

ORDINANCE NO. 18-2136

AN ORDINANCE OF THE CITY OF LONGWOOD, FLORIDA, AMENDING LONGWOOD CITY CODE CHAPTER 58 – PLANNING AND SPECIAL USES AND EVENTS AND THE LONGWOOD DEVELOPMENT CODE ARTICLE I GENERAL PROVISIONS, ARTICLE II LAND USE DISTRICTS AND OVERLAY DISTRICTS, ARTICLE III DEVELOPMENT DESIGN STANDARDS, ARTICLE IV RESOURCE PROTECTION, ARTICLE V SUPPLEMENTAL STANDARDS, ARTICLE VI SIGNS, ARTICLE IX HARDSHIP RELIEF AND SPECIAL EXCEPTIONS, ARTICLE X ADMINISTRATION, ARTICLE XII HERITAGE VILLAGE URBAN CODE, AND THE HISTORIC DISTRICT CODE BOOK TO CONSOLIDATE AND SIMPLIFY SIGN STANDARDS, TREE PROTECTION AND REPLACEMENT REQUIREMENTS, AMEND LOCATIONAL REQUIREMENTS FOR PHARMACIES, AND FURTHER STREAMLINE AND CLARIFY OTHER ELEMENTS OF THE DEVELOPMENT CODE, 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 December 14, 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):

Sec. 58-193. - Issuance of temporary use permits.

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(a) A complete application shall be provided to the city at least ~~15~~ 7 working days prior to the scheduled start of the event. The Community Development Director may waive this requirement for extenuating circumstances, and where there is enough time for staff to reasonably complete the review of the application.

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ARTICLE I - GENERAL PROVISIONS

Diameter at breast height (DBH) (tree). A measurement of the size of a tree equal to the diameter of its trunk measured ~~four one feet~~ 4.5 feet above the adjacent natural grade.

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Dwelling unit. A building providing complete independent living facilities for one housekeeping unit including a kitchen and permanent facilities for living, sleeping, eating, cooking, and sanitation.

Attached. A single-family dwelling that is attached to or shares a common vertical wall with one or more other dwellings.

Duplex. A structure used for residential purposes and consisting of two living units with a common wall, located on a single lot.

Manufactured home. As defined in F.S. § 320.01(2)(b).

Single Family. A single dwelling unit on a single lot of record

Multifamily. A building or series of buildings that each contain three or more dwelling units the term includes rental apartments, cooperative apartments, residential condominiums, townhouses, and the like.

Townhouse. An attached, privately owned dwelling unit which is a part of and adjacent to other similarly owned dwelling units that are connected to but separated from one another by a common party wall having no doors, windows, or other provisions for human passage or visibility.

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Grocery Store (Large). A retail use larger than 20,000 SF which provides goods and/or services including food and non-food commodities, such as beverages, dairy, dry goods, fresh produce and other perishable items, frozen foods, household products, and paper goods. A large grocery store may also include a pharmacy with or without drive-thru and integrated or associated alcohol sales consistent with state law.

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Personal services. Establishments providing non-medical personal services including, but not limited to, dry cleaning, laundromats, nail salons, tanning salons, locksmiths, pet grooming with no boarding, show repair shops, tailors, but excluding medical marijuana dispensaries, massage therapy and tattoo parlors.

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Pharmacy. A business or facility or component of a business or facility that is licensed under Chapter 465, Florida Statutes, and where medicinal drugs are compounded, dispensed, stored, or sold or where prescriptions are filled or dispersed (this does not include a physician dispensing medicinal drug samples). Such businesses or facilities may also engage in the retail sale of non-prescription medicines, cosmetics and other retail items or may be part of a medical care facility, and may be either the primary activity or an ancillary use.

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Political sign: A sign authorized and paid for by a qualifying political campaign concerning

candidacy for public office or urging action on any ballot issue in a forthcoming public election, or pertaining to or advocating political views or policies.

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ARTICLE II - LAND USE AND OVERLAY DISTRICTS

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2.3.1. *Table of allowable uses.* The following uses are allowable, subject to the standards, regulations, and criteria of this code and the Longwood Comprehensive Plan, and may be further restricted by the planning districts in the Longwood Design Guidebook. All uses, unless exempted specifically or by supplemental standards or definition, must be contained within a principal structure. A principal structure may not be a tent, trailer, canopy, shed, tent, or similar structure. The use table is intended to apply to new development or changes of use that create impacts that are not supported by the site:

A = allowable, subject to the standards, regulations and criteria of this Code.

S = allowable, subject to the standards, regulations, and criteria of this Code and supplemental standards of section 5.4.0, pertaining to the specific use. Where a use is subject to supplemental standards, the specific section is included in parentheses.

C = subject to a Conditional Use Permit

PD = subject to planned development approval

* = Uses allowed only as an accessory use

o = Allowed only in multi-unit centers

■ = Prohibited on properties adjacent to CR 427 south of SR 434

△ = Prohibited on properties adjacent to SR 434 and CR 427

◆ = Prohibited on properties adjacent to CR 427 south of SR 434 (except ~~property which is located directly adjacent to the intersection of CR 427 and SR 434 provided that such property is~~ as developed with superior architectural design which exceeds standard LDC requirements as well as superior streetscaping and landscaping)

Uses:	Districts
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	Low Density Residential	Medium Density Residential (MDR-7)	Medium Density Residential (MDR-15)	Neighborhood Commercial Mixed-Use	Infill and Mixed-Use	Industrial	Public/Institutional	Conservation
Fast-food restaurants (with drive-thru)					A♦			
<u>Grocery Store, Large (Over 20k SF)</u>				A	A	A		
Massage therapy establishments per F.S. ch. 480 (5.4.13)					S	S Aø		
Pharmacy			E	A	A	A		
Pharmacy (over 10,000 SF with drive-thru)			E	E	A	A■ A♦		
Retail facilities (no drive-thru)			C	A	A	A		

ARTICLE III DEVELOPMENT DESIGN STANDARDS

D. Setbacks and height requirements for accessory structures are as follows:

1. Accessory structures including but not limited to accessory dwelling units, sheds, screen enclosures, dumpster enclosures, decks, patios, swimming pools, hot tubs, and their associated deck/patio areas, attached canopies, condenser units and pads may encroach into the side and rear setbacks and shall maintain a distance from the property line of no less than seven feet (or three feet in MDR-15 and MDR-7), ~~and shall not exceed 15 feet in height unless otherwise specified.~~
2. Where the side setback in a district is less than seven feet, the accessory structure encroachment shall be reduced to match the principal setback.
3. For single family homes, accessory structures shall not project beyond the established front building line of the main residence.
4. Accessory structures shall not exceed a height of 15 feet. Structures attached to primary buildings (i.e. screened porches or canopies) may exceed the height for accessory structures but may not exceed the height of the primary structure.
5. For platted subdivisions which include buildings with zero lot lines, accessory structure setbacks may be reduced to three feet.
6. The community development ~~services~~ director may reduce setback requirements for properties with a rear yard that is fully enclosed by a permitted opaque fence

or wall for the placement of patio areas or similar accessory structures, as long as all other requirements including impervious surface requirements and landscape buffers are met and as long as the structure does not exceed the height of the proposed fence.

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3.2.3. Design standards for nonresidential, multifamily, and mixed use properties in the City of Longwood.

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4. Primary entrances shall be prominently located and shall be covered, recessed, or treated with an architectural feature in such a way that weather protection is provided. Buildings Multiple-unit centers that abut sidewalks are required to provide shelter and shade to pedestrians and articulation to the façade by means of arcades, colonnades, awnings, shade trees and/or balconies along no less than 80 percent of the primary façade.

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5. Buildings located within ten feet from the front property line with ground floor storefronts shall have transparent storefront windows that cover a minimum of 50 percent of the wall area. ~~For buildings of 50 feet or more in frontage, doors or entrances shall be provided at intervals of every 50 feet or less.~~

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7. Façades shall have a traditional base, middle, and top delineated through a change in material, texture, color, and traditional expression lines and must have at least three of the following building design treatments applied consistently and thoroughly across the façade:
 - a. Solid color fabric, metal, or glass canopies/awnings providing shade to pedestrian ways and/or to accent doors and windows
 - b. Porticos or porte-cocheres integrated with the building's massing and style
 - c. A prominent architectural element, such as increased building height or massing, a cupola, a turret
 - d. Colonnades or arcades
 - e. Cornice, a minimum of two feet in height with 12-inch projection
 - f. Peaked or curved roof forms
 - g. Arches with a minimum 12-inch recess depth
 - h. Curved walls
 - i. Columns
 - j. Doors and windows
 - k. Architectural features of like quality and aesthetics

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3.3.0. - Subdivision design and layout.

3.3.1. Design standards. The layout and design of a subdivision, plat, or replat shall conform to the standards and criteria of this LDC and shall meet the following additional requirements.

A. *Blocks and lots.* The lengths, widths and shapes of blocks shall be determined with regard to:

1. Provision of adequate building sites suitable to the special need of the type of use contemplated.
2. Lot area and dimension needs of the proposed use.
3. Needs for convenient access, circulation, control and safety of pedestrian and vehicular traffic.
4. Limitations and opportunities of topography.
5. The lot area, width, depth, shape, and orientation shall be adequate to accommodate the proposed use(s).
- ~~6. Corner lots for residential uses shall be larger than average for lots within the subdivision in order to provide for front yard setbacks on all street frontages. Primary access on corner lots shall be through the street with the lower functional classification.~~
7. Each lot within a subdivision shall have frontage on and access to an existing public street, except as provided in B.2. below.
8. Double frontage, triple frontage, and reverse frontage lots shall be avoided.
9. Side lot lines shall be substantially at right angles or radial to street lines.
10. No lot shall be divided by a city or county boundary line.
11. Flag lots are prohibited except for lot splits on existing lots as of August 17, 2015.
12. The finished grade of all lots at the slab location shall be a minimum of one foot above the crown of the adjacent street.
13. For residential development, all parts of a retention pond, including slopes and berms, shall be constructed entirely within a dedicated tract or within a dedicated easement to ensure the perpetual maintenance of the retention area.
14. Drainage swales in the back of commercial and residential lots are prohibited. However, and based on site specific conditions, some combination of drainage inlets, pipes and swales in the back of residential lots will be considered at the sole discretion of the City Engineer or their designee.

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B. *Rights-of-way and access.*

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7. Sidewalks at least five feet wide and street trees shall be installed on both sides of the street in new subdivisions. Street trees shall be installed at no less than 60 feet on center and shall be placed within a tract or a separate easement, at least 7.5 feet wide, that is dedicated in perpetuity to a Homeowners' Association (or similar entity) or the City of Longwood upon acceptance by the city commission. Street trees shall be a minimum of four inches DBH at installation and no less than 12 feet tall, and shall be a canopy type tree. Street trees shall be planted to maximize shade for pedestrians while not interfering with the installation and maintenance of utilities.

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11. Bike lanes consistent with NACTO (National Association of City Transportation Officials) standards must be installed. Shared-lane markings (sharrows) may be used in

lieu of bike lanes on roads with design speeds under 25 miles per hour. This requirement shall not apply to streets inside private gated subdivisions.

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13. Cross-walks shall be clearly marked by FDOT approved pavement markings. In addition curb ramps shall be provided with one ramp in each direction of travel and meet Federal ADA standards. Exceptions may be made on an as-needed basis at the discretion of the City Engineer

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3.5.3. *General landscaping and open space requirements.*

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- C. *Parking lot landscaping.* Parking lots for all new development and all redevelopment that is a change of use or an expansion of an existing use that generates a need for additional parking and requires additional parking areas to support the use shall provide landscaping for the parking lot. The landscaping for a parking lot is based on a performance standard as follows in addition to the plant material standards of LDC 3.5.4.

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3.5.4. *Plant material standards.*

- A. Unless otherwise provided herein, only Florida No. 1 or better plant material as described in Grades and Standards for Nursery Plants, Part II, Florida Department of Agriculture, shall be credited on the landscape development requirements of this article.
- B. A minimum height of 12 feet and three inches (~~caliper~~ DBH) ~~measured as the diameter of one foot above grade~~ at the time of planting shall be required for canopy trees. Other trees shall have a minimum height of ten feet at the time of planting. A minimum of three different species of tree shall be provided per site.

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3.5.5. *Tree protection standards.*

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D. *Criteria for approval of tree permits.*

1. Approval for tree removal shall only be granted on a developed lot or a lot with an application for development approval where such tree or trees unreasonably restricts the otherwise allowable use of the property.
2. A tree removal permit may be issued where the application is accompanied by a letter from a certified arborist indicating that ~~the tree is diseased, injured, endangers existing structures, interferes with the safe provision of utility services, or creates a hazard to visibility for motorists. The city may provide a list of arborists, foresters, landscape architects or other related professionals to ascertain the health of trees. In this case, a photo of the tree shall be provided.~~

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3. Replacement or relocation of trees is required as described:

- a. New developments in site plan review. Site development plans will be required to show all removed and replaced trees. If it is not feasible to place the required number of trees on a developed site, the developer shall make a contribution equal to the number of trees that could not be placed (at three inches DBH per tree) to the off-site tree mitigation fund.
- b. Developed property with an approved landscape plan. All sites with an approved landscape plan shall replace trees according to the original permitted landscape plan approval, unless the removed tree exceeds 23" DBH, at which time the table in (3)(c) will apply. If the tree removed from the site was not part of the approved landscape plan, tree replacement will not be required.
- c. Property without an approved landscape plan. Where a developed property is not subject to an approved, documented landscape plan, the replacement shall be as follows:

<u>Diameter of existing Tree (DBH)</u>	<u>Number of Replacement Trees Required for each tree removed</u>	<u>Minimum Inches Diameter DBH</u>	<u>Total Replacement Required Inches Diameter DBH</u>
<u>6—11</u>	<u>1 replaced for 1 removed</u>	<u>3</u>	<u>3</u>
<u>12—17</u>	<u>2 replaced for 1 removed</u>	<u>3</u>	<u>6</u>
<u>18—23</u>	<u>2 replaced for 1 removed</u>	<u>4</u>	<u>8</u>
<u>24—29</u>	<u>3 replaced for 1 removed</u>	<u>4</u>	<u>12</u>
<u>>30</u>	<u>3 replaced for 1 removed</u>	<u>6</u>	<u>18</u>

- ~~d.b.~~ Replacement trees shall be a size three inches at DBH or greater. Plant materials used in conformance with the provisions of this Code shall conform to the Standard for Florida No. 1 or better as given in Grades and Standards for Nursery Plants, State of Florida, Department of Agriculture and Consumer Services, Tallahassee.
- ~~e.e.~~ Fees collected in lieu of replacement shall be placed in an off-site tree mitigation account. The fees shall be established by the city commission.
- ~~f.d.~~ Trees removed illegally without a permit are subject to a three-to-one replacement, i.e. three inches replacement for each one inch removed. The established fee schedule would apply to this requirement if replacement is not feasible.
- ~~g.e.~~ Any retained or relocated tree shall be replaced if the tree dies within one year after final approval.
- ~~h.f.~~ Replacement trees shall be of a similar or greater canopy and shade potential as the tree being replaced.

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3.6.1. *Parking space requirements.*

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13. All paved parking spaces shall have lines between spaces to indicate individual stalls, and each stall may be required to be equipped with wheel stops, concrete planters, or bollards according to the following standards or where deemed appropriate by the city.
 - a. When adjacent to a required landscaped area, wheel stops are required and shall be located 2½ feet from the front end of the stall to prevent encroachment into required landscaped area.
 - b. When adjacent to a curbed sidewalk, concrete planters or bollards are required at least 3.5 feet tall ~~wheel stops are required~~ and shall be located at least two feet from the front end of the stall to protect pedestrians along the sidewalk. Alternatives to planters or bollards shall be considered at the discretion of the Community Development Director.
 - c. In parking areas where the front of head-in parking stalls meet, wheel stops are not required.
 - d. All wheel stops shall be centered in parking stall to ensure a 3 feet pedestrian clearance between ends and shall be colored or covered with reflective material to provide contrast with adjacent pavement. The recommended maximum height for wheel stops shall be 4" and any deviation shall be at the discretion of the City Engineer.

F. *Sidewalks and pedestrian connectivity.*

1. An internal pedestrian network shall be provided that is separate from the vehicular network and does not require pedestrians to mix with vehicular traffic except inside of a marked crosswalk in order to access buildings or other points of interest on site. Sidewalks required as part of the internal pedestrian network shall be a minimum of four feet. The pedestrian network shall meet the following requirements:
 - (a) All auto access drives shall have an adjacent sidewalk that will connect the internal pedestrian network to sidewalks, trails, or other pedestrian paths whether existing or proposed as part of the Bicycle-Pedestrian Master Plan.
 - (b) Sidewalks shall connect the entrance of all buildings on site to the entrance of all amenities within the site (pools, parks and dog parks, clubhouses, gardens, etc.) as well as all parking areas in as direct a manner as possible. Where appropriate (for parks, dog parks, etc.) established trails of a minimum of three feet may be substituted for sidewalks.
 - (c) For nonresidential projects, sidewalks shall connect all parking areas to any entrance, public or otherwise, wherein pedestrians might reasonably enter the building. ~~For residential projects, all parking spaces must have an adjacent sidewalk which connects directly to the building.~~
 - (d) Pedestrian areas, such as crosswalks, courtyards, drop-offs, or entry areas, shall be identified or marked through the use of stone, brick, pavers, or stamped concrete.

~~(e) Sidewalks and pedestrian ways shall be shaded by either canopies, areades, colonnades, landscaped trellises, or canopy trees (minimum 12 feet tall planting height, three inches DBH) planted at no more than 40 feet O.C.~~

2. The developer shall be responsible for constructing a sidewalk along any street frontage where one does not exist. Sidewalks shall be a minimum of five feet with a three-foot planting strip adjacent to the road, or otherwise consistent with adopted plans and standards.

3.9.0. - Stormwater management.

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- B. *Generally.* All stormwater management facilities shall meet the level of service requirements of the Longwood Comprehensive Plan, comply with the Stormwater Technical Requirements of the City of Longwood, Department of Public Works Design Standards and shall comply with the water management district regulations pertaining to such facilities.

1. Alternative standards to those presented in the Manual of Standards for Streets and Stormwater and the LDC may be considered based on unique site-specific conditions or when supporting documentation demonstrates that an alternative analysis or design meets or exceeds the applicable performance requirements as determined solely by the City Engineer or an agent acting on behalf of City staff.

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ARTICLE IV. RESOURCE PROTECTION STANDARDS

4.3.2. *Surface water protection.*

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- F. Within the required buffer, water dependent activities shall be allowable provided that the following standards are met:

1. ~~Compensating storage volume shall be and provided at a ratio of one to one of fill material placed subject to applicable DEP and SJRWMD wetlands resource permitting.~~ Reserved.

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P. Compensatory Storage for Encroachments

1. Compensatory storage. Compensatory storage for all encroachments into the City's special flood hazard areas shall be provided in accordance with the following requirements:
 - (a) Compliance will be based upon a volume for volume ("cup for cup") methodology, with the volume of compensation equal to the volume of encroachment at each and every elevation (one-foot contour interval). Providing compensating storage equal to the volume of encroachment at

each elevation will provide equivalent management for all storm events of magnitude less than the 100-year storm event, and is intended to prevent cumulative water quantity impacts.

- (b) Compensatory storage creation shall occur below the existing base flood elevation and above the predicted Seasonal High Ground Water Table (SHGWT) and/or the Seasonal High Water Levels (SHWL).
- (c) Compensatory storage shall occur within dedicated storage areas excavated contiguous to the existing special flood hazard area.
- (d) Under no circumstances will compensatory storage be allowed within ponds that also provide stormwater management (retention and/or detention) for the proposed development.
- (e) The City may approve the creation of off-site compensatory storage areas located outside the property boundary on a case-by-case basis.
- (f) The City reserves the right to enforce additional criteria upon any project that is located within what the City considers a special flood hazard area. At the City's discretion, additional flood control measures may be required to adequately protect upstream systems, downstream systems, and/or off-site properties.
- (g) Floodplain encroachment shall be computed for all fill placed within the special flood hazard area, or for any other volume displacing activities, below the base flood elevation and above the predicted SHGWT or SHWL.

- 2. Additional stormwater management criteria. Additional stormwater management criteria may be enforced upon any development activity that proposes any form of stormwater detention within a watershed that does not have a positive outfall (i.e., land-locked basin).

ARTICLE V. RESOURCE PROTECTION STANDARDS

5.3.0. - Accessory structures.

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- B. *Generally.* Any number of different accessory structures may be located on a parcel, provided that the following requirements are met:
 - 1. An accessory structure may be located on a site where the principal structure is nonconforming due to setback, provided that the accessory structure does not increase the nonconformity.
 - 2. All accessory uses, buildings, and structures shall be located on the same lot as the principal use, shall directly serve the principal use or structure, and be clearly subordinate in area, extent, and purpose and clearly incidental to the principal use or structure.

3. Accessory dwelling units including mother-in-law suites are considered accessory structures and are allowed. Such units may provide all independent living facilities other than full kitchens.

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5.3.4. *Sheds and storage buildings.*

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- E. Sheds and storage buildings shall only be allowed in the interior side yard of any corner lot.

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5.4.8. *Community residential homes (CRH).*

- E. ~~Signs shall conform to the requirements of article VI.~~ Community residential homes shall be allowed a building sign not to exceed 6 SF on the front façade of the home.

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5.4.13. *Massage therapy.* For the purposes of this section, massage therapy establishments are those establishments which are consistent with and licensed pursuant to F.S. ch. 480 and in which all massage therapy is performed by state-licensed massage therapists.

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- B. Massage therapy establishments that meet the following criteria shall be permitted in the infill mixed use, Heritage Village and downtown historic districts:

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1. The massage therapy establishment is an accessory use to and occupying the same space as a primary use that is a licensed professional service other than professional massage therapy that is customarily associated with massage therapy (i.e. chiropractor, physician, beautician, etc.) A licensed professional who has had an active license issued by the State of Florida for 5 continuous years and without a complaint being filed or having been found guilty of unlawful or disorderly act, conduct or disturbance during that period can operate independently provided they are located in multi-tenant centers or strip commercial centers.

- a) The establishment is located in a development or building where 80% or more of the tenants are engaged in professional services as defined in the LDC. It shall be the responsibility of the applicant to provide necessary documentation from the property owner.
- b) The approval will be for a year and it will be the applicant's responsibility at the time of the city business license renewal to resubmit property owner

documentation and proof that the licensee is still in good standing with the State of Florida.

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ARTICLE VI. SIGNS

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6.1.2. *Applicable land use districts.* The following regulations shall apply to all land use districts of the City of Longwood including the Heritage Village and Historic District. The department shall review all sign requests and/or permits for type, location, and requirements.

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6.1.4. *Definitions.*

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~~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 ten 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 five 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 wellmaintained. 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.~~

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Projecting Sign. The term Projecting Sign shall mean a Business Sign attached to a wall in such a manner that the face of the sign is not parallel to the wall to which it is attached.

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~~Snipe sign: A temporary sign or poster affixed to a tree, fence, utility pole, etc. Any unauthorized sign of any material whatsoever that is placed on public property, or attached in any way to a public utility pole, tree, or any object located or situated on any public road rights-of-way or easements.~~

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6.2.0. - Prohibited signs.

6.2.1. *Generally.* It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, this Code.

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6.4.0. - Permitted permanent on-site signs.

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6.4.1. *Sign types and material allowed.*

- A. A permanent sign may be a monument sign or building sign as an accessory structure to a nonresidential use as allowed by this Code.
- B. All signs must be weatherproof and must be made of durable materials so as not to become a hazard due to disrepair, damage or inclement weather.
- C. ~~Sign structures, to include the frame and base but not the face of the sign, shall be consistent with the style, color, material, and finish of the principal buildings on the site.~~

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6.4.3. *Permitted signs in land use districts.*

- A. ~~Residential land use districts: LDR and MDR signs are allowed, as follows in LDR and MDR land use districts with an approved sign permit where required:~~
 - 1. ~~One subdivision identification per entrance in accordance with subdivision plan approval on each side of the entrance or one sign in median, not to exceed 32 square feet.~~
 - 2. ~~For permitted nonresidential within a LDR or MDR district shall be limited to 16 square feet with a maximum height of six feet. This does not include home local business tax receipts.~~
 - 3. ~~Such signs shall be maintained perpetually by the developer, the owner of the sign, permanent owners' association, or some other person who is legally accountable under a maintenance arrangement approved by the owner/developer/association. If~~

~~no person accepts legal responsibility to maintain the signs and no other provision has been made for the maintenance of them, the developer or owner shall remove the signs.~~

~~In residential districts where a subdivision is being developed or offered for sale, one combination real estate and identification sign, maximum size of 64 square feet, may be erected on the property which is being developed or offered for sale until such time as the subdivision is completed.~~

~~B. Commercial and industrial land use districts: Signs are allowed, as follows in IMU, NCMU, and IND land use districts with an approved sign permit where required:~~

~~a. 1. Permitted building signs and up to three monument signs (one per road entrance frontage) are allowed. Up to one square foot of signage per linear foot of building façade may be erected on the corresponding building façade, up to a total of 200 square feet of building signs per building façade.~~

~~b. Prior to the approval of building signage on building façades that are adjacent to single family residential uses, a code compliant buffer yard along the applicable property line shall be in place and maintained.~~

~~2. The amount of allowable monument signage is calculated at a total of one square foot in sign area for each linear foot of either the primary façade (addressed building frontage) or for each linear foot of the secondary façade (containing the primary public entrance), up to a maximum of 150 square feet of monument signage. Monument signs are allowed an external support structure, excluding the base, in the amount of 25 percent of the allowable signage area, though height restrictions still apply. Where a development has two or three road frontages, a second or third monument sign may be placed on the side of the property containing the second and third road frontages at a ratio of one half square foot in sign area for each linear foot of the façade facing the road frontage, not to exceed 150 square feet in total monument signage for the site. Sign structures, to include the frame and base but not the face of the sign, shall be consistent with the style, color, material, and finish of the principal buildings on the site. The base and body of any monument sign must be at least 75 percent and no more than 125 percent of the width of the sign and made of brick, decorative block, stone, stucco, or an alternative material that is of like quality, has the appearance of and functions like one of these. Monument signs may have a clear area between the base and the signage, but the clear area shall be no more than one third of the height of the copy area of the sign, and the sign shall be no taller than ten feet when a clear area is included in the sign design. Entrance wall signs shall be permitted for the purpose of identifying a development. Entrance wall signs shall be no taller than four feet, shall display only the name and address of the development and shall be attached to a wall or similar project identification feature located at or within 100 feet of the entrance to a development. All signage of this type shall count to the total determined under subsection (a). One changeable copy sign or electronic message center (EMC), not to exceed 24 square feet may be included on the primary sign structure or building but not included as part of the overall allowable signage square feet. When this sign has been allowed, portable signs shall be prohibited on the site. EMCs shall not change their message more~~

~~than once every eight seconds. Sign height is limited to 15 feet, as determined under LDC 6.1.5.E.~~

~~C. *Historic land use district:* Additional criteria and/or restrictions for this land use may be found within the Historic District Codebook, as referenced by the Heritage Village Urban Code.~~

~~D. *Gateway signs:* A maximum number of five gateway signs may be located within the city limits within any of the land use districts, except the Historic District Future Land Use, subject to the gateway sign regulations set forth in this Code and the terms and conditions of a written agreement with the city approved by the city commission.~~

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6.4.4. *Specially regulated signs.*

~~A. *Automotive service station and/or convenience store with fuel dispense station signs:* Signs for an automotive service station shall be limited as follows:~~

- ~~1. Monument and building signs as set forth in the appropriate land use district in this Code. Product or service advertising shall be an integral part of monument sign.~~
- ~~2. Canopy signs. Two standard logo signs not to exceed 16 square feet per sign, and are included in the calculation of allowable signage.~~
- ~~3. Gasoline pump sign. Signs on gasoline pumps must be an integral part of the pump structure.~~
- ~~4. Rack or cabinet signs. Includes those signs that are an integral part of a rack or cabinet, such as display of oil, wiper blades, etc.~~
- ~~5. No sign for an automotive service station shall be placed, painted or otherwise erected on any buffer wall.~~
- ~~6. No sign shall be freestanding and visible from the adjacent streets.~~

~~B. *Place of worship signs:* Place of worship signs shall be permitted in accordance with the following:~~

- ~~1. Height shall not exceed 12 feet with embellishments in properties with a future land use designation of LDR, MDR, or NCMU.~~

~~C. *Community Subdivision information signs:* Are intended to provide general information to the general public or specific neighborhood or use.~~

- ~~1. *Subdivision information signs:* Changeable subdivision information messages may be permitted in any residential district provided it does not exceed six square feet in copy area. This sign shall be so placed and located that the sign shall only be read from within the subdivision that it serves. Location of the sign to be approved by the city with a permit without a fee.~~
- ~~2. *Outdoor recreation field signs:* Patron advertising signs at ball fields, such signs to be attached to fence surrounding field, with placement allowed only on inside of fence with sign copy area facing inward.~~

3. ~~Recreation event signs: One recreation event sign, intended to provide information about events held at the recreation site may be permitted at the entrance of recreation site or parks, provided it does not exceed 32 square feet in copy area.~~

D. *Off-Site Directional signs.*

~~[1.] *On-site directional signs:* On-site directional signs at each access drive may be permitted in multi-family and nonresidential areas and are limited in area to four square feet and in height to 3.5 feet, including embellishments, giving directions to motorists regarding the location of parking areas. These signs shall be permitted as permanent signs on all parcels and shall not be counted as part of the allowable sign area for that parcel. Signs shall not be placed within any public right-of-way.~~

2. *[Off-site directional signs:]* Off-site directional signs are prohibited unless part of a district-wide commission-approved wayfinding program.

E. *Marquee Signs.* A theater or similar performance use may apply for a permit for a marquee sign that may be approved by the Community Development Director. A marquee sign shall only be affixed to the primary entrance of the tenant/user suite that it serves. The colors, materials, and design of a Marquee Sign shall complement the design of the building(s) which it serves. A marquee sign may be internally or indirectly illuminated. Marquee signs shall not be visible from adjacent single-family residential properties. A marquee sign may include a manual message center. Electronic or mechanical copy change is prohibited. A marquee sign shall not obstruct sidewalks, required accessible paths of travel, or the visibility of other signs. Lighting fixtures shall be decorative and architecturally compatible with the building, and a marquee sign may incorporate flashing or blinking elements within the permitted Sign Area.

E. *Flags.* Flags are allowed to show nation, state, and/or organization patronage. A flag shall not include any device used for advertising that falls under the definition of banner or pennant. No more than four flags will be allowed on any one mixed-use or industrial property. The number of flags shall not be restricted on residential properties. Flags shall not be longer than one-third the total height of the flag pole. On mixed-use and industrial property, flag poles shall be no taller than 35 feet measured from grade of the land at the base of the pole to the top of the pole. On residential property flag poles shall be no taller than 20 feet.

~~F. *Window signs.* Signs may be placed on or behind windows, granted that no more than 25 percent of the window shall be obstructed by any object at any time. A sign installed upon or within three feet (three feet) from the window, visible from the street and exceeds two square feet (2 square feet) in area for the purpose of viewing from outside of the premises constitutes a window sign. Visibility into the interior of the building at pedestrian height must be maintained at all times. Window signs shall not be included in the allowable area of signage.~~

~~G. *Time-temperature-date signs.* Time-temperature-date signs are permitted as a permanent accessory sign on nonresidential developed parcels notwithstanding the general prohibition on changing signs. These signs may only display numerical information in an easily comprehensible way and shall be kept accurate. They may be~~

~~monument or building signs, and are subject to the regulations applicable to such signs. They shall not be counted as part of an allowable sign area.~~

~~H. *Electronic message centers (EMC).* Are intended to replace changeable copy and portable signs and are only allowed as described within this Code. EMCs shall not change their message more than once every eight seconds.~~

F. I. *A-frame signs.* A-frame sign means a two-sided hinged sign, ~~hinged or attached at the top of the sign panels~~, identifying, advertising, or directing attention to a business(es), product(s), operation(s), or service(s) sold or offered in the building in front of which the sign is located. A permit is not required for A-frame signs as long as the following standards are met:

1. Shall not be legible from a public street, unless located in the transit village neighborhood and downtown neighborhood districts of the Heritage Village (refer to HV Figure 12.5.12).
2. Quantity: One A-frame sign per business.
3. Location: Must be located on the sidewalk most immediately adjacent to the front of the business advertised (except where the sidewalk is separated by a parking area). A-frame signs may be located on a sidewalk in the public right-of-way with proper ADA clearance (44-inch minimum clear sidewalk area). The clear sight triangle shall be maintained, and the sign shall not block the view of motorists nor block entrances and exits, and shall not create a hazardous condition. A distance of 18 inches from curb shall be maintained.
4. Maximum height: 48 inches, maximum width: 24 inches.
5. ~~Number of sign faces: Two per sign.~~
6. Materials: Exterior quality wood, metal, or other durable material. Handbills and or similar paper attachments shall not be affixed to signs. A-frame signs shall contain information and advertising for the business placing the sign only and shall not contain any endorsement or logos for any other business
7. Lighting: The sign shall not contain lighting of any kind or glare-producing surfaces
8. A-frame signs must only be displayed during operating hours for the business and shall be taken in during high winds.

G. *Gateway signs.* A maximum number of five gateway signs may be located within the city limits within any of the land use districts, except the Historic District Future Land Use, subject to the gateway sign regulations set forth in this Code and the terms and conditions of a written agreement with the city approved by the city commission.

6.6.0. - Temporary signs.

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6.6.1. Generally.

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6.2.0. - Prohibited signs.

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6.2.2. *Specifically.* The following signs are expressly prohibited unless exempted by this Code or expressly authorized by this Code:

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BB. Strip lighting (LED, neon, or similar) used to outline roofs or any part of a building, or window.

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6.6.3. *Specific types of temporary signs.*

C. ~~Development sign~~ *Signage for active developments.*

1. ~~A project with an active site development plan or subdivision application may display a maximum 64 square foot ground sign. Approval notification sign, not to exceed 32 square feet shall be allowed until construction sign is installed (i.e., future site of...).~~ This sign may only be constructed upon the site if a valid site plan application is in active progress or approval for the site plan is valid. The sign shall be removed once the final certificate of occupancy or completion has been issued.
2. ~~Construction sign: A project with an active site work building permit, interior alteration, or other such building permit that represents the construction of a new building or significant expansion may display a maximum 32 square foot banner or ground sign not exceeding 8 feet in total height.~~ Such message shall not be displayed more than 60 days prior to the beginning of actual construction of the project, and shall be removed when construction is completed. If a message is displayed pursuant to this section, but construction is not initiated within 60 days after the message is displayed, or if construction is discontinued for a period of more than 60 days, the message shall be removed, pending initiation or continuation of construction activities. ~~Such sign shall not exceed 32 square feet not exceed eight feet in height.~~

D. *Grand opening of a business.* A business receiving a new local business tax receipt may put up a temporary sign as described in this Code for the first ~~60~~ 90 days of business, with approval from the community development ~~services~~ department and permits as required. A grand opening sign may not be combined with another temporary sign for the same business under this section, and 90 days shall elapse before the same business receives another temporary sign permit.

1. Projects with a grand opening temporary sign permit may utilize windfeather-type flags at a distance of no more than 1 sign per 50 feet of linear frontage of the business during the period of time that the grand opening permit is valid, for a maximum of 3 windfeather signs per business.

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F. Political signs.

1. Political signs may be placed only on private property provided each candidate or political committee:
 - a. Shall pay a fee as established by the city commission by resolution to the city clerk. A receipt will be issued which shall be deemed to be a permit to cover the placement of all the candidate or committee's campaign signs in accordance with the regulation herein.
 - b. Shall obtain the consent of the owner.
 - c. Candidates qualified for a primary election shall place signs no earlier than 30 days before the primary election. Candidates eliminated in the primary shall remove signs within seven days after the primary election. The signs of successful candidates in a primary election may remain up through the general election period. All other political signs for the general election shall not be placed prior to the city qualifying date as set by City Code and shall be removed within seven days after the general election. Candidates that have not removed their signs within seven days will incur a fine established by the city commission by resolution. The fee may be waived by the city commission.
 - d. Signs in residential districts are limited to a maximum of six square feet per face.

In nonresidential areas, signs are limited to one sign per parcel, per candidate, or campaign committee, and are limited to 16 square feet per face. On corner lots, each street frontage is allowed one sign per candidate or political committee. Each sign may have up to two faces. Sign faces must be attached back to-back or in a V-shape forming an angle of no greater than 90 degrees.
 - e. Shall not place any political sign on any public property, public right-of-way, nor attached to any utility pole or tree, nor on any private property without the permission of the owner, or as may be allowed at the place of public polls.
 - f. Signs placed on private property should be erected securely to prevent displacement by heavy winds and so placed as to not interfere with traffic visibility from any public or private street or driveway.
 - g. Building permits shall be required only as prescribed under the Florida Building Code.
2. Upon determination of code enforcement, illegal political signs shall be physically removed by the city 24 hours after notification to the candidate or his authorized agent, if they have registered with the city clerk as identified above. However, no city notification shall be required for removal of illegal political signs of candidates or committees not registered with the city clerk, or signs placed within public right-of-way or public lands, or placed on private property without the owners consent, or on any election day, or within 24 hours prior to the day of election. The ~~police department~~ Community Development Department for a maximum of seven days shall retain removed political signs. The candidate, or

his authorized agent, may recover signs prior to disposal by retrieving them from the city.

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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 ten 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 five-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

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6.7.2. Illumination- Lighting and Fixtures.

- A. Sign lighting may not be designed or located to cause confusion with traffic lights.
- B. Illumination by floodlights or spotlights is permissible so long as none of the light emitted shines directly onto an adjoining property or into the eyes of motorists or pedestrians using or entering public streets.
- C. Illuminated signs shall ~~not~~ have lighting mechanisms that are decorative, architecturally compatible, and do not project more than 18 inches perpendicularly from any surface of the sign over public space.
- D. Where lighting is allowed, all fixtures must be decorative and architecturally compatible with the building.

~~6.7.4. Height. All ground signs shall be limited to a maximum of 15 feet in height as defined in this Code or otherwise restricted by this Code.~~

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6.7.6. Maintenance.

- A. All signs and all components thereof, including, without limitation; supports, braces, guys and anchors, electrical parts and lighting fixtures, and all painted and display areas, shall be maintained in a state of good repair and shall present a neat and clean appearance (i.e. no flaking, peeling or fading of paint).
- B. The vegetation around, in front of, behind, and underneath the base of ground signs for a distance of ten feet shall be neatly trimmed and free of unsightly weeds, rubbish or debris. Conditions or materials that would constitute a fire or health hazard shall not be permitted under or near the sign.
- C. When a business ceases to operate at a location within the City of Longwood, the property owner shall remove all signage pertaining to the business within two weeks of the final operating day at the subject location. If the building or bay remains vacant, blank faces shall be placed in sign frames until such time as another business occupies the space. In addition to allowable real estate signage, blank faces may be substituted with "for lease" or "for sale" signs.
- D. Businesses shall replace any blank sign face with a sign face advertising the business at that location in all existing sign frames or remove existing sign frames within 30 calendar days from the issuance of a local business tax receipt. If conditions do not allow for the replacement of blank sign faces within 30 days, the business shall supply a valid contract for the installation of the sign face.
- E. Tenant sign panel replacement. Replacement of a tenant sign panel containing the same size as the original on an approved sign structure with removable panels shall not require a sign permit.
- F. Wall sign fascia repair. Where a tenant has vacated a tenant or user suite, the fascia of the wall sign shall be repaired to its surrounding texture and color within 45-days of the panel or sign being removed.

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ARTICLE X. ADMINISTRATION

10.14.2. General requirements.

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- F. Building permits for the construction of residences shall not be issued until the final plat has been approved by the city commission and recorded with Seminole County. A building permit for up to four model homes to be used as an office may be issued prior to the final plat recording.

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ARTICLE XII HERITAGE VILLAGE URBAN CODE

12.7.0 – Administration

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Administrative Modifications

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The Community Development Director may reduce or waive elements of the Streetscape Standards in 12.3.3 and the Access Standards for each building type in 12.2.3 in situations where the strict application of these standards is impractical due to pre-existing site conditions.

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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, in particular Section 3.2.1 and its included tables.

- All references within the LDC to “Community Development Services” shall be changed to “Community Development.”
- Pages 94-96 related to signage shall be deleted from the Heritage Village Urban Code.
- Pages 3.28-3.29 from the Historic District Code Book shall be deleted.

SECTION 4: REPEAL. Ordinance 17-2116 is hereby repealed.

SECTION 5: 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 affect 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 6: This Ordinance shall take effect immediately upon its adoption.

LAND PLANNING AGENCY HEARING: May 9, 2018


FIRST READING: June 4, 2018

SECOND READING AND ADOPTION: June 18, 2018


PASSED AND ADOPTED THIS 18th DAY OF June, 2018


BEN PARIS, MAYOR

ATTEST:


MICHELLE LONGO, CMC, FCRM
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