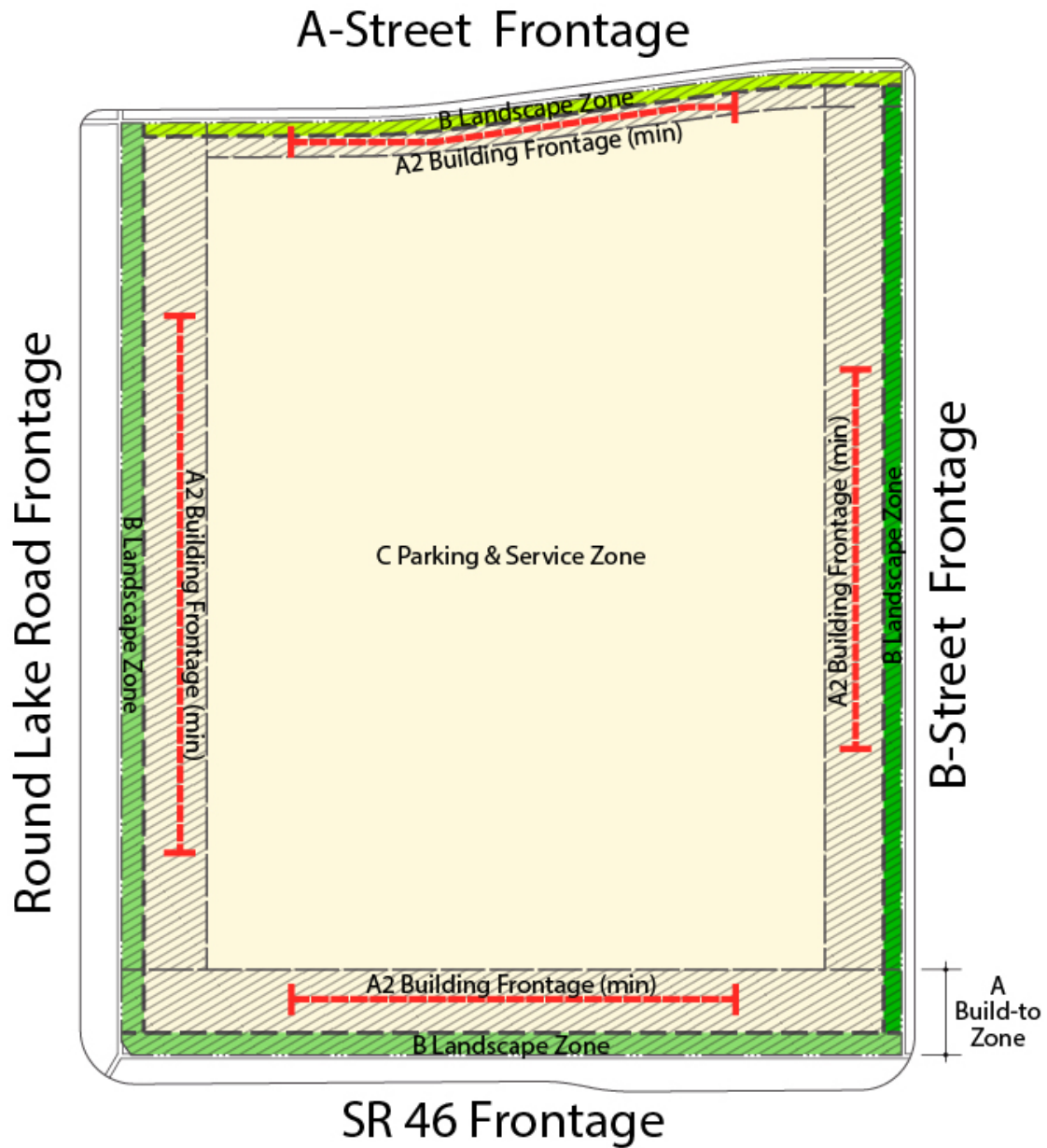
A-Street B-Street

<u>A</u>	<u>Build-to zone</u>		
<u>A1</u>	<u>Setback (min/max)</u>	<u>0/20 ft</u>	<u>0/40 ft</u>
<u>A2</u>	<u>Building frontage (min)</u>	<u>60%</u>	<u>40%</u>
<u>B.</u>	<u>Landscape zone</u>	<u>25 ft</u>	<u>20 ft</u>
<u>C</u>	<u>Parking & service zone</u>		

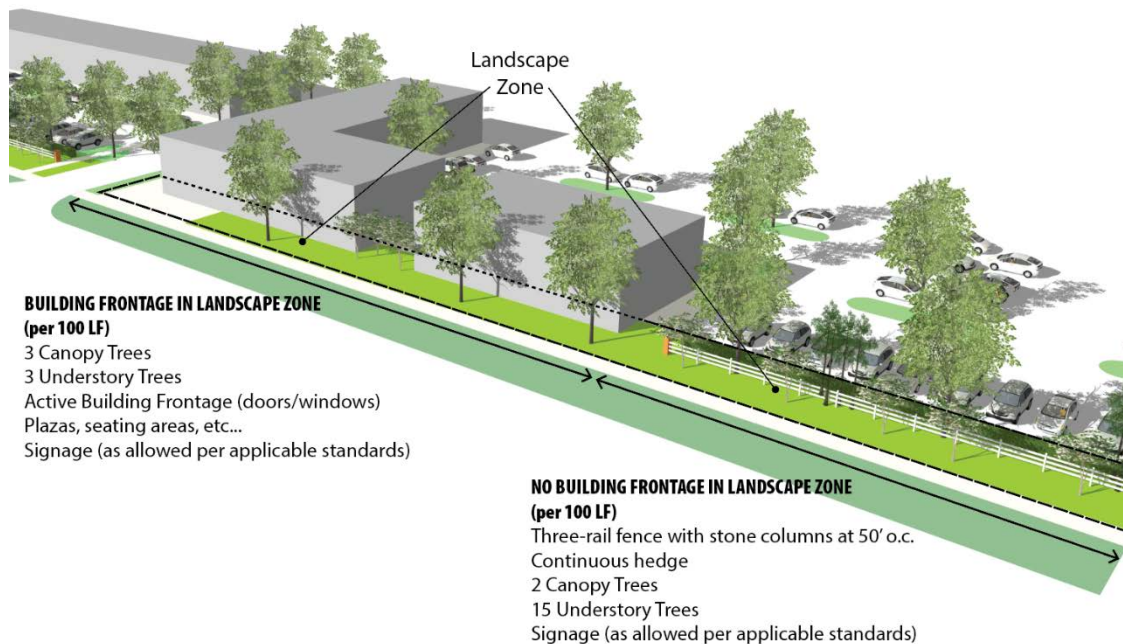
C1 Walkway (min)
 C2 Bikeway (multi-use trail)
 D. Access

6 ft 5 ft
 12 ft 12 ft

Governed by FDOT/Lake County standards as applicable



- e. Landscape Zone Planting. In order to form a cohesive visual character along SR 46 and Round Lake Road, the required Landscape Zone shall be planted consistent with the standards shown in the figure below.



10. Park systems. The park, trails, and open space systems within the WBI-E and WBI-G districts are intended to serve the day-to-day park needs of residents, employees, and visitors, as well as to frame the spatial organization of the community by linking neighborhoods, workplaces, and service centers with outdoor spaces. The system shall be designed to serve many different functions and may be composed of a range of sizes and types of open spaces connected by pedestrian and cycling pathways. These spaces shall be integrated into the fabric of the WBI along with other public infrastructure systems such as streets, utilities, and stormwater drainage.

- a. Multi-use Trails. Multi-use trails shown on the Regulating Plan must be incorporated into the master plan. Trail alignments may deviate from those shown on the Regulating Plan, so long as they achieve the origin and destination shown on the Regulating Plan. Trails shall be designed consistent with the standards in LDC Section 6.15.

11. Site Orientation and Development Standards.

- a. Intent: The intent of the WBI-E and WBI-G districts are to encourage the development of employment center and other supporting uses. These uses often require larger footprint buildings that require special standards. Buildings in the WBI-E and WBI-G should be sited, regardless of their use, in a manner that emphasizes building and landscape more than parking and service/loading areas. While there is not a requirement that buildings be placed at the edge of the sidewalk, the intent of these guidelines is to encourage a varied streetscape that allows buildings with a mix of employment uses in close proximity to each other. Unless noted otherwise, the standards in this section apply to both the WBI-E and WBI-G Districts.

b. Building Placement and Site Orientation

- (1) Buildings are encouraged to have a variety of front setbacks in order to avoid the creation of a constant wall of buildings. This is particularly important where proposed buildings have similar heights and massing.
- (2) Large scale parking and service areas shall not be located between the principal building and the street. No more than a single full bay of parking may be located between the principal building and the street at the front of the parcel. Where parking is provided between the building and street, at least 25% of the building frontage must be kept free of parking stalls.
- (3) Parking may be located to the side of the principal building.
- (4) Building service elements (e.g., loading docks, dumpsters, etc...) shall be screened from view of all A-Streets, SR 46, and Round Lake Road with landscape screening and/or berms. New development is encouraged to develop a system of service drives to provide access to these areas.

c. Drive-through Standards

- (1) Drive-through windows and lanes shall be designed to adhere to the following standards:
- (4)(2) Drive-through windows shall not be placed between the right-of-way of SR 46 or Round Lake Road and the associated building.

d. Pedestrian walkways.

- (1) Purpose and intent. To provide safe opportunities for alternative modes of transportation by connecting with existing and future pedestrian and bicycle pathways within the city and to provide safe passage from the public right-of-way to the commercial building or project, and between alternative modes of transportation.
- (2) Pedestrian access standards. Pedestrian ways, linkages and paths shall be provided from the building entry(s) to surrounding streets, external sidewalks, and outparcels. Pedestrian ways shall be designed to provide access between parking areas and the building entrance(s) in a coordinated and safe manner. Pedestrian ways may be incorporated within a required landscape perimeter buffer, provided said buffer is not less than ten feet in width on average. Shared pedestrian walkways are encouraged between adjacent projects.
- (3) Minimum ratios. Pedestrian ways shall be provided at a minimum ratio of one for each public vehicular entrance to a project, excluding ingress and egress points intended primarily for service, delivery or employee vehicles.
- (4) Minimum dimensions. Pedestrian walkways shall be a minimum of six feet wide.
- (5) Materials. Pedestrian walkways shall be consistent with the provisions of the Americans with Disabilities Act (ADA), the Accessibility Guidelines and the Florida Accessibility Code. Materials may include specialty pavers, concrete, colored concrete or stamped pattern concrete.
- (6) Pedestrian crosswalks at building perimeter. Building perimeter crosswalks shall be designed and coordinated to move people safely to and from buildings

and parking areas by identifying pedestrian crossings with signage and variations in pavement materials or markings.

- (7) Shade. Pedestrian walkways shall provide intermittent shaded areas when the walkway exceeds 100 linear feet in length at a minimum ratio of 100 square feet of shaded area per every 100 linear feet of walkway. Shade structures may be natural, manmade or a combination of both.

e. Stormwater: The shape of a manmade body of water, including wet and dry retention areas, shall be designed to appear natural by having off-sets in the edge alignment that are a minimum of ten feet and spaced 50 feet apart. All bodies of water, including wet and dry retention areas, exceeding 20,000 square feet in area, and which are located adjacent to a public right-of-way, shall incorporate into the overall design of the project at least two of the following items:

- i. A five-foot wide walkway with trees an average of 50 feet on center and shaded benches a minimum of six feet in length or picnic tables with one located every 150 feet.
- ii. A public access pier with covered structure and seating.
- iii. An intermittent shaded plaza/courtyard, a minimum of 200 square feet in area, with benches and/or picnic tables adjacent to the water body.
- iv. A permanent fountain structure of significant size to demonstrate a focal element.

f. Parking:

- (1) Building exposure shall be maximized and parking areas minimized along all 'A' Street frontages, where parking areas should be located behind buildings and be screened from direct view from the street through the use of landscaping, knee walls, etc.
- (2) Parking location. Projects shall be designed to adhere to the following standards:
 - Interior lots. No more than 50 percent of the off-street parking for the entire commercial building or project shall be located between any primary facade of the commercial building or project and the abutting street.
 - Corner lots. No more than 80 percent of the off-street parking for the entire commercial building or project shall be located between any primary facade of the commercial building or project and the abutting street, with no single side to contain more than 65 percent of the required parking.
- (3) Where parking areas cannot be located behind buildings and are therefore adjacent to public streets, parking areas shall be screened using some combination of landscaping, colonnades, trellises, pergolas, kneewalls, low masonry or concrete walls.
- (4) Off street parking design. Parking shall be designed to be safe, shaded, and easily accessible, but must be located in such a fashion that it does not dominate the development of a site. Parking shall be as provided for in section 6.5, and subject to the following provisions: temporary sales
 - Surface parking is to be limited to the minimum required by governing code. Additional parking above code minimum is permitted provided that it is contained within the footprint of a building, in a parking structure, or in a

surface lot with enhanced parking lot landscaping and pedestrian circulation to be determined at change in zoning.

- Certain specialized or unique uses may require more surface parking than allowed by Code minimum standards and such parking shall be determined at site plan with justification, subject to otherwise applicable code requirements.
- Pedestrian walkways through parking areas are required and should be carefully defined, particularly where pedestrian and vehicle conflicts are unavoidable.
- Pedestrian walkways shall be provided within all parking lots serving commercial, office and multi-family residential development, and be designed to provide direct connections between all building entrances, adjacent rights-of-way, transit stops, and outparcels.
- A minimum of one pedestrian walkway shall be provided for every five head to head parking rows, except where an alternative arrangement is approved as part of a planned unit development.
- At least one pedestrian walkway shall be designed to provide a direct connection from the main pedestrian entrance of any anchor tenant, principle building, or multi-family leasing office to the sidewalk along the perimeter of the development site.
- Pedestrian walkways shall have a minimum width of 14 feet, including a minimum of six feet in width for the sidewalk, and a minimum of eight feet in width for the central landscape strip. All unpaved areas within pedestrian walkways shall have 100 percent landscape coverage in accordance with this Section, and shall conform to the tree spacing requirements provided therein. Shade structures, including pergolas or gazebos, may be substituted for canopy trees.
- Crosswalks connecting pedestrian walkways across parking lot drive aisles shall be designed and constructed to appear visually distinct from the adjacent driving surface through the use of colored or textured concrete.

(5) Parking structure standards. The primary facade of a parking structure or covered parking facility that is visible from SR 46 or Round Lake Road shall incorporate at least two of the following:

- a. Transparent windows, with clear or lightly-tinted glass, where pedestrian oriented businesses are located along the facade of the parking structure;
- b. Display windows;
- c. Decorative metal grille-work or similar detailing which provides texture and partially and/or fully covers the parking structure opening(s);
- d. Art or architectural treatment such as sculpture, mosaic, glass block, opaque art glass, relief work, or similar features; or,
- e. Vertical trellis or other landscaping or pedestrian plaza area.

g. Landscaping. In addition to the requirements of the applicable code, the following requirements shall apply.

(1) Purpose and intent. To provide enhanced landscaping within the vehicular and pedestrian use areas of large commercial buildings and projects. Such landscaping is intended to enhance the visual experience of the motoring and

pedestrian public, commonly referred to as the "streetscape". Landscaping should be used to enhance and complement the site design and building architecture.

- (2) Landscape/Hardscape. The following requirements, with the exception of building perimeter plantings, shall be counted toward the code-required greenspace and open space requirements.
- (3) Tree and lighting locations shall be designed so as not to conflict with one another.
- (4) Locational requirements for building perimeter plantings:
 - a. Perimeter landscape plantings shall be located adjacent to the primary building facade, including building entrance areas, plazas, and courtyards. These areas shall be landscaped with any combination of trees, palms, shrubs and ground covers; and
 - b. Building perimeters shall include plantings at a ratio of 100 square feet of planters per 1,000 square feet of building ground floor area. Planters shall either be raised or at ground level and be a minimum of ten feet wide. Seating courtyards, eating areas and plazas may be incorporated within them.

h. Lighting

- (1) Purpose and intent. Commercial buildings and sites, including outparcels, shall be designed to provide safe, convenient, and efficient lighting for pedestrians and vehicles. Lighting shall be designed in a consistent and coordinated manner for the entire site. The lighting and lighting fixtures shall be integrated and designed so as to enhance the visual impact of the project on the community and/or blend the project into the surrounding landscape.
- (2) Exterior lighting may be used to illuminate a building and its grounds for safety purposes but in an aesthetic manner. Lighting is not to be used as a form of advertising in a manner that is not compatible to the neighborhood or in a manner that draws considerably more attention to the building or grounds at night than in the day. All fixtures used in exterior lighting are to be selected for functional and aesthetic value. Decorative lighting fixtures in keeping with the architecture style shall be used for commercial wall mount lighting and parking lot light poles. Exterior lighting shall be in accordance with the lighting design standards of this code.
- (3) All new development within the WBI-E and WBI-G districts, including residential, non-residential, and all public rights-of-way shall utilize lighting fixtures designed and located to minimize glare and reduce light trespass and overhead skyglow. All fixtures shall be certified by the International Dark Sky Association's Fixture Seal of Approval program.
- (4) Shielding standards. Lighting shall be designed so as to prevent direct glare, light spillage and hazardous interference with automotive and pedestrian traffic on adjacent streets and all adjacent properties. Illumination onto adjacent right-of-way or adjacent property shall not exceed 0.5 foot candles.
- (5) Fixture height standards. Lighting fixtures shall be a maximum of 30 feet in height within the parking lot and shall be a maximum of 15 feet in height within non-vehicular pedestrian areas.

(6) Design standards. Lighting shall be used to provide safety while accenting key architectural elements and/or emphasizing landscape features. Light fixtures shall be used as an integral design element that complements the design of the project. This can be accomplished through style, material or color (excluding florescent, primary and secondary colors) or by designing the lighting fixtures to blend into the landscape through the use of dark colors such as bronze, black and forest green. Concrete type poles or mill finish is not permitted. Light pole footers shall not be exposed more than six inches above finish grade.

i. Fencing

(1) Fencing standards. Chain link and wood fencing are prohibited forward of the primary facade, except as provided below, and must be a minimum of 100 feet from a public right-of-way, except as provided in the public realm landscape standards. Chain link and wood fencing facing a public right-of-way shall be buffered at a minimum by an irrigated hedge directly in front of the fence on the side of the right-of-way. Plant material shall be a minimum of 24 inches in height and width and planted to create a continuous visual barrier at time of installation. This plant material shall be maintained at a minimum of three quarter the height of the fencing.

(2) Fencing forward of the primary facade is permitted under the following conditions:

i. Fencing does not exceed four feet in height;

ii. The fencing provides either an open view at a minimum of 25 percent of its length or provides variation in its height for a minimum of 15 percent of its length with a deviation of at least 12 inches; and,

iii. The fence style must complement building style through material, color and/or design.

12. Building Standards: Industrial and Manufacturing Buildings.

a. Intent: Industrial and manufacturing buildings shall be composed with elements that reduce the mass of building walls, reinforce locations of entries, and create architectural interest. This can be done through variations in solid and void composition, color, material, and height.

b. Building Massing: Industrial building frontages shall be broken up and/or screened with landscape at intervals of no more than 100 linear feet. For cross-dock facilities where this is not feasible, additional perimeter landscaping may be substituted (to be determined at WBI-E or WBI-G zoning assignment within the master plan).

c. Building Facades

(1) The front façade of every building shall reflect appropriate structural elements and variation of the wall plane through the expression of:

a. Floors (banding, belt courses, etc.)

b. Vertical support (columns, pilasters, piers, quoins, etc.)

c. Foundation (water tables, rustication, etc.)

d. Variation in wall plane through the use of projecting and recessed elements

e. Changes in material or material pattern

(2) The sides of each building on a site, particularly buildings visible from multiple streets, shall be consistent in design and shall be compatible with other development in the immediate vicinity.

d. Special Requirements for Landscape, Buffers, Walls, and Fencing on Industrial Sites. Within the WBI, there should be a focus on creating an image of buildings and landscape rather than parking and service areas. The landscape between the building and public streets is intended to be informal and create a soft appearance over time. Screening landscape is intended to mask the appearance of more industrial elements of sites to allow for integrated uses within the WBI-E and WBI-G districts. The following standards shall apply to all industrial sites:

a. Where the parking area is visible from a public street or highway, the area will be screened from view by some combination of landscaping, earth berms and decorative walls. Landscape screens consisting of trees, shrubs, ground cover and earth berms are preferred.

b. All service yards and maintenance equipment must be enclosed and screened from the public right of way. Screening may be accomplished with a combination of buildings, walls, landscaping, and/or landscaped earth berms.

c. Walls and accessory structures shall be consistent with the building materials, finish and colors used in the main building or buildings.

d. Masonry walls and/or buffer landscaping shall be provided along the side and rear property lines and streets adjacent to property planned or zoned for residential use.

e. Walls or fences of more than 50' in length should be broken up by landscaping, pilasters, offsets in the alignment of the wall or fence, and/or changes in materials and colors.

13. Building Standards: Commercial and Mixed-Use Buildings.

a. Considerations: Commercial and mixed-use buildings should be composed with elements that reinforce a pedestrian scale. These elements shall be utilized to create a rhythm and scale consistent with traditional architecture. Large unarticulated facades along the sidewalk are not conducive to a pedestrian experience. The street-front facades of new buildings shall be broken down into a number of smaller bays that relate to the context. Additional interest can be added through variations in solid and void composition, color, material, and height.

b. Building Massing

i. No horizontal length or uninterrupted curve of a primary building facade shall exceed 100 linear feet. For arcaded facades, no horizontal length or uninterrupted curve of the arcaded facade shall exceed 120 feet, with varied lengths being desirable. Projections and recesses shall have a minimum depth of three feet with 25 percent of these having a varied length with a minimum differential of one foot.

c. Building Facades

- (1) All primary facades of a building shall be designed with consistent architectural style and detail and trim features. In the case of outparcel buildings, all exterior facades shall adhere to the requirements of this section with respect to architectural design treatments for primary facades.
- (2) All facades visible from a publicly accessible street or open space shall reflect appropriate structural elements and variation of the wall plane through the expression of:
 - a. Floors (banding, belt courses, etc.)
 - b. Vertical support (columns, pilasters, piers, quoins, etc.)
 - c. Foundation (watertables, rustication, etc.)
 - d. Variation in wall plane through the use of projecting and recessed elements
 - e. Changes in material or material pattern
- (3) In addition to the above standards, all building facades that are adjacent to an A-Street, SR 46, and/or Round Lake Road, shall include clear delineation between the first or second level and the upper levels with a cornice, canopy, balcony, arcade, or other architectural feature and shall have two of the following design features:
 - a. Windows comprising a minimum of 40 percent of the affected facade;
 - b. Projected covered public entry with a minimum of 25 percent of the wall space devoted to windows; or,
 - c. Covered walkway (excluding canvas type unless provided with six-inch columns or better) attached to the building, with a minimum width of eight feet and a 60 percent minimum coverage for the affected facade
- (4) Windows shall not appear to be false or applied, except if the primary building is required to be located on the corner street and windows have no functional purpose.
- (5) The first floor of the primary facades shall, at a minimum, utilize windows between the heights of three feet and eight feet above the walkway grade for no less than 30 percent of the horizontal length of the primary building facade.
- (6) 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.
- (7) Blank wall areas. Blank wall areas shall not exceed ten feet in the vertical direction nor 20 feet in the horizontal direction of any primary facade. For facades connected to a primary facade this shall apply to a minimum of 33 percent of the attached facade measured from the connection point. Control and expansion joints within this area shall constitute blank wall area unless used as a decorative pattern and spaced at intervals of six feet or less. Relief and reveal work depth must be a minimum of one-half inch. Landscaping may be used to assist in reducing the blank wall area. Such landscaping shall not be in lieu of architectural treatment.
- (8) Repeating facade treatments. Building facades shall include a repeating pattern and shall include no less than three of the design elements listed below. At least

one of these design elements shall repeat horizontally. All design elements shall repeat at intervals of no more than 50 feet horizontally and 15 feet vertically.

- a. Color change;
- b. Texture change;
- c. Material module change;
- d. Expression of architectural or structural bays, through a change in plane of no less than 12 inches in width, such as a reveal, an offset, or a projecting rib;
- e. Architectural banding;
- f. Building setbacks or projections, a minimum of three feet in width on upper level(s); or
- g. Pattern change.

d. Entryway Design

- (1) Purpose and intent. Entryway design elements and variations are intended to give protection from the sun and adverse weather conditions. These elements are to be integrated into a comprehensive design style for the project.
- (2) Buildings shall feature functional pedestrian entrances. When parking is located to the rear of a street-facing building, entrances shall be provided from both the front and rear or side of the building rather than solely from the parking lot. The following standards shall apply to all buildings:
 - Primary entrances shall be both architecturally and functionally designed to demonstrate their prominence.
 - All buildings fronting 'A' Streets shall have a main entrance from the public sidewalk. In addition, each retail use along these streets shall have an individual public entry from the street.
 - Entrances along a public sidewalk shall incorporate arcades, roofs, porches, alcoves or awnings that protect pedestrians from the sun and rain.
- (3) Single use buildings. Single use buildings shall have clearly defined, highly visible customer entrances which shall include the following:
 - a. An outdoor patio area adjacent to the customer entrance, a minimum of 200 square feet in area which incorporates the following:
 - b. Benches or other seating components;
 - c. Decorative landscape planters or wing walls which incorporate landscaped areas; and
 - d. Structural or vegetative shading.
 - e. A main front entry which shall be set back from the drive a minimum distance of 15 feet.
- (4) Multiple use buildings and projects. Multi-use structures shall include the following:
 - a. Anchor tenants shall provide clearly defined, highly visible customer entrances.
 - b. Each anchor tenant shall have a front entry which shall be set back from the drive a minimum of 15 feet.
 - c. A provision for intermittent shaded outdoor community space at a minimum of one percent of the total gross floor area of the building or commercial project. Said community space shall be located off or

adjacent to the circulation path of the complex or main structure and shall incorporate benches or other seating components.

e. Materials

- (1) Purpose and intent. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well-designed and integrated into a comprehensive design style for the project.
- (2) Exterior building materials, exterior colors, and standards. Predominant exterior building materials shall include, but are not limited to:
 - a. Stucco of earth tone;
 - b. Natural brick (unpainted, unstained, and untinted);
 - c. Textured, other than smooth or ribbed, concrete masonry units of earth tone;
 - d. Stone (unpainted, unstained, and untinted), excluding an ashlar or rubble construction look; and
 - e. Wooden or composite siding.
- (3) Predominant exterior building materials that are prohibited include:
 - a. Plastic or vinyl siding;
 - b. Corrugated or reflective metal panels;
 - c. Tile;
 - d. Smooth or rib faced concrete block; and
 - e. Applied stone in an ashlar or rubble look.
- (4) The following colors are prohibited:
 - Florescent or day glow colors; or
 - Corporate colors or colors used in the marketing of the business occupying the space which are not earth tone shall be calculated towards the allowable signage copy area provided for under applicable code. In such case, a sign permit is required. This section is intended to provide corporations, franchises and corporate chains, with the opportunity to use other exterior colors (other than earth tone), but any such colors shall be considered signage for the purpose of this code.

f. Roofs

- (1) Purpose and intent. Variations in roof lines shall be used to add interest to, and reduce the massing of buildings. Roof features shall be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods. Roofing material should be constructed of durable high quality material in order to enhance the appearance and attractiveness of the community. The following standards identify appropriate roof treatments and features.
- (2) Roof edge and parapet treatment. At a minimum of two locations, the roof edge and/or parapet shall have a vertical change from the dominant roof condition, a minimum of three feet for buildings of 20,000 square feet of gross building area or more, and two feet for all other buildings. At least one such change shall be located on a primary facade adjacent to a collector or arterial right-of-way. One additional roof change must be provided for every 25,000 square foot increment over 50,000 square feet of ground floor space.

- (3) Prohibited roof types and materials. The following types of materials are prohibited:
 - a. Asphalt shingles, except laminated, 320-pound, 30-year architectural grade asphalt shingles or better;
 - b. Mansard roofs and canopies;
 - c. Roofs utilizing less than or equal to a two to 12-pitch unless utilizing full parapet coverage; and
 - d. Back-lit awnings used as a mansard or canopy roof.

14. Building Standards: Residential Buildings.

a. Building Facades: Residential Buildings

- (1) Considerations: Building facades of residential buildings should create character and visual interest and be composed with elements that reinforce a pedestrian scale. These elements shall be utilized create a rhythm and scale consistent with traditional architecture. The design concept shall utilize architectural elements commonly associated with the chosen style. Additional interest can be added through variations in solid and void composition, color, material, and height.
- (2) All facades visible from a publicly accessible street or open space shall reflect appropriate structural elements and variation of the wall plane through the expression of:
 - a. Floors (banding, belt courses, etc.)
 - b. Vertical support (columns, pilasters, piers, quoins, etc.)
 - c. Foundation (watertables, rustication, etc.)
 - d. Variation in wall plane through the use of projecting and recessed elements
 - e. Changes in material or material pattern
- (3) Variations in wall planes, rooflines, and other massing elements shall be incorporated to create visual interest in buildings. Large expanses of flat and/or blank walls are prohibited.
- (4) Building entries shall be clearly defined and pedestrian-scaled entries must be a prominent feature of the front elevation.

b. Roofs

- (1) Purpose and intent. Variations in roof lines shall be used to add interest to, and reduce the massing of buildings. Roof features shall be in scale with the building's mass and complement the character of adjoining and/or adjacent buildings and neighborhoods. Roofing material should be constructed of durable high quality material in order to enhance the appearance and attractiveness of the community. The following standards identify appropriate roof treatments and features.
- (2) Roof edge and parapet treatment. At a minimum of two locations, the roof edge and/or parapet shall have a vertical change from the dominant roof condition, a minimum of three feet for buildings of 20,000 square feet of gross building area or more, and two feet for all other buildings. At least one such change shall be located on a primary facade adjacent to a collector or arterial right-of-way. One additional roof change must be provided for every 25,000 square foot increment over 50,000 square feet of ground floor space.

(3) Prohibited roof types and materials. The following types of materials are prohibited:

- a. Asphalt shingles, except laminated, 320-pound, 30-year architectural grade asphalt shingles or better;
- b. Mansard roofs;
- c. Roofs utilizing less than or equal to a two to 12-pitch unless utilizing full parapet coverage; and
- d. Back-lit awnings used as a mansard or canopy roof.

c. Materials

(1) Purpose and intent. Exterior building materials contribute significantly to the visual impact of a building on the community. They shall be well-designed and integrated into a comprehensive design style for the project.

(2) Exterior building materials, exterior colors, and standards. Predominant exterior building materials shall include, but are not limited to:

- i. Stucco of earth tone;
- ii. Natural brick (unpainted, unstained, and untinted);
- iii. Textured, other than smooth or ribbed, concrete masonry units of earth tone;
- iv. Stone (unpainted, unstained, and untinted), excluding an ashlar or rubble construction look; and
- v. Wooden or composite siding.

(3) Predominant exterior building materials that are prohibited include:

- i. Plastic or vinyl siding;
- ii. Corrugated or reflective metal panels;
- iii. Tile;
- iv. Smooth or rib faced concrete block; and
- v. Applied stone in an ashlar or rubble look.

3.4.16. *MU-1 Mixed Use ~~Transitional~~Traditional and MU-2 Mixed Use Downtown Districts:*

4. Prohibited uses:

d. All uses not allowed as either a permitted use or a conditional use above are prohibited.

7. *Site development standards:* The following requirements shall be observed in all mixed-use developments, except where the requirement is more specifically attributed to horizontal mixed use, or vertical mixed use, as the case may be.

- (2) *MU-2*: Building height is limited to 35 feet and cannot exceed 25 feet in height for building that are located within 100 feet of Lake Dora or in any other location in the MU-2 district where surrounding scenic views of Lake Dora cannot be maintained. Parking garage maximum height 55 feet.

14. *Approval expiration*: If a final ~~development-master~~ plan for all or part of the preliminary ~~development-master~~ plan has not been submitted within 12 months following the approval of the preliminary ~~development-master~~ plan, the preliminary ~~development-master~~ plan approval shall be void. Upon request by the applicant prior to expiration, the city council may review the preliminary ~~development-master~~ plan and current conditions and determine whether the approved uses are still appropriate. Following this review, the city council may take the following action:

- b. If significant changes have occurred in the area that make the approved uses inappropriate, the city council may, after public hearing and recommendations of the planning and zoning commission: Revise the preliminary ~~development~~ master plan.

16. *Process and application requirement*: ~~In addition to the requirements that generally apply to all rezoning PUD applications,~~ the applicant for mixed use development shall in addition provide the following information:

- a. Mixed use master plans, when required, shall follow the same PUD application, submittal requirements, and approvals procedures of this code: Preliminary mixed use master plan, final mixed use master plan, and final site plan and plat (these steps may be combined).
- b. All mixed use developments ~~shall-should~~ require a final plat. All phases shall be platted as separate tracts within the initial plat.

- d. Mixed use master plans ~~shall-should~~ include:

3.5. Supplemental regulations.

3.5.4 *Accessory buildings/structures and uses in residential district.*

5. An accessory structure is incidental and subordinate to the principal structure. There must be a permitted principal structure on the same parcel prior to installation and permitting of an accessory structure.
6. Height limit. No accessory structure shall exceed a height of twenty-five (25) feet and one story.

7. Exempt structures: Play equipment and pet shelters. Children's play equipment, movable dog houses, and similar structures may be placed within a required rear setback without limitation on location.

3.5.5. *Yards.*

- 3.5.6. *Height.* Building heights may not exceed 35 feet for all zoning districts, except 60 feet within the MU-1 district, 65 feet within the C-3 district, ~~and no height limit for the EC district;~~ 100 feet within the WBI-E and WBI-G districts; and maximum 55 height for parking garages within the C-2, C2A, PLI and MU-2 zoning districts. ~~however,~~ eChimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and their necessary mechanical appurtenances may exceed 35 feet, subject to the restrictions herein, and any height limitations placed on such structures by the Federal Aviation Administration. No building, parking garage, or other structure shall exceed 25 feet if such building or structure is to be located within 100 feet of Lake Dora, or in any other location where surrounding scenic views of Lake Dora would be destroyed. Flagpoles may not exceed 45 feet in height in all zoning districts.

3.5.7. *Nonconforming uses/structures.*

~~d. Subdivision. No land upon which a nonconforming use exists shall be subdivided, nor shall any structures be added on the land except for the purposes and in a manner conforming to the regulations for the district in which the land is located.~~

de. Change in tenancy or ownership. There may be a change in tenancy, ownership or management of a nonconforming use, provided there is no change in the nature or character of the nonconforming use.

ef. Casual, temporary or illegal use. The casual, temporary or illegal use of land, or land in combination, shall not be sufficient to establish the existence of a nonconforming use or to create rights in the continuance of such use.

fg. If application for any zoning or development approval is requested, all nonconforming uses must be brought into compliance with this code.

3.5.8. *Fence requirements.*

2. *Height of fences.* Fences in single-family and duplex residential zoning districts shall be limited to six feet in height in the rear yard, side yard and street side yard. No fence installed at a height of six feet along street side yards shall be located closer to the street side yard property line of the lot, parcel, or piece of land upon which the fence is located, than the distance required by the zoning regulations of the city for side yards in the zone in which the property is located. Fences may be installed in

the front yard not to exceed four feet in height. Further, fences four feet or greater in height cannot be installed within the street side yard setback of the zoning district.

In all other commercial, WBI-E, WBI-G and PLI zoning districts, the fences shall be limited to eight feet in height along the side and rear property line and four feet in front yards.

~~No~~A fence shall be considered to be a nonconforming fence if it was erected without the approval of the community development department and without a building permit having been obtained, or if the fence was constructed contrary to the provisions of a building permit. Any such fence shall be considered unlawful and shall be subject to removal.

11. Columns. Fence or wall columns may be located at the property-line. The columns however cannot block corner vehicular or pedestrian visibility and shall not exceed the height allowed for a fence by the zoning district.

3.5.14. *Temporary sales offices and model homes in new developments.* Temporary sales offices and model homes may be placed in new developments ~~upon approval of the development review coordinator~~, subject to the following conditions:

1. The structure must comply with applicable construction codes, meet the minimum setback requirements of the zoning district and parking areas must be landscaped in accordance with the landscaping regulations.
2. The sales office may not be utilized to conduct sales of any product or service other than lots and/or dwellings within the specific development.
3. Approval for sales office may be granted for a period not to exceed ~~six months~~one (1) year or until ~~75-99~~ percent of the lots in the development are sold, whichever comes first. Renewals may be approved until ~~75-99~~ percent of the lots in the development are sold. ~~The city may require a bond be posted to guarantee removal.~~
4. New model homes subject to building permit requirements with maximum six (6) units prior to final platting when required. Additional units may be granted by the Development Review Committee. Model homes must include foundation survey and final survey. Once the development plat has been recorded, the model homes limitations no longer apply.

3.5.23. *Wellhead protection.* The city hereby establishes a protection area of ~~400-500~~ feet in radius measured from the wellhead in question as the wellfield protection zone for each public potable water well. This area shall be designated as a water well protection zone. Within the 500 feet radius, the City shall provide progressive wellhead protections.

~~The first 200 feet shall be a zone of exclusion, where no development activities except wellfield facilities will be permitted, and within the remainder of the zone (200 feet in radius) of protection the following land uses shall be prohibited:~~

75 ft. radius Zone (Non-Hazardous residential and public services)

- Utility and Utility Support Systems including Public Works, Fire and Police Services.
 - Open Space, parks, playgrounds, shelters and other recreational structures not serviced by septic tank
 - One Residential unit per parcel, tract or lot not on septic.
 - Accessory structures, utility lines, roads, driveways, parking lots, piped stormwater.
- 100 ft radius Zone [Prohibited by rule 62-555.312(3)]

- Structures and buildings not on septic
 - Businesses that are (Exempt Small Quantity Generators of Hazardous Waste)
- 200 ft. radius Zone (Sanitary hazards)

- Ponds

- Septic tanks

500 ft. radius Zone (Potentially hazardous facilities/activities to groundwater)

3.6. Historic preservation.

3.6.4. *Certificate of appropriateness.*

1. *Basic requirements.*

- a. *Certificate of appropriateness required.*

2. *Historic preservation review area.* A certificate of appropriateness shall be required for the demolition, relocation, alteration, restoration, or renovation of the exterior architectural features of a building located in the historic preservation area:

~~a. Constructed before 1956;~~

~~b. Constructed in 1956 or later if a proposed alteration causes the building size to be either increased or decreased by 50 percent or more, or causes the height of the building to be increased;~~

~~ae. Fifty (50) years old or older~~

~~b. New construction.~~

- e. *Relocation.* Relocation of a building or structure will include, but not be limited to, moving a historic building or structure within or out of the City of Mount Dora or

any historic preservation review area, and moving a building ~~built before 1956~~fifty (50) years old or older within or out of the historic preservation review area.

h. Energy devices or equipment (air conditioners, solar panels, etc.) should be installed on rear slopes or other locations not highly visible from the roadway when feasible. Should this placement reduce the efficiency of the equipment, a different location may be permissible. Energy equipment should be installed flat or be screened and not alter the slope of the roof. Installation of equipment should not conflict with the intent of the historic integrity of the resource and historic preservation district. This provision is intended to ensure such devices are not visible from the adjacent roadways. Such devices are exempt from the certificate of appropriateness process of this code and are processed through the City's normal permitting.

3. *Review initiation and procedures.*

g. The board may approve, modify or deny an application for a certificate of appropriateness. If the board approves the application, a certificate of appropriateness will be issued. Construction for which a certificate of appropriateness is issued shall commence within ~~six months~~one (1) year from the date of issuance, and said certificate shall expire if construction is not continuing in a timely manner as outlined in the applicable Building Code. The board may or may not approve extensions for certificates of appropriateness. If the board disapproves the application, a certificate of appropriateness shall not be issued. The board will state its reasons for disapproval in writing and present these written reasons to the applicant.

CHAPTER IV. SUBDIVISION REGULATIONS

4.2.3 *Review of preliminary plat.*

5. *Time limit on approval.* A final subdivision plat or plats shall be submitted within one (1) year ~~six months~~ after preliminary plat approval for all areas included in the preliminary plat or the preliminary plat approval shall lapse. An extension of the six month limit may be considered by the planning and zoning commission upon written request by the applicant prior to the expiration date showing cause for such an extension. Only two six-month extensions shall be allowed.

4.3. **Required submittals.**

- 4.3.2. *Required submittals for development plan.* The development plan shall be drawn at a scale of not less than 100 feet to one inch, submitted in 12 copies with application submittal format as provided by the City, and shall show the following:

- 4.3.3. *Required submittals for preliminary plat.* Required submittals for the preliminary plat shall consist of a plat, preliminary engineering drawings, and other auxiliary submittals as herein stated:

1. *Plat requirements.* A preliminary plat, drawn at a scale not less than 100 feet to one inch prepared by a registered surveyor and engineer and submitted in 12 copies, showing graphically or by notes:

l. All new developments, including public rights-of-way, shall utilize lighting fixtures designed and located to minimize glare and reduce light trespass and overhead skyglow. All fixtures shall be designed meeting the International Dark Sky Association principals.

m. All new developments shall provide street light poles and fixtures meeting the City's fixture and pole design styles as provided in the City of Mount Dora Standard Details Construction Manual.

n. All new developments are required to be energy efficient (ex. Energy Star).

o. All new developments with twenty (20) lots or more are required to provide a recreational tract for use of a park or other recreational feature.

CHAPTER V. SITE PLAN REGULATIONS

- 5.1.2. *Applicability.* The procedures contained in this chapter will be used for the review of site plans for all office, commercial, industrial, institutional and multifamily residential development. Also included are:

4. Any developments permitted under conditional uses. Exempt from site plan review are:

c. Accessory structures used for storage purposes only that adhere to the following criteria:

1. Shall not exceed ~~600~~800 square feet.
2. Height is restricted to one story not to exceed 35 feet.

5.2. Procedures for review of site plans.

5.2.1. *Preapplication conference.* The applicant will meet with the development review coordinator to discuss the proposed development prior to submitting a formal application.

5.2.2. *Application procedure.*

1. An approved site plan is required prior to the issuance of a building permit. ~~Conceptual site plans shall show the size and location of any structures, parking areas, setbacks, source of utilities and stormwater management concept.~~
2. It shall be unlawful for any person to construct, erect or alter a building or structure or to develop, change or improve land for which a site plan is required except in accordance with an approved site plan.
3. All applicants applying for site plan review, submitted under the purview of this chapter, with application submittal format as provided by the City shall submit 12 copies of the site plan to the development review coordinator.

5.2.5. *Time limit on approval.* Following approval of the site plan, the applicant shall have ~~six months~~ one (1) year to obtain a permit for construction on the site. The site plan for any site where a permit for construction has not been issued within ~~six months~~ one (1) year of approval ~~shall~~ may be reevaluated by the planning and zoning commission, and any newly adopted standards will be utilized. An extension of the time limit may be requested in writing by the applicant before the time limit expires. Cause for the extension must be shown.

5.3. Required submittals.

5.3.2. *General development and proposed improvements.*

3. *Streets, sidewalks, driveways, parking areas and loading spaces:*

- q. All new developments, including public rights-of-way, shall utilize lighting fixtures designed and located to minimize glare and reduce light trespass and overhead skyglow. All fixtures shall be designed meeting the International Dark Sky Association principals.
- r. All new developments shall provide parking light poles and fixtures meeting the City's fixture and pole design styles as provided in the City of Mount Dora Standard Details Construction Manual. Further exterior lighting design requirements are listed in Section 6.13 (Commercial architectural and site design requirements).

4. *Traffic impact analysis data:*

- d. All traffic impact analysis shall be conducted in conformance with the traffic impact study (TIS) guidelines -dated March 2008 or most recent version.

CHAPTER VI. DESIGN STANDARDS

6.2.9. *Design criteria.*

2. *Design storm (minimum).*

Facility	Frequency (Year)	Duration (Hours)
Bridges	50	24
Principal arterial bridges and evacuation routes	100	24
Canals, ditches, swales or culverts for drainage external to the development	25	24
Canals, ditches, swales or culverts for drainage internal to the development	10	24
Detention and retention basins contributory to land-locked areas with no positive outlet	25	96
Major detention/retention structures with a positive outlet. The probable maximum precipitation (PMP) as required by the SJRWMD shall be evaluated PMP		24
Minor detention/retention structures with a positive outlet	25	24
Houses/buildings first floor elevation shall meet the requirements of Chapter 23 <u>24</u> Mount Dora Code of Ordinances.	100	24

6.2.10. *Hydraulic design criteria.*

1. *Roadway (pavement) design.*

- b. *Minimum groundwater and high water clearances.* All streets must designed to provide a minimum clearance of one foot between the bottom of the base and the

seasonal high groundwater table as established by a geotechnical engineer or professional geologist, or the artificial water table induced by a road underdrain system. ~~Swales will be permitted only when the seasonal high groundwater table, as established by a geotechnical engineer or professional geologist, is a minimum of two feet below the invert of the swale. Swales shall be constructed to allow positive drainage from the pavement to the invert of the swale (i.e., no ponding of water at the edge of pavement).~~ All new streets shall be paved and drained utilizing curb and gutter construction. The stormwater facilities shall be designed to accommodate expected flow contributed by the underdrain system. Swales may only be permitted for existing street system renovation projects and within the downtown area where existing development occurs. In such case, where modifications to the existing stormwater design is proposed only in the downtown area, swales may be used at the discretion of the Public Works Director.

- c. *Curbs and gutters—Types.* All roadway drainage ~~not considered suitable for swale and/or ditch type drainage~~ shall be designed as one of the following:

6.3. Roads.

- 6.3.2. *Arrangement of streets.* The arrangement of streets in any development shall:

7. New development with 20 residential units or greater should have at least two points of ingress and egress, with at least one access required to lie above the FEMA base flood elevation for emergency services.
8. New developments should avoid the use of cul-de-sac roadway configuration in order to preserve connectivity through the expanded roadway grid.

- 6.3.7. *Access.* Access shall be provided as follows:

8. Access limitations shall be as follows:

- d. Commercial or office development are not allowed the primary access points on residential collectors. Secondary access points on residential collectors shall be ingress-only or egress-only.
- e. Upon redevelopment of existing commercial and office projects, the access points on to residential collectors will be eliminated or converted to ingress-only or egress-only secondary access points as opportunities allow.

6.3.17. Specifications for improvements.

10. *Regulatory signs.* ~~"STOP" signs shall be required at every street intersection as a condition for acceptance of subdivision paving and drainage improvements and shall be in place prior to final inspection.~~ The developer shall furnish and erect regulatory signs as required by the city prior to final inspection. Regulatory signs must conform to the specifications in the ~~"Uniform Traffic Control Manual~~ "Manual on Uniform Traffic Control Devices" (MUTCD). ~~Locations of signs shall be determined based on a traffic engineering study and~~ are subject to approval by the city.
11. ~~[Design of transportation facilities.]~~ Design of transportation facilities. Design of transportation facilities will use those criteria published on the federal, state, and local level. These include the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance of Streets and Highways, the MUTCD, and the American Association of State Highway and Transportation Engineers Policy on Geometric Design of Highways and Streets.

6.3.18. *Traffic impact analysis.*

4. All traffic impact analysis shall be conducted in conformance with the traffic impact study (TIS) guidelines dated March 2008 or most recent version.

3. *Required buffer widths:* Requirements for buffers are based on the intensity of the proposed development or use, and the use which is developed or designated on all adjacent properties. In order to determine the type of buffer required for a proposed use, the following procedure shall apply:

- ~~d. An additional ten feet of buffer width shall be required for each story of the proposed building above the first story.~~
- ed. The total required buffer width may be reduced by up to ten feet and the number of required planting materials may be reduced by 20 percent if a six-foot-high brick wall is installed as a part of the buffer.
- fe. Regardless of width averaging, in no event shall any portion of a buffer be less than five feet in width nor shall a measurement of any portion of the buffer used in determining the average width exceed 200 percent of the required width.

Table VI-1
Buffer Requirements for Contiguous (Touching) Parcels
Zoning of Contiguous Parcel

Site Zoning Classifi- cation **	GB	R-IAAA	R-IAA	R-IA	R-I	R-IB	R-2	R-3	PUD MU-1 MU-2	C-3	RP	OP	WP-1 WP-2	PLI
GB	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IAAA	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IAA	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IA	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-I	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IB	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-2	—	a	a	a	a	—	—	—	*	—	—	—	—	—
R-3	A	B	B	B	B	B	A	A a	*	A	A	A	B	A
PUD MU-1 MU-2	*	*	*	*	*	*	*	*	*	*	*	*	*	*
MHP	A	B	B	B	B	B	A	A	*	A	A	A	A	A
C-3	A	C	C	C	C	C	C	B	*	a	B	B	a	A
RP	A	A	A	A	A	A	A	A	*	a	A a	A	A	A
OP	A	B	B	B	B	B	B	A	*	A	a	A a	A	A
WP-1 WP-2	C	C	C	C	C	C	C	B	*	B	B	A	B	A
PLI	B	B	B	B	B	B	B	B	*	A	A	A	A	A

*PUD and Mixed Use (MU-1 and MU-2) buffer requirements will generally be the same as those required of the conventional zoning district most similar to each PUD/Mixed Use (MU-1 and MU-2). Based on adjacent unlike uses, more stringent buffering treatments may be required. Requirements may be negotiated.

**** Wolf Branch Innovation-Employment (WBI-E) and Wolf Branch Innovation-Gateway (WBI-G) shall follow the buffer and treatments of the Wolf Branch Innovation districts of this code and most recent WBID Design Guidelines adopted by reference.**

C-1, C-2, and C-2A zoning district landscape requirements are included in the zoning section of this code.

Table VI-2
Buffer Requirements for Noncontiguous Parcels
(Separated by right-of-way)
Zoning of Noncontiguous Parcel

Site Zoning Classifi- cation **	GB	R- IAAAA	R- IAAA	R- IAA	R- IA	R- I	R- IB	R- 2	R- 3	PUD MU- 1	C- 3	RP	OP	WP- 1 WP- 2	PLI
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										MU-2					
GB	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IAAAA	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IAAA	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IAA	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IA	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-I	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-IB	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-2	—	—	—	—	—	—	—	—	—	*	—	—	—	—	—
R-3	a	a	a	a	a	a	a	a	a	*	a	a	a	a	a
PUD MU-1 MU-2	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
MHP	a	a	a	a	a	a	a	a	a	a	a	a	a	a	a
C-3	b	c	c	c	c	c	c	c	b	*	a	a	a	a	a
RP	a	a	a	a	a	a	a	a	a	*	a	a	a	a	a
OP	a	b	b	b	b	b	b	b	a	*	a	a	a	a	a
WP-1 WP-2	c	c	c	c	c	c	c	c	b	*	a	a	a	a	a
PLI	b	b	b	b	b	b	b	b	b	*	a	a	a	a	a

*PUD/Mixed Use (MU-1 and MU-2) buffer requirements will generally be the same as those required of the conventional zoning district most similar to each PUD/Mixed Use (MU-1 and MU-2). Based on adjacent unlike uses, more stringent buffering treatments may be required. Requirements may be negotiated.

**** Wolf Branch Innovation-Employment (WBI-E) and Wolf Branch Innovation-Gateway (WBI-G) shall follow the buffer and treatments of the Wolf Branch Innovation districts of this code and most recent WBID Design Guidelines adopted by reference.**

C-1, C-2, and C-2A zoning district landscape requirements are included in the zoning section of this code.

6.6.5. *Planting standards and requirements.*

- d. *Lawn grass*: Grass shall be species normally grown as permanent lawns in the city. However, all species of St. Augustine grass shall be prohibited in new developments. Grass seed shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in containers with Florida Department of Agriculture tags attached indicating the seed grower's compliance with the department's quality control program.

3. *Approved species*: The landscaping requirements of this appendix [section] may be achieved by using any of the approved drought tolerant xeriscape species listed in Table VI-3. Other species may also be used if approved in advance by the city as being equivalent in function and quality. The city encourages plant listing and publication of the <http://floridayards.org>. Pines listed in the approved species list may be counted for landscaping purposes if they exist on site at the time of development; however, pines may not be counted for landscaping purposes if they are planted as a part of new landscaping.

TABLE VI-3
APPROVED TREE AND PLANT SPECIES LIST

1. *Canopy trees* —Trees which normally grown to mature height of 40 feet or more:
- a. Live Oak (*Quercus Virginiana*)
 - ~~b. Laurel Oak (*Quercus Laurifolia*)~~
 - ~~eb.~~ Shumard Oak (*Quercus Shumardii*)
 - ~~d.~~ ~~Water Oak (*Quercus Nigra*)~~
 - ~~ec.~~ Red Maple (*Acer Rubrum*)
 - ~~fd.~~ American Holly (*Ilex Opaca*)
 - ~~ge.~~ Sweetgum (*Liquidambar Styraciflua*)
 - ~~hf.~~ Southern Magnolia (*Magnolia Grandiflora*)
 - ~~ig.~~ Sweet Bay (*Magnolia Virginiana*)
 - ~~jh.~~ Slash Pine (*Pinus Elliottii*)
 - ~~ki.~~ Sand Pine (*Pinus Clausa*)
 - ~~lj.~~ Longleaf Pine (*Pinus palustris*)
 - ~~mk.~~ Loblolly Pine (*Pinus taeda*)
 - ~~nl.~~ Bald Cypress (*Taxodium Distichum*)

6.6.6. *Maintenance.* Maintenance shall consist of mowing, removing of litter and dead plant materials, necessary pruning, replacement of dead plantings, watering and fertilizing. Maintenance is required in order to ensure proper functioning.

4. *Pruning:*

- a. *Applicability.* The owner of a property, or the tenant thereof, shall not trim, prune, remove living branches or cause the diminution of the crown of any canopy tree as specified in subsection 6.6.6.2 without a permit. This sub-section does not apply to public lands or right-of-way (including public right-of-way easements).

6.6.7. *Preservation of existing trees.*

1. *Tree removal and replacement program requirements:*

- a. ~~Where removal~~ Removal of an approved tree for construction, new developments, or developments of other than a single family residence or duplex, the community development director shall require the owner to replace said tree on-site at the replacement ratios listed below. Definition of Approved Tree: Any living, self-supporting, perennial plant which has a trunk diameter of at least six (6) inches measured four (4) feet above grade (at the base of the tree) and normally grows a minimum overall height of fifteen (15) feet.

- d. Tree sized 6 inches to 23.99 inches: In the event the tree removed is an approved tree is size if 6 inches to 23.99 inches in diameter when measured four feet above the ground, the owner shall provide one (1) approved canopy type tree specimen or each tree removed (replacement ratio of tree replaced for tree removed) removed of a type to reach an eventual height of at least 15 feet with a trunk diameter of at least 3½ inches measured six inches above the ground, at the time of planting, with the oxygen producing capacity of the removed tree upon maturity.

- ~~d e.~~ Tree sized 24 inches or greater: In the event the tree removed is an approved canopy tree greater than or equal to 24 inches in diameter when measured four feet above the ground, the owner shall provide one approved canopy tree for each ~~eight-six (6)~~ inches of diameter (replacement ratio of ~~1:8~~ 1:6) removed of a type to reach an eventual height of at least 15 feet with a trunk diameter of at least 3½ inches measured six inches above the ground, at the time of planting, with the oxygen producing capacity of the removed tree upon maturity.

- e. ~~For each approved canopy tree greater than or equal to 24 inches in diameter when measured four feet above the ground which the owner preserves on site, the owner shall be credited one approved canopy tree for each eight inches of diameter above eight inches.~~

- ~~h. As an alternative, upon a request for a waiver and justification based upon a claim that the replacement trees required would be too numerous to be placed upon the site,~~

~~the planning and zoning commission, if a waiver is warranted, may, but is not required to, allow the owner to provide fewer replacement trees so long as the number of trees provided is no less than 1.25 times the number which would have been required if the site was vacant at the time of site plan submission.~~

~~i h.~~ City tree bank contributions: In cases where there are no opportunities to replace tree inches on site for tree inches proposed for removal, the owner may make a tree bank contribution in the amount equal to the retail price of a canopy type specimen tree for the remaining tree replacement inches. ~~Final acceptance of the tree bank contribution shall be made by the planning and zoning commission through a waiver request during a site plan review process.~~ Tree bank contributions shall be used for the purpose of planting trees throughout the city at the sole discretion of the city. Replacement retail cost shall be based on a Live Oak (Quercus Virginiana) sized minimum 3.5 inches, 8-10 feet in height, and Florida Number One Grade or Better. Payment of tree bank funds must be made prior to issuance of arbor permit (when required), Site Development Permit or as authorized by the City, or as specified by the City.

~~j i.~~ Existing Trees and trees proposed for removal shall be shown on a landscape plan with the following tree ~~removal-replacement~~ data (applicant to fill-in blanks):

~~Total tree inches on-site~~

~~Total tree inches proposed for removal~~

~~Total tree inches proposed for replacement~~

~~Total remaining tree inches~~

~~Total existing number of trees sized 6"-23.99": _____~~

~~Total existing number of trees sized 6"-23.99" removed: _____~~

~~Total existing number of trees sized 24" or greater: _____~~

~~Total existing number of tree sized 24" or greater removed: _____~~

~~Total number of trees replaced at ratio 1:1 for trees removed 6'-23.99": _____~~

~~Total number of trees placed at ratio 1:12 (for trees removed 24" or greater): _____~~

~~Total number of trees replaced: _____~~

~~Total number of tree deficient (not being replaced) for tree bank contribution and includes total dollar amount of contribution funds: \$ _____~~

2. *Erection of protective barriers.* During construction, builders shall be required to erect protective barriers around trees that might be injured. These barriers shall be constructed of wood and extend to the drip line of the tree to be protected. Tree barriers shall be installed and inspected by the City prior to any authorized and permitted tree removal.

6.6.9 Residential Lot Trees. ~~Trees shall be planted adjacent to the rights-of-way in any subdivision platted after October 1, 2002. New residential developments or in cases when a new single-family or duplex dwelling is constructed a minimum one (1) canopy tree as contained in this section shall be planted in the front yard. The canopy tree must be a minimum two (2) inch caliper, 8 feet in height, and Florida Number One Grade or Better. At a minimum, such trees shall conform to the standards for canopy trees set forth in subsection 6.6.5.2.a, hereof. A Said lot canopy tree meeting those standard~~ shall be planted on each residential lot at a distance of three feet from the right-of-way line or any utility easement adjacent to the right-of-way, whichever is further from the center line of the road right-of-way for the lot in question. Addition trees and sizes are listed in Section 6.14. residential design standards overlay zoning district.

6.13. Commercial architectural and site design requirements.

6.13.2. *Applicability.* Provisions of this section are applicable in all ~~commercial and office non-~~residential zoning districts, commercial and office components of PUD, MU-1, and MU-2 districts, ~~DRI~~s, office park districts, and industrial zoned areas (public building and facilities are exempt from these requirements) fronting on arterial or collector roads as described by the transportation circulation element of the growth management plan, as provided below:

6. The WBI-E and WBI-G zoning districts shall follow the standards and guidelines of the zoning districts as listed in this code.

5. *Drive-through window standards.* Drive-through windows and lanes shall be designed to adhere to the following standards:

a. Drive-through windows shall not be placed between the right-of-way of a primary collector or arterial roadway and the associated building, unless the vegetation required by a Type "B" landscape buffer is installed within the buffer width required for the project and maintained along the entire length of the drive-through stacking and exit lanes lane between the drive-through lane and the adjacent right-of-way. ~~As an alternative to the vegetative buffer referenced above, a~~ permanent covered porte-cochere type structure, other than awning/canvass type structure(s), may be installed extending the width of the drive-through and covering the service window(s). Such structure shall be integrated structurally and architecturally into the design of the building.

~~b. Only a single drive-through facility is permitted.~~

b. Stacking lanes must be provided. Stacking spaces and lanes for drive-through stations shall not impede on- and off-site traffic movements by blocking vehicular or pedestrian circulation.

CHAPTER VIII. DEFINITIONS

Compensating storage: Equivalent to floodplain storage provided to counterbalance floodplain filling. Fill within the 100-year flood plain shall result in no net loss of floodplain storage. The volume of the loss of floodwater storage due to filling of the floodplain shall be offset by providing an equal volume of flood storage within the same basin.

Floodplain management: See Chapter 23-24 of the Code of Ordinances for all definitions related to floodplain management.

SECTION 3. IMPLEMENTATION OF ADMINISTRATIVE ACTIONS.

The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS.

A. The revisions to City of Mount Dora Land Development Code, as set forth in Sections 3 above shall be codified in the City of Mount Dora Code of Ordinances.

B. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the codifier of the City of Mount Dora Land Development Code.

C. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. SAVINGS CLAUSE. All prior actions of the City pertaining to the amendments to the City of Mount Dora Land Development Code, as well as any and all other applicable matters, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 6. **CONFLICTS.** All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. **SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. **EFFECTIVE DATE.** This Ordinance shall become effective immediately upon enactment by the City of Mount Dora.

PASSED AND ADOPTED this 4th day of May, 2021.


FIRST READING: April 20, 2021

SECOND READING: May 4, 2021



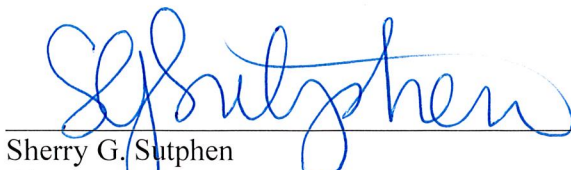
CATHERINE T. HOECHST
MAYOR of the City of Mount Dora, Florida

ATTEST:



GWEN KEOUGH-JOHN'S, MMC
CITY CLERK

For the use and reliance of
City of Mount Dora only.
Approved as to form and legality.



Sherry G. Sutphen
City Attorney