

ORDINANCE NO. 16-2093

AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING THE LONGWOOD DEVELOPMENT CODE ARTICLE VI SIGNS TO ALLOW FOR TEMPORARY OFF-SITE SIGNAGE FOR RESIDENTIAL SUBDIVISIONS AND AMENDING THE DEVELOPMENT DESIGN STANDARDS OF ARTICLE III, AND PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, on May 6, 2002, the City Commission of the City of Longwood enacted the Longwood Development Code (Ordinance 02-1599), as was amended from time to time, pursuant to the requirements of Chapter 163.3202, and Chapter 166.041, Florida Statutes; and

WHEREAS, Chapter 163.3174 (4) (c), Florida Statutes, requires the Land Planning Agency to review proposed land development regulations, or amendments thereto, for consistency with the adopted Plan, as may be amended; and

WHEREAS, the Land Planning Agency (LPA) held a public hearing on July 13, 2016 to consider the amendment of the Longwood Development Code; made certain findings of fact regarding said amendments, determined the proposed changes are consistent and recommended the proposed ordinance be enacted by the City Commission; and

WHEREAS, the City Commission desires to protect the character of residential and commercial areas and preserve the value of the property throughout the City;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LONGWOOD, FLORIDA, AS FOLLOWS:

SECTION 1. The Longwood Development Code shall be Amended as follows (Words that are ~~stricken out~~ are deletions; words that are underlined are additions; Articles, Sections, Subsections and Provisions not referenced in this ordinance are not modified):

ARTICLE III – DEVELOPMENT DESIGN STANDARDS

3.2.0. - Site design standards.

- A. Setbacks and building height for nonresidential and mixed use development and redevelopment shall be as established by the Longwood Development Code and the Heritage Village Urban Code. Setbacks are measured from the vertical plane of the structure building overhang. Eaves and overhangs are allowed to encroach into the setbacks by no more than 2 feet.

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H. Maximum densities and intensities for the infill and mixed-use category (IMU) and neighborhood commercial mixed-use (NCMU) are established in the Future Land Use Element of the Comprehensive Plan. Projects that meet the minimum standards of the Longwood Development Code are allowed 80 percent of the maximum density and intensity as established in the Comprehensive Plan. Applicants wishing to receive an amount above 80 percent of the maximum density and intensity must demonstrate that the project exceeds the standards of the Comprehensive Plan, Development Code, and other applicable visioning documents by providing a higher quality

of design, defined as significantly exceeding code minimums to accomplish one or all of the following goals: furthering multi-modal transportation options, increasing multi-modal connectivity, providing public amenities, well-designed civic spaces and community activity centers, or providing a horizontal or vertical mix of uses within the project. ~~including but not limited to the furthering of multi-modal transportation options, and the provision of public amenities, well-designed civic spaces, and community activity centers, and at least 15 percent of the gross floor area of project shall be mixed-use.~~ Projects requesting special exceptions or waivers to the right-of-way standards, street sections, block size requirements, or requirement for liner buildings with parking garages in the Heritage Village Urban Code shall not be eligible to exceed the 80 percent maximum.

~~I. Densities and intensities for NCMU and MDR categories are limited to the amounts allowed by the Comprehensive Plan. Projects that meet the minimum standards of the Longwood Development Code are allowed 80 percent of the maximum density and intensity as established in the Comprehensive Plan. Applicants wishing to receive an amount above 80 percent of the maximum density and intensity must demonstrate that the project exceeds the standards of the Comprehensive Plan, Development Code, and other applicable visioning documents by providing a higher quality of design, including but not limited to the furthering of multi-modal transportation options, and the provision of public amenities, well-designed civic spaces, and community activity centers, and at least 15 percent of the gross floor area of project shall be mixed-use. Projects requesting special exceptions or waivers to the right of way standards, street sections, block size requirements, or requirement for liner buildings with parking garages in the Heritage Village Urban Code shall not be eligible to exceed the 80 percent maximum.~~

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3.2.2. *Lot design standards.*

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B. Lot dimension standards. ~~Lot widths in the Low Density Residential category shall be a minimum of 60'. Outside of Low Density Residential, there shall be no minimum lot width or lot depth for lots outside of LDR,~~ provided that the following requirements are met.

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3.5.3. *General landscaping and open space requirements.*

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D. Open space. Nonresidential and multifamily developments of more than 10,000 square feet in GLA that are within one-fourth mile of SR 434, Ronald Reagan Blvd., or U.S. 17-92 shall reserve at least five percent of the total site area for landscaped and useable pedestrian-oriented open space area(s). Open spaces may include parks, recreational trails, courtyards, landscaped gardens, outdoor dining areas, plazas, and amenitized water features; but shall not include parking or required landscape buffers. Retention ponds may be utilized as part of the required open space only when designed as a feature utilizing features including but not limited to fountains, trails, and benches. The open space may take multiple forms and be in different part of the development, but in no situation shall any section of required open space be less than 35 percent of the total amount of required open space.

- (1) Where site conditions or elements of a particular use result in a situation where it is determined by the City that open space requirements may be better met off-site, some or all of the open space requirements may be met by the contribution of fees to an appropriate fund to be used by the City for the acquisition and development of land for open space or parks, or, at the discretion of the City, in the form of direct contribution of funds to a City project that advances the City's open space goals.
- (2) The fee-in-lieu-of calculation shall be $(1/4)A \times V = M$, with "A" being the amount of land, in square feet, required for dedication as determined in Section (D), "V" being the fair market value of the property as determined in subsection (3), and "M" being the amount to be paid in lieu of open space requirements.
- (3) For the determination of fair market value or "V" in the equation established by subsection (2), the applicant may select either the actual purchase price of the property to be developed as evidenced by a purchase contract, or a closing statement dated within one year of the date of the application or the current fair market value of the property to be developed by a qualified real estate appraiser.
- (4) Fees-in-lieu-of open space shall be assessed at the time of application or during the period of project application review and paid prior to final approval of the application for the development.

3.6.0. - *Mobility and parking requirements.*

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C. *Parking lot design.*

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3. Aisles, driveways, loading areas and access, circulation areas, parking spaces located in front of buildings, and areas subject to ADA regulation shall be paved on all properties. Parking spaces located to the side and rear of a building may be paved through the use of "eco pavers" or like semi-pervious paving materials that are determined by the city engineer to be adequately durable for the intended use. "Eco pavers" used in this manner must be properly maintained, stabilized, and otherwise kept neat and orderly in appearance. ~~Parking spaces installed in excess of what is required are [to] utilize eco pavers or semi-pervious paving materials.~~

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B. *Table of Parking Space Requirements for Nonresidential Uses.*

Type of Activity	Number of Spaces
<u>Vehicle repair facilities</u>	<u>1 per 200 GLA 3 per service bay, 1 per 500 SF enclosed area</u>
<u>Vehicle sales facilities, with accessory repair/body shop</u>	<u>1 per 500 SF enclosed area, 1 per 1,500 SF display area, 3 per service bay</u>
<u>Vehicle sales facilities, without accessory repair/body shop</u>	<u>1 per 500 SF enclosed area, 1 per 1,500 SF display area</u>

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3.9.0. - *Stormwater management.*

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- C. *Requirements.* In addition to meeting requirements for retention or detention, all facilities shall have a perimeter planting area between the property line and the top of the slope of the retention pond. The planting area, if grassed, shall be of sufficient width to accommodate mowing equipment. Excavation to the property line shall be prohibited.
1. Detention/retention facilities located within the city or county right-of-way shall not be located at intersections.
 2. Detention/retention shall not be located adjacent to transportation corridors unless designed as an public amenity by a registered landscape architect and does not interfere with optimal bicycle/pedestrian access. To be considered an public amenity, the retention area must be landscaped and include seating area(s), passive recreation areas, and pedestrian paths. The city engineer may issue an exemption to this requirement where it is determined that such a design is not practical and/or creates a public safety issue and no reasonable alternatives exist.
 3. Retention/detention basins shall be of irregular shape and shall have no parallel sides, when visible from public right-of-way or lands. The city engineer may approve other designs when determined that no other design options exist, in which case additional landscaping and barriers may be required.
 4. Retention ponds that are placed in the front yard should have a landscape barrier rather than fencing.
 5. For new development or significant redevelopment, those stormwater management system that eventually discharge into the city's MS4 (municipal separate storm sewer systems) should mitigate any increase in pollutant loads to the maximum extent practicable. To meet this requirement, the city encourages the use of best management practices (e.g., stormwater reuse and baffle boxes), as well as low impact development technologies, including but not limited to: replacement of traditional paving materials with porous concrete/pervious pavement, grass swales, bio-retention, etc.

ARTICLE VI. – SIGNS

M. Off-site temporary signage for residential subdivisions. Off-site temporary signage adjacent to SR 434, Ronald Reagan Blvd., Highway 17-92 advertising a residential subdivision of 10 or more units that is within the limits of the City is allowable with a temporary sign permit pursuant to the requirements of this section. To be eligible under this section, the subdivision must not have frontage on SR 434, Ronald Reagan Blvd., or Highway 17-92. The off-site signage must be located on private property adjacent to SR 434, Ronald Reagan Blvd. or Highway 17-92 within ½ mile of any property line of the subdivision.

1. Signage under this section is limited to 32 square feet and no more than 10 feet in height, and must meet all other temporary sign requirements including a 5 foot setback from the right-of-way and site distance requirements.
2. The temporary sign permit must include a notarized permission letter from the property owner which includes a rendering and relevant dimensions of the sign and the period of time allowed for sign display.
3. Signs shall be allowed until a subdivision is sold out or for a period of 12 months, whichever first occurs. Two three-month extensions may be approved by the Community Development Services Director upon presentation of sufficient justification for the extension.

4. The copy area of all temporary signs must be professionally prepared, neat in appearance, and well-maintained. All signs shall be designed and located so as to not interfere with the visibility at any intersection, driveway or otherwise create any traffic or pedestrian hazards.
5. Off-site signage adjacent to roads on the State Highway System may be subject to additional requirements through the Florida Department of Transportation. Prior to approval of the temporary sign, the applicant shall provide either proof of compliance or exemption from FDOT.

SECTION 2. CONFLICTS. If any ordinance or part thereof is in conflict herewith, this Ordinance shall control to the extent of the conflict.

SECTION 3: CODIFICATION. Section 1 of this Ordinance shall be codified; that such sections may be renumbered or relettered to accomplish the intent of this Ordinance.

SECTION 4: SEVERABILITY. The provisions of this Ordinance are declared to be separable and if any section, paragraph, sentence or word of this Ordinance or the application thereto any person or circumstance is held invalid, that invalidity shall not effect other sections or words or applications of this Ordinance. If any part of this Ordinance is found to be preempted or otherwise superseded, the remainder shall nevertheless be given full force and effect to the extent permitted by the severance of such preempted or superseded part.

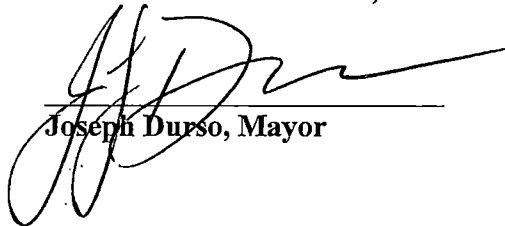
SECTION 5: This Ordinance shall take effect immediately upon its adoption.

LAND PLANNING AGENCY HEARING: July 13, 2016

FIRST READING this 1st day of August, A.D. 2016.


SECOND READING AND ADOPTION this 15th day of August, A.D. 2016.

**CITY COMMISSION
CITY OF LONGWOOD, FLORIDA**




Joseph Durso, Mayor

ATTEST:



Michelle Longo, CMC, City Clerk

Approved as to form and legality for the use and reliance of the City of Longwood, Florida only.



Daniel W. Langley, City Attorney

