ORDINANCE 11-20

AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA
AMENDING ORDINANCE 00-32, AS AMENDED, WHICH
ADOPTED THE OSCEOLA COUNTY LAND
DEVELOPMENT CODE, A COMPREHENSIVE AND
COLLECTIVE CODE APPLICABLE TO ALL LAND
DEVELOPMENT WITHIN THE UNINCORPORATED
AREAS OF OSCEOLA COUNTY; AMENDING
CHAPTER
14 ZONING REGARDING PERMITTED AND
CONDITIONAL USES AND INTRODUCING A ZONING
DISTRICT DEVELOPMENT STANDARDS MATRIX;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Local Government Comprehensive Plan and Land
Development Regulation Act, Chapter 163, Part II, Florida Statutes, as amended, Osceola
County enacted Ordinance 00-32, which adopted the Osceola County Land Development Code;
and

WHEREAS, the effective date of the Land Development Code is March 1, 2001; and

WHEREAS, subsequent to the effective date of the Land Development Code, it has been
determined that amendments are warranted in order to better serve the community and to ensure
compliance with the Osceola County Comprehensive Plan; and

WHEREAS, in accordance with the provisions of Section 125.66, Florida Statutes, the
Board of County Commissioners conducted a public hearing to consider the amendments, with
due public notice having been provided, on June 26, 2011, July 7, 2011 and July 21, 2011.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

SECTION 1. ADOPTION

Having reviewed and considered all comments received during the public hearings
conducted on July 7, 2011, July 18, 2011 and August 1, 2011; the Board of County Commissions hereby adopts the revisions to Chapter 14 of the Land Development Code, attached hereto as Exhibit A.

SECTION 2. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption, this 1st day of August, 2011.

BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA

By: ______________________________
Chairman/Vice Chairman

ATTEST:

By: ______________________________
Clerk to the Board
CHAPTER 14
ZONING

COUNTY POLICY, ESTABLISHMENT OF DISTRICTS, DISTRICT BOUNDARIES ON ZONING MAP AND RESTRICTIONS UPON LAND, WATER, BUILDING AND STRUCTURES

14.1 COUNTY POLICY

The regulations contained in Chapter 14 implement policy of the Board of County Commissioners and policies of the Osceola County Comprehensive Plan.

14.2 ESTABLISHMENT OF DISTRICTS

In order to classify, regulate and restrict the uses of land, water, building and structures, and to regulate and restrict the height and bulk of building, and to regulate the area of yards, courts and open spaces about buildings, Osceola County, not part of any municipality, is divided into districts.

14.3 DISTRICTS SHOWN ON MAPS

The boundaries of the various districts in Osceola County, Florida, are shown on maps in the Planning and Zoning Office, entitled “Official Zoning Map”, which is made a part of this Ordinance.

14.4 DEFINITIONS AND RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES AND URBAN DEVELOPMENT AREA BOUNDARIES

Where uncertainty exists with respect to the boundaries of the districts as shown on the Official Zoning Map, the following rules shall apply:

A. Where district boundaries are indicated as following the center lines of streets, highways or alleys, such center lines shall be construed to be such boundaries.

B. Where district boundaries are indicated as approximately parallel to the center lines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance there from as indicated on the official zoning map. If no distance is indicated specifically on the zoning map, the scale of the map shall determine.

C. Where district boundaries run to, but do not extend into water areas, they shall be considered to run into such water areas in a straight line continuing the prevailing direction of the boundary as it approached the water until they intersect other district boundaries or the geographic limits of the County. Boundaries which run through water-courses, lakes and other water areas shall be assumed to be located midway in such water areas unless otherwise indicated.

D. Where district boundaries are indicated as following platted lot lines, such lot lines shall be construed to be the district boundaries.

E. Where district boundaries are indicated by specific dimensions, such specific dimensions shall control.

F. Where district boundaries divide platted lots or costs unsubdivided property, and where no specific dimensions are indicated on the official zoning map, the scale of the official zoning map shall control.

G. The following words, terms and phrases shall be defined in the following manner:

1. Detailed Concept Plan: The scope and purpose of this Plan is consistent with the concept and requirements of a Community Plan as described in the goals, objectives and policies of the Future

Chapter 14
Zoning
Land Use Element of the Comprehensive Plan. The terms “Detailed Concept Plan” and “Community Plan” are interchangeable.

2. FISH – Florida Inventory of School Houses: An official inventory report as described in Section 1013.31, Florida Statutes, of all School Board of Osceola County owned facilities.

3. Floor Area Ratio – The gross floor area of buildings, exclusive of parking garages, on a given building or development site divided by the net developable area of the site.

4. Land Use, Existing – A description of how land is occupied or utilized. The terms "land use” and "use of land” shall be deemed also to include building use and use of building.


6. Recreation Facility, Active – Any type of structure or land area, such as a sports field, court, swimming pool, seating area, concession, dressing area, or practice facility that is not located within a principal structure and operated intermittently or continuously for recreational activities associated with the principal use.

14.5  RESTRICTIONS UPON LAND, BUILDINGS AND STRUCTURES

A. USE

No building or structure shall be erected and no existing building shall be moved, altered, added to, or enlarged, nor shall any land, building, structure or premise be used or designed to be used for any purpose or in any manner other than a use designated in this chapter or amendments thereto, as permitted in the district in which such land, building, structure or premises is or are located, without obtaining the necessary land use, zoning and/or building permits, except when exempt according to Florida Statutes.

B. HEIGHT

No structure or building shall be erected, nor shall any existing building be moved, reconditioned or structurally altered so as to exceed in height the limit, if any, established in this chapter or amendments thereto, for the district in which such building or structure is located.

C. SITE REQUIREMENTS

No building or structure shall be erected, nor shall any existing building or structure be moved, altered, enlarged or rebuilt, nor shall any open space surrounding any building or structure or encroached upon or reduced in any manner, in size or area, except in conformity with the development or building site requirements, and the area and parking space and yard regulations established by this Ordinance, or amendments thereto, for the district in which such building or structure is located.

D. REQUIRED LOT AND OCCUPANCY

Every building or structure hereafter erected shall be located on a lot or tract as defined herein; and in no case shall there be more than one principal building or use on one (1) lot except as hereinafter provided.

E  ZONING DISTRICT CATEGORIES

The following list identifies various zoning districts classified according to general zoning objectives.

1. CLASSIFICATION

Agriculture

GENERAL OBJECTIVES

Development of suitable areas for agriculture production
ZONING DISTRICTS

AC

2. CLASSIFICATION
   Rural
   GENERAL OBJECTIVES
   Development of suitable areas for very low density residential single family use
   and areas for limited agriculture production.
   ZONING DISTRICTS
   R-1, R-1M, R-2, R-2M

3. CLASSIFICATION
   Estate
   GENERAL OBJECTIVES
   Development of suitable areas for select types of very low density country
   estates for single family use.
   ZONING DISTRICTS
   E-1, E-1A, E-2, E-2A, E-5

4. CLASSIFICATION
   Residential
   GENERAL OBJECTIVES
   Development of suitable areas for residential low density, single family
   dwellings
   ZONING DISTRICTS
   RS-1, RS-2, RS-3, RS-1A, RS-1C, RMH, RMH-1, RMH-1A, Residential P.D.

5. CLASSIFICATION
   Multi-Family
   GENERAL OBJECTIVES
   Development of suitable areas for attached residential units at medium to high
   density
   ZONING DISTRICTS
   RM-1, RM-2, RM-3, Residential P.D.

6. CLASSIFICATION
   Commercial
   GENERAL OBJECTIVES
   Development of suitable areas for commercial activities which offer a variety of
   goods and services to the community
   ZONING DISTRICTS
   CR, CG, CT, CN, RPB, Commercial P.D., Special Complex P.D.

7. CLASSIFICATION
   Industrial
   GENERAL OBJECTIVES
   Development of suitable areas for various types of industry providing for local
   employment and adult entertainment.
   ZONING DISTRICTS
   IB, IR, IG, Industrial P.D.

8. CLASSIFICATION
   Institutional
   GENERAL OBJECTIVES
   Development of suitable areas for public and quasi-public facilities, institutions
   and/or improvements intended to promote public health, safety and welfare.
F. ZONING DISTRICT DEVELOPMENT STANDARDS

Development standards for the Zoning Districts listed herein shall be as set forth in the Zoning District Development Standards Matrix (Table 14.2) located within this Chapter and other applicable standards within the Land Development Code.

G. REZONINGS

All rezoning of sub-DRI development, equal to or larger than the sites listed below, shall be submitted as planned developments.

A. Commercial 10 acres
B. Industrial 20 acres
C. Residential 100 acres or 500 dwelling units
D. Mixed Use 20 acres
E. Short Term Rental 20 acres
F. Development of County Impact No minimum land area and equaling or exceeding 500 dwelling units or 200,000 square feet of gross floor area of one or more non-residential uses

Development smaller than those listed above may also be submitted as planned developments. These parcels, as with all development parcels, must have been created in compliance with the subdivision regulations found in Chapter 8.

14.6 AGRICULTURAL DEVELOPMENT AND CONSERVATION (AC)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further this district is established to:

1. Encourage the retention and development of suitable areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities; and,

2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of rural areas by limiting the ability of such areas to provide food supplies or to effectively compete with other regions producing agricultural products.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass, sod and trees.

2. Pastures and grasslands for the cultivation and propagation of livestock except for swine and poultry.
3. Greenhouse or nursery for domestic plants and landscaping materials when accessory and incidental to the principal dwelling.

4. Wholesale commercial greenhouses and nurseries, if located in the rural land use category as illustrated on the Osceola County Comprehensive Plan, future plan use map.

5. Lakes and ponds for the cultivation and propagation of fish and marine foods for personal consumption only.

6. Areas for the cultivation and propagation of bees, earthworms and similar insects.

7. Dairy farms.

8. Barns, stables, and silos for the housing of livestock, hay, and feed.

9. Buildings, structures, equipment and work animals utilized for bonafide agricultural activities.

10. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

11. Single family manufactured home and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

12. Swimming pool, spa, recreation room, screen room, boathouse and other customary uses when accessory and incidental to the principal dwelling.

13. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

14. Pier, dock or boathouse, when accessory and incidental to the principal dwelling:

15. Dwellings (5 or less) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.

16. Swine and poultry not exceeding a limit of two (2) swine and six (6) fowl provided they are contained in a pen or fenced enclosure that maintains a minimum 100 feet setback from any property boundary.

17. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

18. Silviculture and forestry operations when operated in accordance with other provisions of this Ordinance.

19. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

20. Agricultural stands in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
21. Class I aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

22. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

23. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

24. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

25. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.

C. CONDITIONAL USES

The following uses may be permitted as a conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Substations for telephone, or other utilities, and for firefighting or law enforcement services.

2. Houses of worship in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.


4. Marinas, golf courses, country clubs, and customary accessory facilities such as clubhouses, swimming pools, cabanas, tennis courts, maintenance buildings, and structures for storage of golf carts.

5. Dwellings (6 or more) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.

6. Packing houses for the processing and packaging of citrus, vegetables, and fruits.

7. Processing plants for the dressing and packaging of beef, poultry, swine and fish.

8. Sawmills for the cutting, sizing and curing of lumber.

9. Commercial retail sales of nursery plants and landscaping materials in conjunction with wholesale nursery operations.

10. Commercial fish farms and similar aqua-cultural operations.

11. Plants for the production and processing of feed and fertilizer.
12. Brooders and pens for the husbandry of poultry, swine and similar farm animals exceeding the limits for permitted uses.

13. Aviaries, commercial riding stables and sites for the raising or possession of exotic animals as recognized by the Florida Fish and Wildlife Conservation Commission.

14. Veterinary clinics in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

15. Tourist attractions featuring animals, reptiles and other wildlife.

16. Recreational vehicle parks and campgrounds, when approved in accordance with other provisions of this Ordinance.

17. Recreation facilities for special groups, e.g., athletic associations, girl scouts and boys clubs.

18. Utility plants, landfills (all classes as regulated by the Florida Department of Environmental Protection, and construction and demolition debris disposal sites, in accordance with - Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

19. Cemeteries and customary accessory uses in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

20. Pug mills and/or temporary plants for the production or batching of concrete, asphalt soil cement or asphaltic concrete in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

21. Soil excavation, mining or quarry operations when approved in accordance with other provisions of this Ordinance.

22. Plants for the processing of fertilizer or animal hides.

23. Communication towers in accordance with Chapter 9.

24. Hunting camps and fishing camps in accordance with the Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

25. Temporary parking and storage areas for construction equipment, providing the temporary period does not exceed 5 years.

26. Class II aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

27. Community Residential Home B in accordance with Conditional Use and Site Standards (C.U.S.S.) of this Ordinance.

28. Land application disposal in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

29. Areas for the display, sale, assembly and maintenance of agricultural equipment.

30. Outdoor firing ranges provided the property has a rural land use designation in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
31. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

32. Commercial kennels for the raising, breeding and/or boarding of domestic animals including, but not limited to, canines or felines in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

33. Bed-and-breakfast establishment in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

34. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Home occupations.

2. Buildings, yards, pens and/or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of (6) canine.

3. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.7 RURAL DEVELOPMENT – ONE ACRE (R-1; R-1M)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further this district is established to:

1. Encourage the retention and development of suitable areas for agricultural production, and the provision of necessary goods and services required to support rural areas; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation and appearance of rural areas by permitting uses of land and densities of population which more properly belong in urban places.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.
1. Single family residence, including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

2. Single family manufactured home and mobile home, including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling, when located within an R-1M zoning district.

3. Swimming pool, spa, recreation room, screen room, boathouse and other customary uses, when accessory and incidental to the principal dwelling.

4. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

5. Pier, dock, boathouse, when accessory and incidental to the principal dwelling.

6. Buildings, yards, pens and/or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4). canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

7. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to the principal dwelling.

8. Equine, stables and barns for equine, when accessory and incidental to the principal dwelling. One equine shall be permitted for each two (2) acres.

9. Groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass, sod and trees.

10. Lakes and ponds for the cultivation and propagation of fish and marine foods for personal use.

11. Areas for the cultivation and propagation of earthworms, bees or similar insects.

12. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

13. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

14. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

15. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

16. Parks, playgrounds.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.
1. Substations for telephone or other utilities, and for fire fighting or law enforcement services.

2. Kindergartens and child care centers for pre-school children, or nursing homes for the sick and elderly.

3. Residential design manufactured home (RDMH), including customary uses such as a garage, carport, and porch, when accessory to the principal dwelling when located within an R-1 zoning district.

4. Recreational vehicle parks and campgrounds when approved in accordance with other provisions of this Ordinance.

5. Houses of worship in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and customary accessory facilities such as a chapel and educational buildings for religious training.

6. Fire observation towers.

7. Areas for the display, sale, assembly and maintenance of agricultural equipment.

8. Areas for the sale of feed, seed, and packaged fertilizer.

9. Minor neighborhood shops and studios for convenience goods and services, when approved in conjunction with the commercial locational criteria of the Osceola County Comprehensive Plan.

10. Offices for the sale of farms, groves, and other real estate, or for mail delivery services.

11. Restaurant, provided it is located within a community development area, as defined in the Comprehensive Plan.

12. Community Residential Home B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

13. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved in accordance with other provisions of this Ordinance.

1. Home occupations.

2. Buildings, yards, pens, and/or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) canine.

3. Horses, stables and barns one equine shall be permitted for each two (2) acres.

4. Pigeon coops, when accessory and incidental to the principal structure.
E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.8 RURAL DEVELOPMENT – TWO ACRE (R-2; R-2M)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of property, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations, this district is established to:

1. Encourage the development of very low density residential areas that desire utilization of property for limited agricultural production; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation and appearance of rural areas by permitting uses of land and densities of population which more properly belong in urban areas.

B. PERMITTED USES

The following uses are authorized in this district, when such uses comply with the requirements contained in these regulations:

1. Groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass, sod and trees.

2. Pastures and grasslands for the cultivation and propagation of livestock such as cattle, sheep and horses; excluding swine and poultry.

3. Greenhouse or nursery for the growing of plants, flowers, ferns and landscaping materials for personal use only.

4. Lakes and ponds for the cultivation and propagation of fish and marine foods for personal use only.

5. Areas for the cultivation and propagation of bees, earthworms and similar insects.

6. Equine, stables, and barns provided the density of equine per acre of property does not exceed one (1) equine per two (2) acres.

7. Single family residence, including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

8. Single family manufactured home and mobile homes, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling, when located within an R-2M zoning district.

9. Swimming pool, spa, recreation room, screen enclosure and customary uses, when accessory and incidental to the principal dwelling.
10. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

11. Pier, dock, boathouse, when accessory and incidental to the principal dwelling.

12. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

13. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

14. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

16. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

17. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

18. Parks, playgrounds.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 or this Ordinance.

1. Aviaries.

2. Residential design manufactured home (RDMH), including customary uses such as garage, carport, and porch, when accessory and incidental to the principal dwelling when located in an R-2 zoning district.

3. Substations for telephone or other utilities, and for fire fighting and law enforcement services.

4. House of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and customary accessory facilities such as a chapel and educational buildings for religious training.

5. Community Residential Home B, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

6. Fire observation towers.

7. Areas for the display, sale, assembly and maintenance of agricultural equipment.

8. Areas for the sale of feed, seed, and packaged fertilizer.
9. Minor neighborhood shops and stores for convenience goods and services, when approved in conjunction with commercial locational criteria of the Osceola County Comprehensive Plan.

10. Offices for the sale of farms, groves, and other agricultural real estate.

11. Restaurant, provided it is located within a community development area, as defined in the Osceola County Comprehensive Plan.

12. Kindergarten, child care centers for pre-school children, or nursing homes for the sick and elderly.

13. Commercial kennels for the raising, breeding and/or boarding of domestic animals, including but not limited to, canines or felines in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

14. Veterinarian clinics, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

15. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site and its compatibility with adjacent parcels. These above determinations will be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved in accordance with other provisions of this Ordinance.

1. Home occupations.

2. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

3. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.9 ESTATE DEVELOPMENT (E-1; E-1A; E-2; E-2A; E-5)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of the property, limit the expenditure of public funds, improve the opportunity for country living, and achieve the intent of land use regulations. Further, this district is established to:
1. Encourage the retention and development of suitable areas for select types of residential dwellings developed at a low density;

2. Discourage the creation or continuation of conditions which could detract from the function, operation and appearance of rural areas by permitting uses of land and densities of population which more properly belong in urban places.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence, including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

2. Swimming pool, spa, recreation room, screen room, and other customary uses when accessory and incidental to the principal dwelling.

3. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

4. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to the principal dwelling.

5. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

6. Equine when accessory to the principal dwelling provided the density of equine per acre of property does not exceed one (1) equine per two (2) acres. In the E-5 District, livestock, poultry and swine as provided for in accordance with the Agricultural Development and Conservation (AC) Zoning District permitted use regulations contained here in.

7. Stables, or barns when accessory to the principal dwelling.

8. Pier, dock, or boathouse, when accessory and incidental to the principal dwelling.

9. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

10. Storage building, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

11. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

12. Elementary and middle schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.80.

C. CONDITIONAL USES
The following uses listed below may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Parks, playgrounds and similar neighborhood facilities such as club houses, beaches, swimming pools, picnic grounds, boat docks and boat ramps.

2. Substations for telephone or other utilities, and for fire fighting or law enforcement services.

3. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.

4. Kindergarten and child care centers for pre-school children, or nursing homes for the sick and elderly.

5. Marinas or golf courses, country clubs and customary accessory facilities such as clubhouses, swimming pools, cabanas, tennis courts, maintenance buildings and golf cart storage areas.

6. Short term rentals in accordance with Section 14.26, Short Term Rental Overlay, of this Ordinance.

7. Community Residential Home B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved in accordance with other provisions of this Ordinance.

1. Home Occupations.

2. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of no more than six (6) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

3. Pigeon coops, when accessory and incidental to the principal structure.

4. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.
14.10 RESIDENTIAL SINGLE FAMILY (RS-1, RS-2, RS-3, RS-1A, RS-1C)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of property, improve the opportunity for housing various economic and other groups, and achieve the intent of land use regulations, this district is established to:

1. Encourage the design and development of suitable areas for select types of residential dwellings at a low density such as detached, high and medium value homes for single family use; and

2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below area authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

2. Swimming pool, spa, recreation room, screen room, boathouse, and other customary uses, when accessory and incidental to the principal dwelling.

3. Guest home and/or quarters for domestic employees in RS-1, RS-1A and RS-1C zoning districts only, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and provided the lot contains a minimum area of 25,000 square feet.

4. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to the principal dwelling.

5. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

6. Pier, dock, or boathouse when accessory and incidental to the principal dwelling.

7. Community Residential Home A in accordance with Conditional Use and Site Standards of this Ordinance.

8. Model home and pre-construction sales office in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

9. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

10. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.
11. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirements prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.80.

C. CONDITIONAL USES

The following uses may be permitted to conditional uses provide an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.

2. Substations for telephone or other utilities, and for fire fighting or law enforcement services.

3. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and customary accessory facilities such as a chapel and educational buildings for religious training.

4. Residential design manufactured home (RDMH), including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.


6. Marina, golf course, country club, and customary accessory facilities such as a clubhouse, swimming pool, cabana, tennis court, maintenance buildings, and structures for golf cart storage.

7. Community Residential Home B in accordance with conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Other similar uses which are reasonably implies and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as special exceptions by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Stables and barns for equine, provided the lot is a minimum of two (2) acres, and provided the density of equine per acre of property does not exceed one (1) equine per two (2) acres.

2. Home Occupations.

3. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

4. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.
5. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.11 RESIDENTIAL MANUFACTURED HOUSING (RMH, RMH-1, RMH-1A)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of the property, improve the opportunity for housing various economic and other groups, and achieve the intent of land use regulations, this district is established to:

1. Encourage the design and development of suitable areas for various types of residential dwellings at a medium density (including modular units and similar forms of manufactured housing which are fabricated off the site); and

2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse affect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

2. Single family manufactured home and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

3. Swimming pool, spa, recreation room, screen room, and other customary uses, when accessory and incidental to the principal dwelling.

4. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to a principal dwelling.

5. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

6. Pier, dock, or boathouse, when accessory and incidental to the principal dwelling.

7. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Model home and pre-construction sales office in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
9. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

10. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

11. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has otherwise been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Two family dwelling (duplex), including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

2. Three family dwelling (triplex), including customary uses such as a garage, carport, and porch when accessory and incidental to the principal dwelling.

3. Townhouse dwelling including customary accessory uses as authorized pursuant to the approved conditional use site development plan.

4. Mobile home park, when developed in accordance with other provisions of this Ordinance.

5. Recreational vehicle park and campground, when planned in accordance with other provisions of this Ordinance.

6. Public parks, playgrounds, libraries, and similar neighborhood activities.

7. Public substations for telephone or other utilities, and for fire fighting or law enforcement services.

8. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.


10. Public neighborhood recreation facilities such as a clubhouse, swimming pool, picnic ground, beach, boathouse, boat docks, and boat ramps.

11. Marina or golf course, country club and customary accessory facilities such as a clubhouse, swimming pools, cabana, tennis court, maintenance building and golf cart storage.

12. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.
D. SPECIAL EXCEPTIONS

The following uses may be permitted as special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Home Occupations.

2. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

3. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of Canine exceeding the permitted maximum of four (4) canine up to a maximum of six (6). Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

4. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

F. MAXIMUM DWELLING DENSITY, SUBJECT TO COMPREHENSIVE PLAN

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<th>Type</th>
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14.12 RESIDENTIAL MULTIPLE FAMILY ONE – RM-1

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, improve the opportunity for housing various economic and other groups, and achieve the intent of land use regulations. Further, this district is established to:

1. Encourage the design and development of suitable areas for various types of residential dwellings at a medium density such as detached low cost homes for single family use and attached units for multiple family use; and
2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

2. Two family dwelling (duplex), including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

3. Swimming pool, spa, recreation room, screen room, and other customary uses, when accessory and incidental to the principal dwelling.

4. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to the principal dwelling.

5. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

6. Pier, dock, or boathouse, when accessory and incidental to the principal dwelling.

7. Community Residential Home A or B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Model home and pre-construction sales office in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

9. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

10. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

11. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional uses provided an application has been approved pursuant to Chapter 2 ad Chapter 17 of this Ordinance.

1. Three family dwelling (triplex), including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.
2. Single family manufactured home (SDMH), residential design manufactured home (RDMH) and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

3. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.

4. Substations for telephone or other utilities, and for fire fighting or law enforcement services.

5. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and customary accessory facilities such as a chapel and educational buildings for religious training.

6. Kindergartens and child care centers for pre-school children, or nursing homes for sick and elderly.

7. Neighborhood recreation facilities not operated for profit such as a clubhouse, swimming pool, picnic ground, beach, boat dock, and boat ramp.

8. Marinas or golf course, country club, and customary accessory facilities such as clubhouse, swimming pool, cabana, tennis court, maintenance buildings, and structures for golf cart storage.


10. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

2. Home Occupations, provided the principal dwelling is a single family residence, manufactured home or mobile home.

E. PROHIBITED USES

All uses not specified as a permitted use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

F. MAXIMUM DWELLING DENSITY, SUBJECT TO COMPREHENSIVE PLAN

<table>
<thead>
<tr>
<th>Type</th>
<th>Dwelling Density</th>
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14.13 RESIDENTIAL MULTIPLE FAMILY TWO (RM-2)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, improve the opportunity for housing various economic and other groups, and achieve the intent of land use regulations. Further, this district is established to:

1. Encourage the design and development of suitable areas for various types of residential dwellings at a medium density, such as attached units for multiple family use and detached homes for single family use; and

2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

2. Two family dwelling (duplex), including customary uses such as a garage, hobby shop, carport, and porch, when accessory and incidental to the principal dwelling.

3. Three family dwelling (triplex) including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

4. Swimming pool, spa, recreation room, screen room, and customary uses, when accessory and incidental to the principal dwelling.

5. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to the principal dwelling.

6. Pier, dock or boathouse, when accessory and incidental to a principal dwelling.

7. Community Residential Home A or B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

9. Model home and pre-construction sales office in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

10. Storage buildings and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
11. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

12. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional uses provided that an application has been approved pursuant to chapter 2 and Chapter 17 of this Ordinance.

1. Residential design manufactured home (RDMH), including customary uses as a garage, carport, and porch, when accessory and incidental to the principal dwelling.

2. Townhouse dwelling including customary accessory uses as authorized pursuant to the approved conditional use site development plan.

3. Multiple family dwellings including high rise apartments and garden apartments.

4. Parks, playgrounds, libraries, and similar neighborhood activities not operated for profit.

5. Substations for telephone or other utilities, and for fire fighting or law enforcement services.

6. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.

7. Kindergartens and child care centers for preschool children, or nursing homes for the sick and elderly.

8. Neighborhood recreation facilities not operated for profit such as a clubhouse, swimming pool, picnic grounds, beach, boathouse, boat docks or boat ramp.

9. Marina, golf course, country club, and customary accessory facilities such as a clubhouse, swimming pool, cabana, tennis court, maintenance buildings, and golf cart storage.


11. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Buildings, yards, pens, and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four
(4) canine, up to a maximum of six (6) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

2. Home Occupation, provided the principal dwelling is a single family residence or residential design manufactured home (RDMH).

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be provided for according to Chapter 2.

F. MAXIMUM DWELLING DENSITY, SUBJECT TO COMPREHENSIVE PLAN

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<th>Type</th>
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14.14 RESIDENTIAL MULTIPLE FAMILY THREE (RM-3)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of property, improve the opportunity for housing various economic and other groups, and achieve the intent of land use regulations, this district is established to:

1. Encourage the design and development of suitable areas for various types of residential dwellings at a high density, such as attached units for multiple family use; and

2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Two family dwelling (duplex), including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

2. Three family dwelling (triplex), including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling

3. Townhouse dwelling including customary uses such as a garage, carport and porch, when accessory and incidental to principal dwelling.

4. Multiple family dwelling units (garden apartment) including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.
5. Swimming pool, spa, recreation room, screen room, and other customary uses, when accessory and incidental to the principal dwelling.

6. Greenhouse for domestic plants and landscaping materials, when accessory and incidental to the principal dwelling.

7. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum of setback of ten (10) feet from any property boundary.

8. Pier, dock, or boathouse, when accessory and incidental to the principal dwelling.

9. Community Residential Home A, B or C in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

10. Model home and pre-construction sales office in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

11. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

12. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Multiple family dwelling, (mid-rise apartment complex) including customary uses such as a garage, carport, swimming pool, pier, dock or boathouse, when accessory and incidental to the mid-rise apartment complex. The gross density shall be limited to twenty (20) dwelling units per acre.

2. Multiple family dwelling (high rise apartment complex) including customary uses such as garage, carport, recreation room, swimming pool, pier, dock or boathouse, storage or maintenance building, when accessory and incidental to the high rise apartment complex. The gross density shall be limited to thirty (30) dwelling units per acre.

3. Transient housing facility (hotel or motel complex), including customary uses such as a garage, carport, recreation room, swimming pool, boathouse, pier, dock, or storage or maintenance buildings, when accessory and incidental to the hotel or motel complex, and when located in the tourist corridor as identified in the Comprehensive Plan future land use map.

4. Public parks, playgrounds, libraries, and similar neighborhood activities not operated for profit.

5. Public substations for telephone or other utilities, and for fire fighting or law enforcement services.
6. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.


8. Neighborhood recreation facilities not operated for profit such as a clubhouse, swimming pool, picnic ground, beach, boathouse, boat dock, and boat ramp.

9. Marina or golf course, country club and customary accessory facilities such as clubhouse, swimming pool, cabana, tennis court, maintenance buildings, and golf cart storage.


11. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, and location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Buildings, yard, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine up to a maximum of six (6). Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

F. MAXIMUM DWELLING DENSITY

duplex 7.3 units/acre
triplex 8.4 units/acre
townhouse 9.0 units/acre
garden apartment 18.0 units/acre
apt./hotel-motel complex 40.0 units/acre

14.15 COMMERCIAL RESTRICTED BUSINESS (CR)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further, this district is established to:
1. Encourage the design and development of suitable areas for special types of commerce which are appropriately located with direct access to major thoroughfares and offer a variety of goods and services to various areas of the community; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of planned business centers, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements in these regulations.

1. Offices and studios for professional services such as customarily provided by doctors, dentists, opticians, architects, engineers and lawyers and veterinary facilities catering to small animals.

2. Offices and studios for financial services such as customarily provided by banks, savings and loan associations, credit bureaus, insurance agencies, and securities brokerage.

3. Governmental administrative buildings and courts serving the executive, legislative, and judicial functions of local, state and federal branches of government, including post office facilities.

4. Theaters, museums, and galleries for cultural events, art displays and shows and clubs, lodges and meeting facilities for professional or social organizations.

5. Offices and studios for communication services such as radio and television broadcasting, filming or recording, and publishing of newspapers or periodicals.

6. Offices and studios for business services such as data processing, employee training, advertising, bookkeeping, and duplicating or reproducing of letters, forms, and drawings.

7. Shopping centers and office parks.

8. Shops and stores for retail goods such as furniture, appliances, clothing, food, medicine, hardware, books, gifts, carpets, draperies, stationery, office supplies, and sporting goods.

9. Shops and studios for general services such as hair cutting and styling, shoe repair, photography, picture framing, and areas for pick-up and delivery of laundry or cleaning.

10. Hospitals, medical clinics or laboratories and customary accessory uses.

11. Entertainment facilities such as auditoriums, bowling alleys, skating rinks, bars, game rooms and billiard halls, go-cart tracts and mini-golf facilities.

12. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

13. Funeral homes.

14. Food preparation facilities for minor products to be sold on the premises, such as bakery items, candies, confections, juices and beverages.
15. Eating establishments such as restaurants, cafeterias, lounges, supper clubs, and coffee shops.

16. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional use provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and customary accessory facilities such as a chapel and educational buildings for religious training.

2. Personal storage facilities or mini-warehouses and warehouses for storage and distribution of supplies used in conjunction with retail sales.

3. Transportation facilities such as passenger stations for trains, buses, limousines or taxis, and automobile parking garages.

4. Production facilities for limited communication products such as newspapers, magazines and similar printing, lithography or photographic processing.

5. Showrooms and display areas for the sale of new and used automobile and customary accessory uses.

6. Private schools.

7. Service stations including those that provide limited minor repair in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Areas for the sale of decorating landscaping materials in conjunction with commercial retail plant nurseries.

9. Communication towers in accordance with Chapter 9.

10. Automobile car washes, automobile oil change and lubrication facilities.

11. Convenience stores, with or without gas dispensers, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and licensed package stores for the sale of off-premise consumption of alcoholic beverages.

12. Nursing, convalescent and extended care facilities, Community Residential Home B and C in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

13. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and the compatibility with adjacent parcels. The above determinations will be made by the Planning Official.

D. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special...
exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as proved for according to Chapter 2.

14.16 COMMERCIAL GENERAL BUSINESS (CG)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further, this district is established to:

1. Encourage the design and development of suitable areas for general types of commercial activities, which are appropriately located with direct access to major thoroughfares, or other appropriate site selection criteria and offer a variety of goods and services to major segments of the community; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of commercial areas, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Shops and stores for the sale of general retail goods such as books, clothing, furniture and appliances, pawn shops and offices for professional services.

2. Shops and studios for general retail services such as hair cutting and styling, shoe repair, photography, picture framing, laundromat or self-service laundry facilities.

3. Shops and retail stores for the repair of radios, television sets or small electrical appliances.

4. Restaurants, delicatessens and other food preparation facilities.

5. Personal mini storage facilities.

6. Service stations, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, car washes, automobile oil change and lubrication facilities.

7. Locations for the display and sale of garden furniture and swimming pool equipment, or nurseries for propagation and sale of plants and/or landscaping supplies.

8. Locations for commercial recreation such as a golf driving range, miniature golf, baseball and archery practice range, bowling alley, indoor shooting range, and skating rink.

9. Convenience stores, with or without gas dispensers, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
10. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

11. Establishments licensed for on premise consumption of alcoholic beverages.

12. Recreational activities, including but not limited to, paintball and lazer tag.

13. Flea markets, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

14. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

15. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

16. Funeral homes.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional use provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Mechanical garages used for the overhaul and repair of motor vehicles and shops housing automobile upholstery and automobile painting and body works.

2. Garages for the repair of automobile and truck engines, electric motors, air conditioners, heaters, vending machines, furniture and upholstery.

3. Shops and garages housing the building trades; For example: plumbers, well drillers, electricians, cabinet builders, sheet metal workers, roofers, masons, tile setters, and general contractors.

4. Commercial laundries and plants for washing, drying and cleaning clothes, carpets, draperies, and household items.

5. Transportation facilities such as passenger stations for trains, buses, limousines and taxis, and automobiles parking garages.

6. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational building for religious training.

7. Production facilities for newspapers, magazines and similar printing, lithography or photographic processing.

8. Communication towers in accordance with Chapter 9.

9. Locations for the display and sale of new or used automobiles, trucks, travel trailers, motor bikes, boats, mobile homes, and farm or construction equipment.
10. Personal storage facilities or mini-warehouses and warehouses for storage and distribution of supplies used in conjunction with retail sales.

11. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.17 COMMERCIAL TOURIST (CT)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations, this district is established to:

1. Encourage the design and development of suitable areas for special types of commerce which desire locations with direct access to major thoroughfares and offer a variety of goods and services primarily for the tourist market; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of planned tourist centers, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when they comply with the requirements contained in these regulations.

1. Service stations, provided that service repair is limited to minor repair, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, car washes, automobile oil change and lubrication facilities.

2. Eating establishments, such as restaurants, cafeterias, lounges, supper clubs and coffee shops.

3. Entertainment facilities for recreation such as bowling alleys, theater buildings, golf driving ranges, miniature golf and miniature driving or cart tracks.

4. Shops and stores for convenience goods such as gifts, souvenirs, clothing, flowers, books, artists supplies, crafts or hobbies;

5. Shops and stores for convenience services such as cutting and styling of hair, self-service facilities for washing, drying and cleaning clothes, or areas for pick-up and delivery of laundry and cleaning.
6. Tourist attractions including but not limited to, dinner facilities, special amusement rides, animal display facilities and museums.

7. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

C. CONDITIONAL USES

The following uses may be permitted as conditional use provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance:

1. Transient housing facilities, hotel, motel, multiple family housing, including customary uses such as garages, carports, recreation rooms, swimming pools, bathhouses, piers, docks or boathouses, storage or maintenance buildings, and areas providing convenience goods or services for occupants.

2. Convention facilities such as auditoriums, conference rooms or display areas;

3. Recreational vehicle sales and service centers, provided that the service repair work is limited to minor repair (not the overhaul of engines, transmissions or rear ends, paint shops or tire recapping).

4. Time sharing units to provide transient housing; no unit shall be sold to an individual or group for a time period greater than eight weeks; and the management group will be responsible for collecting the taxes for all units.

5. Communication towers in accordance with Chapter 9.

6. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on the appropriate consideration of the nature of the intended activity, the character of the proposed development, and location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. PROHIBITED USES

All uses not specified as a permitted use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.18 COMMERCIAL NEIGHBORHOOD CENTER (CN)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and to achieve the intent of the land development code. Further, this district is established to:
1. Encourage the design and development of suitable areas for special types of commerce which are residential in character and appropriately located in predominantly residential areas and offer a limited variety of goods and services, primarily for the convenience of residents living in the neighborhood; and

2. To discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of neighborhood convenience centers, or have an adverse effect on adjacent areas.

B. PERMITTED USES

1. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

2. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Minor neighborhood shops and stores for convenience goods such as food, drinks, ice, newspapers, magazines, videos, gas sales and small household items.

2. Minor neighborhood shops for convenience services such as cutting and styling of hair, lessons in art or music, self-service facilities for washing, drying and cleaning clothes or household items, and areas for pick-up and delivery of laundry or cleaning;

3. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.

4. Business offices, excluding offices which are incidental and accessory to activities such as warehousing, storage, shipping and receiving.

5. Small offices and studios for financial services such as customarily provided by insurance agencies, brokers for real estates or securities, credit bureaus, banks, savings and loan associations.

6. Small offices and studios for professional services such as customarily provided by architects, engineers, lawyers, dentist, doctors, optician, or veterinarians providing same day treatment only.

7. Small specialty shops for retail goods such as clothing, hardware, office supplies, appliances, food, specialty food, medicine, books, gifts, stationery, and sporting goods stores.

8. Small offices and studios for business services such as bookkeeping, duplicating or reproducing of letters, forms and drawings, advertising, employee training and data processing.
9. Neighborhood eating establishments for convenience such as diners, fast food restaurants, pizza delivery, pubs and coffee shops.

10. Food preparations facilities for minor products to be sold on premises, such as juices and beverages, candies, confections and bakery items.

11. Minor neighborhood shops and studios for services such as lessons in art or music, self-service facilities for washing, drying and cleaning clothes or household items, areas for pick-up and delivery of laundry or cleaning, photography, picture framing and cutting and styling of hair.

12. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

C. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.19 RESIDENTIAL PROFESSIONAL BUSINESS (RPB)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, to protect the value of property, improve the opportunity for housing various economic groups, and to achieve the intent of other provisions of the land development code, this district is established to:

1. Encourage the design and development of areas for various types of residential development and professional businesses on a planned basis, as well as the transition of certain older residential areas to a combination of residences and restricted services.

2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse effect on adjacent areas.

3. Special consideration shall be given to the architectural design of construction to ensure that it is residential in character and that development is compatible with the existing residential uses.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Single family residence, including customary uses such as an attached garage, hobby shop, carport and porch, when accessory and incidental to the principal dwelling.

2. Two family dwelling (duplex), including customary uses such as an attached garage, carport, and porch, when accessory and incidental to the principal dwelling.
3. Swimming pool, spa, recreation room, screen room and other customary uses, when accessory and incidental to the principal dwelling.

4. Greenhouse for domestic plants and landscaping materials, when accessory and incidental to a principal dwelling.

5. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

6. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal single family dwelling, for the keeping of no more than four (4) canine. Two family dwelling (duplex) shall be limited to two (2) canines per residential unit. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

7. Storage buildings and tool sheds, when accessory and incidental to the principal building in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

8. Offices and studios for professional services such as customarily provided by doctors, dentists, architects, engineers and lawyers.

9. Offices, studios and residences within offices and studios for financial and professional services such as customarily provided by credit bureaus, insurance agencies, or brokers for real estate and securities; offices and studios for business services such as data processing, employee training, advertising, bookkeeping, or duplicating and reproducing of letters, forms, and drawings.

10. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

11. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provide that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Three family dwelling (triplex), including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

2. Townhouse, including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

3. Residential design manufactured home (RDMH), including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.

4. Bed-and-breakfast establishment, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, dormitory, fraternity or sorority house.

5. Facilities for special services such as medical clinic, and laboratories.

6. Funeral homes.
7. Public parks, playgrounds, libraries and similar activities.

8. Public substations for telephone or other utilities, and for fire fighting or law enforcement services.

9. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.

10. Kindergartens and child care centers for pre-school children, and nursing homes for the sick and elderly.

11. Recreation facilities for special groups such as athletic associations, girl scouts and boys clubs.

12. Community Residential Home B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

13. Short term rentals in accordance with Section 14.26, Short Term Rental Overly, of this Ordinance.

14. Nursing convalescent and extended care facilities in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

15. Other similar uses which are reasonably implied and are compatible with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal single family dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) canine. Two family dwelling (duplex) shall be limited to three (3) canines per residential unit. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decisions shall be as provided for according to Chapter 2.

F. MAXIMUM DWELLING DENSITY

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<tr>
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14.20 **INDUSTRIAL BUSINESS (IB)**

**A. OBJECTIVES**

In order to promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations, this district is established to:

1. Encourage the development of suitable areas for specified types of industrial and commercial activities, where the proximity to residential or commercial zones makes it desirable to limit the manner and extent of industrial operations; and
2. Various commercial uses which are compatible with special industrial uses may be allowed.

**B. PERMITTED USES**

The following uses listed below are authorized in this district, when they comply with requirements contained in these regulations.

1. Areas for the display and sale of garden furniture and swimming pool equipment, or nurseries for propagation and sale of plants and landscaping materials.
2. Research and development facilities for the development, production and/or assembly of: photographic equipment and supplies, jewelry and precious metal products, clothing, musical instruments, sporting goods, printing, publishing, commercial bakeries, data processing facilities.
3. Finance, insurance and real estate offices
4. Travel agencies and hair cutting salons
5. Membership organizations including fraternal organizations.
6. Offices for business and professional services customarily provided by architects, engineers and lawyers, vocational schools, data processing, bookkeeping, secretarial services and employment services
7. Sales facilities for retail goods
8. Multi-tenant strip buildings
9. Restaurant and tavern establishments
10. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.
11. Vocational High Schools.

**C. CONDITIONAL USES**
The following uses may be permitted as a conditional use provided that an application has been approved in accordance with Chapter 2 and Chapter 17 of this ordinance.

1. Personal mini storage facilities.
2. Gasoline service stations
3. Veterinary clinics in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
4. Convenience stores, with or without gas dispensers, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
5. Public use offices
6. Communication towers in accordance with Chapter 9.
7. Funeral homes.

14.21 INDUSTRIAL RESTRICTED BUSINESS (IR)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further, this district is established to:

1. Encourage the design and development of prestigious areas for special types of industry which desire locations in planned industrial parks or villages offering a full range of services; and

2. Discourage use of restricted industrial areas by activities which cannot maintain the high standards required for operation and appearance of facilities in such areas.

B. PERMITTED USE

The following uses are authorized in this district, when they comply with the requirements contained in these regulations:

1. Plants and/or buildings for the development and production of limited and controlled industrial activities such as scientific and research instruments, surgical and medical instruments and supplies, and watches, clocks and timing devices.
2. Offices or studios for professional services which are customarily provided by architects, engineers and lawyers.
3. Offices for business and professional services customarily provided by architects, engineers and lawyers, vocational schools, data processing, bookkeeping and secretarial services and employment services.
4. Laboratories for research and testing of materials, components and products that are necessary for the development and production of other uses within this district.
5. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

6. Vocational high schools.

7. Facilities for providing limited convenience services to clients and employees within the district, such as restaurants, cafeterias, lounges, supper clubs and coffee shops.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Shipping/receiving warehouses for storage and distribution of materials, components and products which are developed or produced within this district.

2. Plants and facilities for the development and products of photographic equipment and supplies; jewelry, silverware and musical instruments; toys, gifts and souvenirs; sporting goods and artists supplies; pharmaceutical products, cosmetics, and perfume; printing, bookbinding and publishing; electronic components and systems; and the processing and packaging of bakery or dairy products and the preparation of bottled, canned or frozen foods and drinks.

3. Partitioned industrial buildings suitable for tenant occupancy and used for the overhaul and repair of motor vehicles, small engines and appliances, furniture and upholstery repair or refinishing, automobile paint and body shops, sign manufacturing, and cabinet builders. The above uses are permitted provided that construction is in accordance with special development standards contained herein.

4. Communication towers in accordance with Chapter 9.

5. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

E. SPECIAL DEVELOPMENT STANDARDS

1. Road and street front building elevations shall be so designed as to minimize visual impact of the industrial use. Vehicular access to buildings and tenant warehouse entrances shall not open onto the road or street frontage. Parking and off-street loading areas shall be screened from adjoining properties by a minimum six (6) feet high opaque buffer.

2. Buildings shall be developed in accordance with applicable Life Safety Code 101 Florida Statutes 553, Part V; Rule 17-2.600 and Rule 17-2.3021 F.A.C. When use of a shell
industrial or spec building requires other jurisdictional permitting, approved copies of these permits shall be forwarded to the Building Department of Osceola County.

14.22 INDUSTRIAL GENERAL BUSINESS (IG)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations, this district is established to:

1. Encourage the design and development of suitable areas for general types of industry which require locations with direct access to major thoroughfares or railways; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of industrial areas, or have an adverse effect upon adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when they comply with the requirements contained in these regulations.

1. Shell industrial or spec buildings designed for interior partitions suitable for tenant occupancy and used for the overhaul and repair of motor vehicles; small engines and appliances, furniture and upholstery repair or refinishing, automobile paint and body shops, sign manufacturing, and cabinet builders, provided that these buildings are in accordance with special development standards as contained herein.

2. Industrial plants for laundering, washing, drying and cleaning clothes, carpets, draperies, or household items.

3. Areas for the display, sale, and repair of new or used automobiles, trucks, travel trailers, motor bikes, boats, manufactured homes, mobile homes and farm or construction equipment. This use is specifically prohibited in areas of public right-of-way or within required setbacks.

4. Areas for the display and sale of garden furniture and swimming pool equipment, or nurseries for propagation and sale of plants and landscaping materials.

5. General warehousing and storage buildings.

6. Tire vulcanizing.

7. Adult entertainment establishments in accordance with Osceola County Ordinance 93-3, as amended.

8. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

9. Vocational high schools.

C. CONDITIONAL USES
The following uses may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Plants for the production of concrete and masonry products such as ready-mix concrete, precast or prestressed structural members and building components, septic tanks, culvert or pipe.

2. Plants which fabricates wood products, such as roof trusses, modular units and cabinets, including the processing of logs or stumps and the sizing or curing of lumber.

3. Plants for the fabrication of steel products such as roof trusses, bar joists and decorative panels, including machine shops and related tool and die work.

4. Plants producing plastic, glass or ceramic products, such as pipe, hose, molding strips, blocks or pottery.

5. Plants for the processing of food products such as citrus, fruits, vegetables, poultry or cattle.

6. Kennels and animal clinics for services customarily provided by veterinarians, and livestock auctions.

7. Plants for the production of asphaltic materials, provided that such plants meet all Federal and state agencies’ noise and emission control requirements.

8. Petroleum tank farms


10. Truck terminals.


12. Yards for storage of materials, resources, products and equipment, including the salvage and reclamation of used items such as metal, paper, lumber, cloth or other scrap materials.

13. Communication towers in accordance with Chapter 9.

14. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. The above determinations shall be made by the Planning Official.

D. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official’s decision shall be as provided for according to Chapter 2.

14.23 PUBLIC INSTITUTION DISTRICT (IN)
A. OBJECTIVES

To promote orderly development of public and quasi-public community facilities and to achieve the intent of land use regulations. Further, this district is established to:

1. Accommodate a wide variety of community facilities; and
2. Promote open space and buffering to minimize potential adverse impacts on adjacent land uses.

B. PERMITTED USES

The following uses are authorized in this district, when such uses comply with requirements contained in these regulations.

1. Open space parks and passive recreation areas.
2. Infrastructure support facilities limited to water or sewer lift stations.
3. Law enforcement substations.
4. Recycling and collection sites when accessory and incidental to an existing on-site development.
5. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.
6. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.
7. Hospitals and other medical facilities.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Water plants
2. Sewer plants
3. Electrical power generation plants.
4. Cemeteries in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
5. Communication towers in accordance with Chapter 9.
7. Correctional facilities in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
8. Active recreation parks


10. Landfills in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

11. Private educational facilities.

12. Fire stations.

13. Solid waste transfer stations and recycling/collection sites when not accessory and incidental to a principal development.


15. Billboard in accordance with Chapter 15.

D. PROHIBITED USES

All uses not specified as a permitted use or a conditional use shall be prohibited. In cases where a use is not listed as a permitted use or a conditional use anywhere in these regulations, the Planning Official shall determine whether a use would not permitted or conditional. Appeals of the Planning Official’s decision shall be provided for according to Chapter 2.
<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Minimum Standards</th>
<th>Zoning District</th>
<th>Minimum Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-2</td>
<td>500 sq. ft.</td>
<td>R-2</td>
<td>500 sq. ft.</td>
</tr>
<tr>
<td>R-3</td>
<td>1,000 sq. ft.</td>
<td>R-3</td>
<td>1,000 sq. ft.</td>
</tr>
<tr>
<td>R-1</td>
<td>1,500 sq. ft.</td>
<td>R-1</td>
<td>1,500 sq. ft.</td>
</tr>
<tr>
<td>R-2M</td>
<td>500 sq. ft.</td>
<td>R-2M</td>
<td>500 sq. ft.</td>
</tr>
<tr>
<td>R-3M</td>
<td>1,000 sq. ft.</td>
<td>R-3M</td>
<td>1,000 sq. ft.</td>
</tr>
<tr>
<td>R-1M</td>
<td>1,500 sq. ft.</td>
<td>R-1M</td>
<td>1,500 sq. ft.</td>
</tr>
<tr>
<td>E-1</td>
<td>500 sq. ft.</td>
<td>E-1</td>
<td>500 sq. ft.</td>
</tr>
<tr>
<td>E-1A</td>
<td>1,000 sq. ft.</td>
<td>E-1A</td>
<td>1,000 sq. ft.</td>
</tr>
<tr>
<td>E-2</td>
<td>1,500 sq. ft.</td>
<td>E-2</td>
<td>1,500 sq. ft.</td>
</tr>
<tr>
<td>E-2A</td>
<td>2,000 sq. ft.</td>
<td>E-2A</td>
<td>2,000 sq. ft.</td>
</tr>
<tr>
<td>E-3</td>
<td>2,500 sq. ft.</td>
<td>E-3</td>
<td>2,500 sq. ft.</td>
</tr>
<tr>
<td>E-3A</td>
<td>3,000 sq. ft.</td>
<td>E-3A</td>
<td>3,000 sq. ft.</td>
</tr>
<tr>
<td>RM-1</td>
<td>500 sq. ft.</td>
<td>RM-1</td>
<td>500 sq. ft.</td>
</tr>
<tr>
<td>RM-2</td>
<td>1,000 sq. ft.</td>
<td>RM-2</td>
<td>1,000 sq. ft.</td>
</tr>
<tr>
<td>RM-3</td>
<td>1,500 sq. ft.</td>
<td>RM-3</td>
<td>1,500 sq. ft.</td>
</tr>
<tr>
<td>RM-4</td>
<td>2,000 sq. ft.</td>
<td>RM-4</td>
<td>2,000 sq. ft.</td>
</tr>
</tbody>
</table>

Note: Setbacks are measured from existing property line.

*AC: Agricultural Development

Chapter 14  45-105  Zoning
### TABLE 14-2
ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX

<table>
<thead>
<tr>
<th>Type District</th>
<th>Zoning District</th>
<th>Minimum Standards</th>
<th>Maximum Buildable Area</th>
<th>Requires CU</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Conditioned Floor Area</td>
<td>Lot Size</td>
<td>Lot Width</td>
</tr>
<tr>
<td>CR</td>
<td>Commercial Restricted</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
<td>4 stories**</td>
</tr>
<tr>
<td>CG</td>
<td>Commercial General</td>
<td>10,000 sq.ft</td>
<td>100 ft</td>
<td>4 stories**</td>
</tr>
<tr>
<td>CT</td>
<td>Commercial Tourist</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
<td>no limit***</td>
</tr>
<tr>
<td></td>
<td>Commercial Tourist (hotel-motel complex)</td>
<td>600 sq.ft</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
</tr>
<tr>
<td></td>
<td>Commercial Tourist (time share units)</td>
<td>600 sq.ft</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
</tr>
<tr>
<td></td>
<td>Commercial Tourist (multi-family)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CN</td>
<td>Commercial Neighborhood Center</td>
<td>20,000 sq.ft</td>
<td>125 ft</td>
<td>2 stories</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>RP5 Residential Professional Business (house)</td>
<td>1500 sq.ft</td>
<td>7,000 sq.ft</td>
<td>70 ft</td>
</tr>
<tr>
<td></td>
<td>Residential Professional Business (duplex)</td>
<td>750 sq.ft</td>
<td>9,500 sq.ft</td>
<td>95 ft</td>
</tr>
<tr>
<td></td>
<td>Residential Professional Business (triplex)</td>
<td>750 sq.ft</td>
<td>12,500 sq.ft</td>
<td>125 ft</td>
</tr>
<tr>
<td></td>
<td>Residential Professional Business (townhouse)</td>
<td>750 sq.ft</td>
<td>15,500 sq.ft</td>
<td>155 ft</td>
</tr>
<tr>
<td></td>
<td>Residential Professional Business (bed &amp; breakfast)</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
<td>2 stories</td>
</tr>
<tr>
<td>RP5</td>
<td>Residential Professional Business (all other uses)</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
<td>2 stories</td>
</tr>
<tr>
<td>IB</td>
<td>Industrial Business</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
<td>4 stories</td>
</tr>
<tr>
<td>IG</td>
<td>Industrial General</td>
<td>20,000 sq.ft</td>
<td>150 ft</td>
<td>6 stories</td>
</tr>
<tr>
<td>IN</td>
<td>Public Institution District</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

There shall be no minimum lot standards applicable to public institution district. However, in authorizing development approval for public institution uses, all developments shall consider the nature of use and compatibility with surrounding development districts.

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**Setbacks:** Setbacks are measured from existing property line.

**Commercial Restricted (CR) Building Height:** Hospitals may exceed 4 stories provided the height is comparable with adjacent development as determined by the Planning Official. Buildings over four (4) stories shall provide three (3) additional feet to the setbacks for every building story over four (4) stories.

**Commercial Tourist (CT) Building Height:** Multi Tenant Buildings shall not exceed 2,500 square feet per tenant occupancy. No other floor area requirements apply.

**Commercial Neighborhood Center (CN) floor area:**

**NOTES:**
1. Corner lots or lots having double road frontage shall measure setbacks from both roads as front yards.
2. For properties abutting a collector or arterial roadway, refer to Osceola County Ordinance 84-2 as amended by Ordinance 89-25.
3. Lot front determination shall be where the principal vehicular access to the lot abuts the approved public or private right-of-way. If the principal vehicular access is served by alley way design, then the Planning Official shall determine the lot front.
4. Lot width determination shall be measured at the mid-point of the side lot lines.
5. No structure or building shall be erected, nor shall any existing building be moved, reconditioned or structurally altered so as to exceed in height the limit, if any, established in this chapter or amendments thereto, for the district in which such building or structure is located.
14.24  PLANNED DEVELOPMENT

A. PURPOSE & INTENT

It is the intent of this Section to provide a mechanism to promote development of the highest quality. Planned development districts, through flexible design guidelines, are intended to afford a developer the latitude to achieve a design quality superior to that possible through the utilization of standard development practices. By allowing land utilization to be more efficient, planned developments are also intended to result in an increased level of amenities for its inhabitants.

Planned developments are to function as integrated units, not unrelated uses or lots. The development sites within the planned development districts are intended to provide a high quality living and/or working environment by being pedestrian and bicycle friendly, being environmentally sensitive, appearing visually pleasing to the community, containing adequate recreation and functional open space, and being compatible with surrounding land use.

To enable compliance with the aforementioned intent, the County may, through the planned development district, allow deviation from standard zoning requests, including lot size, set backs, lot coverage and height. Other deviations which may be allowed include signage, parking and infrastructure. Approval will only be granted to provide a vehicle for creativity and innovation, which are necessary to ensure that departure from conventional development standards will result in the quality of design that the County is seeking. Alternatively, planned development districts are not intended to serve as a vehicle which merely allows variances to standard development regulations.

The specific objectives of the planned development districts are as follows:

1. The clustering of areas of usable open spaces for recreation and the preservation of natural amenities, including threatened and endangered plant and animal species.

2. Design flexibility to take the greatest advantage of the natural topography, native vegetation, (including both upland and wetlands species) the preservation of existing trees, and the preservation of historical and other cultural and natural features.

3. The creation of a variety of housing types and compatible neighborhood arrangements that give the home buyer the greatest possible choice in selecting types of neighborhoods and various dwelling units.

4. Allowance of sufficient freedom for the developer to take a creative approach to the use of land and its related physical development.

5. The establishment of criteria for the inclusion of compatible associated uses to compliment the commercial, industrial and residential areas within the planned development.

6. Simplification of the procedure for obtaining approval of proposed developments through simultaneous review by the County of proposed land use, site consideration, lot and setback considerations, public needs and requirements, and health and safety factors.

7. Utilization of clustering to promote the economical and efficient use of land, utilities and streets with resulting lower costs.
8. To insure that development will occur according to limitations of land use, site design, population density, building coverage, improvement standards, and construction phasing authorized through approval of a comprehensive development plan.

9. The inclusion of adequate buffering and greenbelts within and bordering the planned development.

10. The integration of sidewalks, walkways and bicycle paths and lanes into the transportation system to provide alternative modes of transportation within the site and to its perimeter.

11. The inclusion of elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

B. TYPES OF PLANNED DEVELOPMENT

The following planned development districts are allowed if approved in accordance with the provisions contained within these regulations.

1. PLANNED RESIDENTIAL DEVELOPMENT (PRD)

PRDs must have a minimum of ninety percent (90%) of their total land use devoted to residential development. The remaining percentage may be used for various supporting uses such as commercial, or other uses which are complimentary and incidental uses, provided that these non-residential uses are compatible with and integrated into the planned development. The following limitations which are listed below shall apply to business uses in this district.

   a. Provide that the commercial development is internal to the project and located on a collector road.

   b. All business activities and storage of merchandise, equipment and materials shall be within an enclosed building.

2. PLANNED COMMERCIAL DEVELOPMENTS (PCD)

This planned commercial development (PCD) district is for the development of commercial centers whose primary uses include retail, office, hotel/motel and restaurant uses, however, supporting non-commercial and special uses of up to 10% of the gross land area may also be permitted within PCD district when complimentary and compatible with, and integrated into a commercial center. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary and compatible with the PCD prior to approval of the concept plan.

3. PLANNED INDUSTRIAL DEVELOPMENTS (PID)

The planned industrial development (PID) district is intended for the development of industrial and business parks; however, supporting non-industrial uses including eating establishments or supporting commercial uses may also be permitted within an approved PID when complimentary to, compatible with, and integrated into a planned park. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary and compatible with the PID prior to approval of the concept plan.
4. **PLANNED MIXED USE DEVELOPMENT (PMUD)**

The planned mixed use development (PMUD) district is established for the purpose of developing multi-use complexes which accommodate varied multiple or atypical uses, including recreational, cultural, and educational uses or a combination of residential, commercial and industrial uses. Other supporting uses may also be permitted within a special PMUD district when complimentary to, and compatible with, and integrated into a planned park. These special uses shall be reviewed by the Planning Official to determine whether they are complimentary to and compatible with the PMUD prior to approval of the concept plan.

5. **PLANNED AFFORDABLE HOUSING DEVELOPMENTS (PAHD)**

This planned development district is primarily intended to create a regulatory mechanism for developers to provide affordable housing to very low, low and moderate income households in areas of the county that can provide urban services, primarily potable water and sanitary sewer facilities. Such households are defined as those having incomes that meet the limits as defined by the U.S. Department of Housing and Urban Development and included in the Osceola County Housing Assistance Plan adopted by the Board of County Commissioners. Planned developments which provide a minimum of 20 percent of their dwelling units to these households may qualify as PAHDs.

Very Low-income persons means one or more natural persons or a family, not including students, that has a total annual adjusted gross household income that does not exceed 50 percent of the median annual adjusted gross income for households within the MSA.

Low-income persons means one or more natural persons or a family, not including students, that has a total annual adjusted gross household income that does not exceed 80 percent of the median annual adjusted gross income for households within the MSA.

Moderate-income persons means one or more natural persons or a family, not including students, that has a total annual adjusted gross household income that does not exceed 120 percent of the median annual adjusted gross income for households within the MSA.

6. **SHORT TERM RENTAL PLANNED DEVELOPMENT (STRPD)**

The short term rental planned development district is established for the purpose of developing short term rental housing in the geographic area described in Section 14.26. Short term rental housing is a unique land use, exhibiting characteristics common to both commercial, as well as, residential land uses. As a result, the STRPD is established to allow design features which reflect the specific needs and impacts of short term rental housing.

7. **DEVELOPMENT OF COUNTY IMPACT PLANNED DEVELOPMENT (DCI-PD)**

The Development of County Impact Planned Development (DCI-PD) District is established for the purpose of providing standards for review, approval and development of multi-use complexes, whose size thresholds equal or exceed 500 residential dwelling units or 200,000 or more square feet of non-residential uses and whose location is exclusively in the Mixed Use future land use category of the Urban Expansion Area. Each DCI-PD shall include a Community Master Plan developed in sufficient detail to depict the location and extent of proposed land uses; establish
consistency with the Mixed Use future land use policies of the Comprehensive Plan; provide standards and procedures for the phasing and development of the proposed land uses, public facilities and services; and demonstrate the availability and adequacy of public facilities and services to include transportation, central water and sewer, community parks and schools. Each DCI-PD shall include, where appropriate, the number and type of centers as identified in the Comprehensive Plan and supporting neighborhood areas. A hierarchy of centers is created based upon function, size and relationship to residential development to include the following:

1. Neighborhood Center
2. Community Center
3. Urban Center
4. Employment Center

C. UNIFIED OWNERSHIP OF CONTROL

The applicant for the planned development shall be the owner or an agent authorized to represent all land within the proposed planned development. The authorized agent shall furnish a letter of authorization from the owner of the tract within the proposed development area, acknowledging awareness of the proposed applications and agreeing to be bound by the provisions of this section and the decision of the Board of County Commissioners concerning this application. Future amendments of the planned development may only be submitted by a majority 51% of the ownership, at the time that the amendment is requested. The minimal area eligible for the amendment process shall be a distinctive phase or stage of a planned development or contiguous aggregate thereof.

D. SIZE REQUIREMENTS

The standards listed below shall be enforced for planned developments within Osceola County.

1. All developments of regional impact shall be submitted as planned developments.

2. All developments located in the tourist corridor, as defined in the Osceola County Comprehensive Plan, shall be submitted as a planned development. The minimum size shall be five acres. Lots or parcels legally subdivided prior to the adoption of this Ordinance are exempted from the acreage requirement and may be eligible for other zoning districts as outlined in the comprehensive plan.

3. All development located in the west county area, as defined in the Osceola County Comprehensive Plan, shall be submitted as planned developments. The minimum size shall be twenty acres. Parcels and lots legally subdivided prior to April 1, 1991 and not in unified ownership are exempt from the minimum acreage requirement.

4. All sub-DRI development, located in the urban infill area and equal to or larger than the sites listed below, shall be submitted as planned developments.

<table>
<thead>
<tr>
<th>Type</th>
<th>Minimum Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial</td>
<td>10 acres</td>
</tr>
<tr>
<td>Industrial</td>
<td>20 acres</td>
</tr>
<tr>
<td>Residential</td>
<td>100 acres or 500 dwelling units</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>20 acres</td>
</tr>
<tr>
<td>Short Term Rental</td>
<td>20 acres</td>
</tr>
</tbody>
</table>

Developments smaller than those listed above in number (4), may also be submitted as planned developments. These parcels, as with all development parcels, must have been created in compliance with the subdivision regulations found in Chapter 8.
Developments equaling or exceeding 500 residential dwelling units or 200,000 square feet of gross floor area of one or more non-residential uses, and located within a Mixed Use District, shall be submitted as Development of County Impact Planned Developments.

E. DEVELOPMENT AND DESIGN STANDARDS

1. OPEN SPACE

Open space is an important component in the design of planned developments. If properly designed and located, it can function as an important amenity to the inhabitants of the planned development. It shall be provided according to the criteria listed in this subsection.

   a. Percentage of open space – For industrial, commercial and mixed use planned developments, fifteen percent of the project shall be designated as open space. For residential planned development, twenty percent shall be designated as open space.

   b. Composition of Open Space – Open space shall be available to all inhabitants of the planned development. Areas such as setback yards, right of way, and parking lots are not common open space. General uses include preservation of environmentally sensitive areas, passive recreation and active recreation.

Reserved wetlands and water management areas, if designed appropriately, may contribute to the open space acreage, but because of their limited open space value, can in no case be credited more than fifty percent of the required acreage. In addition, buffers, greenways, wildlife corridors and recreation areas may also be counted towards the open space acreage. Should a residential planned development include a school site pursuant to the requirements of the Subdivision Chapter, and a park is developed in conjunction with the school, the school’s recreation area open to the general public may also be counted as open space. Projects which include preservation of habitat areas for rare and endangered plant or animal species may reduce the open space by one-third when such preservation is determined by the County to be ecologically viable.

   c. Location of Open Space – Open space shall be distributed equitably throughout the planned development in relation to the inhabitants it is to serve. For residential planned developments, recreational areas shall be placed to coincide with the phases of dwelling units.

2. RECREATION

Recreation facilities shall be provided in accordance with the criteria listed below:

   a. Development of Regional Impact (DRI) – Community recreation sites shall be provided on-site at a minimum ratio of 1.0 acre of useable recreation per 1,000 residents. The site may be dedicated to the County or maintained by a community development district. If a school site is included in the project, the two sites shall be developed adjacent to one another.

   b. Development of Sub-DRI Size – Residential developments which are less than the minimum DRI threshold shall provide useable recreation facilities at a minimum of 1.0 acre per 1,000 residents. As an alternative, the County may allow the applicant to pay to the County a fee established by the Board of
County Commissioners per dwelling unit to provide recreation facilities in the vicinity of the project. These recreation sites may be maintained by the developer or a funding mechanism as approved by the County.

All recreation sites may be credited at a 1:1 ratio towards the open space acreage requirements of this Ordinance. Each acre of recreation, over and above the minimum required amount, may be credited at a 2:1 ratio towards the open space requirement.

3. TRANSPORTATION AND ACCESS

Planned development shall be designed to minimize impacts to the County’s road system. Safe and adequate access consistent with Chapter 13 of this Ordinance shall be incorporated into the project design. Alternate access standards that provide an equal level of safe and adequate access to those standards contained in Chapter 13 may be considered. Individual development sites shall be connected by an internal circulation system which is sensitive to points of safety, convenience and access to dwelling units and non residential facilities. Internal roadway design shall incorporate sidewalks and bike paths which encourage non-auto oriented travel opportunities. A system of walkways and bicycle paths between neighborhoods, buildings, common open spaces, recreation areas, community facilities, parking areas and off-site walkways and bike paths shall be distinctively designed and, where appropriate for night time usage, adequately lighted.

Local streets shall provide access within planned developments in a manner that will discourage through traffic. In addition, local streets shall be so located that future urban development will not require their conversion to arterial routes.

4. BUFFERS AND GREENWAYS

Landscapeed buffers shall be provided on the borders of all planned developments. This requirement may be waived or modified for Planned Developments within Mixed Use Districts upon demonstration that the adjoining land uses are of a similar type and/or intensity. Buffer width and levels of landscaping shall be contingent upon the proposed planned development’s compatibility with adjacent property.

Internal greenways shall be developed within planned developments to provide open-space opportunities throughout the projects. They may be used for walkways, recreational pathways, bike paths, or wildlife corridors. Greenways which also function as walkways, recreational pathways or bike paths shall link facilities within the projects. Greenways which also function as wildlife corridors shall connect wetlands, preserved upland or other viable wildlife habitat.

5. PARKING

Parking for planned development shall be designed pursuant to Chapter 7 of this ordinance. Alternative parking ratios may be allowed by the County in those areas where the planned development application includes valid supporting data. Deviation from conventional standards for the physical design of parking lots may also be granted if the alternative proposal promotes the preservation of specimen trees, provides an equivalent amount of green space and vegetation and is designed in a manner which facilitates safe traffic movement and adequate ingress and egress to the parking lots and their individual spaces.

Residential planned developments shall be designed to discourage the parking of vehicles on areas other than on driveways, in garages or on local streets with parking.
lanes. Requests to deviate from road right-of-way standards will not be considered unless adequate parking is included in the planned development.

6. **SIGNAGE**

Signage is one of the most important visual aspects of planned developments. Signs shall be appropriately designed, landscaped and integrated with the overall architectural theme of the development. However, no sign within an approved PD may exceed limitations set forth by this code. In addition, the development of billboards within a PD shall require conditional use approval. The planned development shall not be a mechanism used to bring nonconforming signs into conformance by the creation of standards which exceed the standards contained in Chapter 15 of this Ordinance.

7. **DENSITY AND INTENSITY**

For properly designed planned developments, allowable density and intensity will be based on several factors, including the land use designation on the future land use map, existing development in the immediate vicinity and the extent to which the planned development’s design minimizes the project’s impacts upon other property in its vicinity.

The minimum size of building lots and maximum building height will also relate to the amount of open space included in the design of the development.

Minimum and maximum allowable density and intensity standards for a DCI-PD, or any other type of PD located in a Mixed Use District, shall be consistent with the policies of the Comprehensive Plan.

8. **UTILITY INSTALLATION**

All utilities including telephone, television cable, and electrical system shall be installed underground. Primary facilities providing service to the site of the planned development may be exempted from the requirement. Large transformers shall be placed on the ground and located on pad mounts, and enclosed or located within a vault. The developer must provide landscaping with shrubs and plants to screen all utility facilities permitted above ground.

9. **ADDITIONAL DEVELOPMENT STANDARDS FOR PLANNED AFFORDABLE HOUSING DEVELOPMENTS**

The following standards may be used in a PAHD if an agreement has been executed between the developer and the County which ensures that 20 percent of the total project’s dwelling units will be reserved for very low, low moderate income households. The agreement shall specify the required documentation necessary to guarantee development of affordable housing units for at least 20 percent of the development. This agreement shall be approved prior to or simultaneous with any comprehensive development plans (CDPs) of the project. The documentation shall include third party (e.g., bank) affirmation that prospective households meet the very low to moderate threshold for those units which have been established as affordable.

The determination of which standards will be modified are based upon discussions with County staff and hearings before the Planning Commission and Board of County Commissioners. These modifications will be throughout the entire proposed project with the affordable housing units distributed through all phases of the project.
10. CONFLICT

Where the PD development and design standards conflict with the standards provided in the Land Development Code, the PD alternate standards shall prevail. Alternate development and design standards shall be outlined in the narrative submitted with the PD application.

11. ADDITIONAL DEVELOPMENT STANDARDS FOR DEVELOPMENTS OF COUNTY IMPACT

The following standards apply to Development of County Impact Planned Developments, where a development order has been negotiated between the developer and County to indicate development standards, facility commitments and the timing of improvements. The development order shall be approved simultaneously with the zoning map amendment for planned development, where conditions of approval may be recommended by the Planning Commission and imposed by the Board of County Commissioners. Specifically, development standards for Developments of County Impact shall be as follows:

A. PERCENTAGE DISTRIBUTION OF USES

1. Neighborhoods
   a. Single-Family Residential 50-60%
   b. Multi-Family Residential 35-50%
   c. Public/Park/Civic 5-15%

2. Neighborhood Centers
   a. Multi-Family Residential 10-20%
   b. Commercial 60-85%
   c. Office 10-30%
   d. Public/Civic 5-20%
   e. Public/Park 5-15%

3. Community Centers
   a. Multi-Family Residential 15-35%
   b. Commercial 50-70%
   c. Office 15-45%
   d. Public/Civic 10-20%
   e. Public/Park 5-10%

4. Urban Centers
   a. Multi-Family Residential 15-35%
   b. Commercial 15-80%
   c. Office 15-35%
   d. Public/Civic 10-20%
   e. Public/Park 5-10%

5. Employment Centers
   a. Multi-Family Residential 10-25%
   b. Commercial 10-25%
   c. Office 30-70%
   d. Industrial 40-80%
   e. Public/Civic 5-20%
   f. Public/Park 5-10%
B. DEVELOPMENT STANDARDS BY TYPE OF MIXED USE CENTER

1. Neighborhood Center
   a. PRIMARY USES shall include neighborhood-serving convenience retail and personal, business, professional and public services. Uses shall restricted to those that fit the size, scale and intensity of the neighborhood setting and may include, but are not limited to laundry facilities, barbers and hair salons, restaurants, gas stations and convenience stores, libraries, schools, emergency services, police and fire stations and offices.
   b. MAXIMUM FLOOR AREA RATIO shall not exceed 0.35.
   c. MAXIMUM LAND AREA shall not exceed five (5) acres.
   d. LOCATION shall be adjacent to two (2) collector or other roadway designs with the equivalent roadway network capacity and shall not be located within approximately a one (1) mile radius of any approved or existing Neighborhood Center projects.
   e. CONNECTIVITY to adjoining residential neighborhoods shall be achieved by sidewalks and bicycle paths.

2. Community Center
   a. PRIMARY USES shall include retail and office generally more intense than Neighborhood Centers and shopping centers with grocery stores.
   b. MAXIMUM FLOOR AREA RATIO shall not exceed 1.0.
   c. MINIMUM LAND AREA shall be no less than four (4) acres.
   d. LOCATION shall be adjacent to a collector and arterial roadway or other roadway with equivalent or greater network capacity and shall not be located within a one (1) mile radius of any approved or existing Neighborhood Center.

3. Urban Center
   a. PRIMARY USES shall include urban-scale commercial, office or employment center activity that is more intense than allowed in Neighborhood or Community Centers.
   b. MAXIMUM FLOOR AREA RATIO shall not exceed 2.5.
   c. MINIMUM LAND AREA shall be no less than twenty (20) acres.
   d. LOCATION shall be adjacent to two (2), four-lane arterials or higher level streets and shall not be located within a four (4) mile radius of any other existing or approved Urban Center.
   e. RESIDENTIAL development shall be included as part of an Urban Center.
4. **Employment Center**
   
a. PRIMARY USES shall include industries and businesses targeted to provide high-wage jobs and increased tax base such as research firms, national headquarters, medical offices, hospitals, professional office, light industrial, ancillary retail, workforce housing and secondary educational facilities.

b. MAXIMUM FLOOR AREA RATIO shall not exceed 2.5.

c. MINIMUM LAND AREA shall be no less than twenty (20) acres.

d. LOCATION shall be adjacent to major expressways or arterial roadways.

**F. REVIEW OF PLANNED DEVELOPMENTS**

**SUBMITTALS**

The planned development review process may be either a one or two step process. In a two-step process, the first step requires the submittal of a preliminary concept plan. The second step shall consist of the submittal of a comprehensive development plan for either the entire planned development zoning district or, for individual parcels within the planned development zoning district. The review process and submittal requirements for comprehensive development plans are outlined in Chapter 17 of this Ordinance. Alternatively, the applicant may follow a one-step process. The one-step process shall consist of the submittal of a detailed development plan, which includes the minimum specifications of a preliminary concept plan, as well as all the applicable development standards regarding minimum building setbacks, maximum building heights, floor area ratios, parking ratios, architectural design standards, and other similar design standards proposed for the planned development. Development of County Impact Planned Developments will be required to utilize the development standards associated with Mixed Use Developments following approval of the Mixed Use Standards by the Board of County Commissioners.

**G. SPECIFICATIONS FOR PRELIMINARY CONCEPT PLANS**

The applicant shall submit the following information with each preliminary concept plan.

1. A vicinity map indicating the relationship between the planned development and its surrounding area. A recent aerial overlay at an appropriate scale or, if not available, any other source, at an appropriate scale that reasonably demonstrates the intent listed above.

2. A statement outlining how the proposal meets the objective outlined in subsection A.

3. A development proposal which includes a narrative, survey (or sketch of legal description), site plan and additional exhibits. These exhibits shall contain, but not be limited to, the following information listed below.

   a. All plans shall be drawn at an appropriate scale, date and legal description of the proposed site and contain a north arrow.

   b. A survey (or sketch of legal description) with bearings, distance, closures, all existing easements, section lines and all existing streets and physical features in and adjoining the project and the existing zoning of all contiguous property.
Where appropriate, plans shall depict the names and locations of adjoining developments and subdivisions showing lot layout.

d. Where appropriate, plans shall depict the existing zoning of contiguous property.

e. Where appropriate, plans shall depict proposed parks, school sites, public safety sites and other public or private open space with acreage.

f. Where appropriate, plans shall depict conceptual vehicular, bicycle and pedestrian circulation systems and access points.

g. Site data including tabulation of the total number of gross acres in the project, the acreage to be devoted to each of the several types of primary uses; residential, commercial, industrial areas, open space and the total number of dwelling units, floor area, building height.

h. Where appropriate, plans shall depict the conceptual development parcels and their usage. The uses must be no more general than the following: Residential shall be divided into single family attached, single family detached, multi-family, or timeshare; short term rental shall also be identified. Commercial shall be divided into hotel/motel, retail, business/office or resort residential. Industrial shall be identified as either warehousing or manufacturing, with the latter described as light, heavy or assembly. Other uses shall be identified on a case-by-case basis.

Should an applicant choose to identify a list of uses for a parcel, e.g., types of retail, the specific uses shall be named, rather than including a general reference to a standard zoning category.

i. Where appropriate, plans shall depict conceptual areas for conformity with natural drainage within the associated basin, or with the drainage plan established within the area.

j. The proposed method of providing for all necessary road improvements, sewage systems, water supply, stormwater management systems, and fire protection.

k. A traffic report addressing the impact of the development on the road network may be required in conjunction with the submittal of the preliminary concept plan, if deemed necessary by the County Engineer. The County Engineer shall specify the data and methodology to be utilized. Traffic reports shall be required at the time of submittal of a Detailed Concept Plan for all Developments of County Impact.

l. Where appropriate, plans shall depict the location and approximate boundaries of all jurisdictional wetlands. Topographic elevations based on USGS quadrangle maps (or other reliable source) shall be identified together with soil types according to the soil survey of the Soil Conservation Service.

m. Where appropriate, plans shall depict the location of large stands of trees, especially large groups of specimen trees.

n. The site plan shall indicate stages or phases of development.
H. SPECIFICATIONS FOR DETAILED CONCEPT PLAN

In addition to the above, the applicant shall submit the following information with each detailed concept plan application, together with all development standards proposed within the planned development, applicable architectural design standards, and any related development regulations proposed within the planned development.

1. Basic Requirements For All Planned Developments
   a. a legal description of the property boundaries with bearings, distances and tie points;
   b. existing ground surfaces and proposed elevations, location and base flood elevation of any flood prone area, and when necessary, subsurface conditions on the tract;
   c. the location, dimensions and character of construction of all proposed streets, driveways, points of ingress-egress, loading areas, number of parking spaces and areas, primary residential areas, commercial areas, recreational areas, and common open space areas;
   d. proposed type of pavement in accordance with county specifications;
   e. proposed layout of water distribution, fire protection, water system, sanitary sewer and storm drainage systems;
   f. general site lighting plan incorporating site lighting restrictions contained in this chapter;
   g. wetland jurisdictional lines as determined by a qualified environmental consultant and tree survey as required;
   h. proposed lot lines (if any);
   i. the proposed architectural and landscape design of all structures and common open space that clearly reflects the compatibility of the variety of primary and secondary uses proposed;
   j. location and width of canals and waterways;
   k. Reservations, easements, alleys, and any areas to be dedicated to public uses or sites for other than residential use with notes stating their purpose and any limitations;

2. Additional Requirements for Developments of County Impact:

In addition to the above basic requirements for a Detailed Concept Plan, all applications for Developments of County Impact shall include in sufficient detail, the following items and analyses:

   a. Prior to submittal of the DCI-PD application, the applicant shall schedule and attend a Pre-Development Meeting with County staff. The purpose of the meeting is to review the proposed transportation network and connections (all modes) with the existing network. County staff will provide written comments and recommendations regarding the proposed network and existing network connections that the applicant may utilize in developing a Detailed Concept Plan for the proposed DCI-PD. The applicant shall respond to the written comments and recommendations as part of the application submittal, indicating how the comments and recommendations were accommodated through the Detailed Concept Plan.
b. A Habitat & Conservation Management Plan, prepared to specifications determined by the County;

c. Listing of all agencies (local, state & federal) for which approval and/or a permit must be obtained prior to the initiation of development;

d. Detailed project description to include all major elements / phases of the proposed development to coincide with proposed site plan, existing / proposed land uses, primary and secondary trade areas (if a proposed shopping center) and demand analysis;

e. Explanation of consistency with Osceola County Comprehensive Plan goals, objectives & policies for the Mixed Use future land use category;

f. Explanation of existing hydrologic conditions, water quality, mitigation measures for potential adverse impacts to ground & surface water quality;

g. Description of soil types, limitations to types of proposed uses, soil erosion control methods & manner / method of disposition of any excess soil created through site grading and/or stormwater system construction;

h. Determination of pre- and post-development flood prone areas, 100-year flood areas, proposed structures within flood prone areas and potential in off-site flooding due to proposed development;

i. Projection of average daily potable & non-potable water demands by phase of development, breakdown of water supply sources, location & extent to which on-site wells will be used and identification of potential adverse impacts to other water wells and aquifers;

j. Identification of agency or entity responsible for operating & maintaining water supply system after project completion, letter of water supply availability by off-site provider, water conservation methods or devices anticipated for project and water service area boundary;

k. Projected wastewater generation by phase of development, proposed method of treatment, pre-treatment techniques, treatment facilities, required capital improvement costs & timing by responsible entity, number of anticipated septic units and wastewater service area boundary;

l. Description of existing drainage patterns, elements of the proposed drainage system by acreage, and agency / entity responsible for operating & maintaining drainage system;

m. Identification of average daily volumes of solid waste generated by phase of development, separation measures by type of solid waste product, disposal methods, applicable regulations / and permits required and letter of waste disposal availability by service provider;

n. Identification of existing conditions on the highway network, including AADT, peak-hour trips, directional, traffic split, LOS and maximum service volumes for the adopted LOS;

o. Projection of vehicle trips expected to be generated by development, internal and external split for generated trips by phase, total peak hour directional traffic by phase, required modifications to the highway network based on development program, anticipated number and location of access points, consistency with existing transportation corridors and multi-modal networks (bicycle, pedestrian, transit, etc.);
p. Description of anticipated facilities / sites required for police and fire services, correspondence to appropriate providers providing notice of the proposed development and requesting confirmation of service availability and any correspondence received from the providers;

q. Description of recreational facilities & open space by acreage and type, list of proposed public dedications and relationship to recreational trail system;

r. Estimation of school age children expected to reside in development (if residential), required school facilities by acreage & type, correspondence to the School Board providing notice of proposed development and confirmation of school capacity and any correspondence received from the School Board;

s. Projection of average daily energy demands by phase of development, location and type of on-site electrical generation facility, correspondence to the electrical provider providing notice of proposed development and confirmation of electrical capacity and any correspondence received from the provider, and energy conservation methods / devices incorporated into the plan of development.

I. APPROVAL OF PLANNED DEVELOPMENT DISTRICT AND ASSOCIATED DEVELOPMENT APPLICATIONS

If the preliminary concept plan is approved, the zoning map will be changed to reflect the planned development designation. If the project is a non-DRI, a Comprehensive Development Plan, Engineering Improvement Plan (EIP) or Preliminary Subdivision Plan must be approved within two years of the date of approval of the preliminary concept plan or the approval will become void, and the zoning map will be changed back to reflect the zoning district in effect prior to approval of the preliminary concept plan. If a development is a DRI, the preliminary concept plan will be effective for five years during which time a Comprehensive Development Plan (CDP), Engineering Improvement Plan (EIP) or Preliminary Subdivision Plan must be approved or the preliminary concept plan will go void, and the zoning map will be changed back to reflect the zoning district in effect prior to approval of the DRI.

Upon final approval of the preliminary concept plan, CDP, or detailed concept plan, a final development report shall be submitted to the County. The final development report shall be in bound format and contain the following information:

1. Title/name of planned development

2. Copy of the approved concept plan for the planned development.


4. Copy of the final approval letter for the planned development, and as applicable, copies of required CDP approval letters.

If a development is a Development of County Impact Planned Development (CDI PD), the detailed concept plan will be effective for five years during which time a CDP or EIP for at least five percent of development entitlements must be approved or the detailed concept plan will go void, and the zoning map will be changed back to reflect the zoning district in effect prior to approval of the DCI PD. An EIP may be allowed in lieu of a CDP or components therein if the DCI PD is consistent with the adopted Conceptual Master Plan for the Mixed Use District in which it is located.
J. FEES

Fees for the review must be paid to the Board of County Commissioners, Osceola County, Florida, at the time submittals are made to the Planning Department.

K. AMENDING THE PRELIMINARY CONCEPT PLAN

Amendments to an approved preliminary concept plan must meet the minimum area requirement specified in Section 14.24D. The review process and submittal requirements for amendments shall be identical to the original planned development process. Minor revisions or refinements may be reflected in a CDP, if the proposed changes are based upon site engineering and permitting considerations, and if in the opinion of the TRS, the proposed changes do not significantly alter the original approval granted by the Planning Commission and Board of County Commissioners in the public hearing for the planned development. Any proposed revision which includes an increase in the density/intensity of a project or generally increases the impacts upon adjacent property must be reviewed as an amendment to the planned development.

14.25 MANUFACTURED HOME, MOBILE HOME AND RECREATIONAL VEHICLE PARKS

A. PURPOSE

The intent of these regulations is to establish appropriate standards for the design, construction, alteration, extension, and maintenance of areas in Osceola County authorized for use as mobile home or recreational vehicle parks, including related utilities and facilities. The term parks in this chapter shall apply to sites designed to be rented for manufactured homes, mobile homes and recreational vehicles as defined by the Florida Department of Motor Vehicles. A manufactured home, mobile home or recreational vehicle shall hereinafter be referred to as a unit.

B. PERMITS

1. REQUIREMENT FOR PERMIT

It shall be unlawful for any person to construct, alter or extend any park within the unincorporated portions of Osceola County unless he or she holds a valid permit for the specific construction, alteration or extension proposed.

2. OPERATING PERMITS

Operating permits shall be issued by the Planning Official, or his/her designee, if the applicant has continued to meet the standards prescribed by the Health Department and the provisions of this Ordinance.

A fee, as established by the Board of County Commissioners under separate Ordinance, shall be charged for the issuance or renewal of an annual Operating Permit.

3. PERMIT TO BE POSTED

The permit shall be conspicuously posted in the office or on the premise of the park at all times.

4. EXISTING PARKS: COMPLIANCE

a. Parks in existence prior to adoption of the Osceola County Zoning Regulations, February 22, 1972, and authorized by the Department of Health and Rehabilitative
Services may continue to operate in accordance with requirements as governed by the Health Department standards and Florida Statutes. These parks will continue to be governed by the Health Department standards and regulations under which they were approved; however, stipulations of this Ordinance shall apply to new construction, alteration or expansion and may be required to correct substandard conditions.

b. Any subsequent new construction or alteration that changes the basic design of existing lots and/or streets and any expansion of an existing park shall comply with the provisions of this Ordinance. Changes to the existing park, through involuntary action of the owner, shall not necessitate the drafting of a new plan to current standards of this Ordinance.

c. Parks developed between February 22, 1972, and the date of adoption of this Ordinance, may continue to operate in accordance with the Osceola County Zoning Regulations under which they were approved or the provisions of this code.

C. DEVELOPMENT PROCEDURES

Approval of a park zoning district requires review and recommendation by the Planning Commission and approval by the Board of County Commissioners. Development or expansion of a park may be approved by the Board of County Commissioners in specified zoning districts and shall be reviewed as a conditional use. This review and approval shall be based upon the following criteria:

1. CONDITIONAL USE/SITE DEVELOPMENT PLAN (STEP ONE)

a. Review of a conditional use application (available from the Building and Development Department)

b. Review of a concept development plan which graphically illustrates major elements of the proposed development. The following information shall be shown on the plan and included in a written report.

(1) Area and dimensions of the tract

(2) Points of ingress and egress

(3) Internal street system

(4) Location and type of buffers

(5) Natural features of the site

(6) Location and type of recreation areas

(7) Source of water and electrical power

(8) Location and method of sewage disposal

(9) Other basic data appropriate to the site

c. A written narrative and concept development report shall be submitted which contains information required to supplement and support the development plan. At a minimum, the information shall include:
(1) Suitability of the site (environmental considerations)
(2) Percent of land developed, listed by individual use
(3) Total number of spaces in the park and the design population
(4) Type of manufactured housing to be utilized within park
(5) Characteristics of the population
(6) Amount of usable land in the park and the density of spaces per acre
(7) Type of road surfacing and method of storm drainage
(8) Development phasing
(9) Other basic data appropriate to the site

2. SITE PLAN (STEP TWO)

a. A development plan shall be submitted which graphically presents complete and accurate information on the proposed development. At a minimum, this shall include the following information:

(1) Information required in the concept plan
(2) Topographic details of the site
(3) Location and width of all streets, sidewalks, drainage-ways and easements
(4) The number, location and size of all common areas for recreation or other purposes
(5) The number, location and size of all unit spaces and automobile parking spaces
(6) Location of water and sewer riser pipes, and connections for electric service
(7) Location of service buildings and all other accessory structures in the park
(8) Location of water, sewage and electrical distribution systems
(9) Location of water treatment and sewage disposal facilities or confirmation of public/private water service commitment
(10) Phasing if applicable

b. A development report (final stage) shall be submitted which contains information required to supplement and support the proposed development plan. At a minimum, this information shall include the following:

(1) All items required in the development report
(2) Details of the fire fighting, emergency and refuse disposal systems

(3) Details of the street lighting program

(4) Program for landscaping and maintenance of grounds

(5) Details for overall management and supervision of park

Approval of step one will automatically become null and void two years after it is approved, unless during that time the Board of County Commissioners approves step two of the project.

Upon approval of Site Plan and the required development report, the plan and report become part of all development permits and may be amended only by the Board of County Commissioners.

D. GENERAL REQUIREMENTS

1. ENVIRONMENT AND MINIMUM SIZE

a. Site Preparation – The site shall be developed consistent with policies of the comprehensive plan, other provisions of this Ordinance, and the Osceola County Code of Ordinances.

b. Access – Access shall be from paved public rights-of-way and with suitable storm drainage. Recreational vehicle parks approved prior to March 26, 1970 are exempt from this requirement.

c. Size – a parcel containing not less than ten (10) acres of land shall be required for development (excluding wetlands). In the event the proposed site contains wetlands, the parcel must contain a minimum fifty (50%) uplands.

d. Subdivision – The park shall be subdivided consistent with policies of the comprehensive plan, other provisions of this Ordinance, and the County Code of Ordinances. Individual lots, campsites or parcels within the park shall not be sold.

2. REQUIRED SETBACKS

a. All units shall be separated from park buildings and other units by a minimum of ten (10) feet. Accessory structures including detached awnings, carports, and individual storage facilities shall maintain a minimum of ten 10 feet setback separation between any unit, like structure and/or park buildings. Attached awnings, carports and or individual storage facilities shall, for the purpose of maintaining required setbacks, be considered as part of the unit.

b. All park buildings, units and accessory structures shall be set back from property lines abutting collector, arterial and local roads in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.

c. Fifteen (15) feet setback shall be maintained between park boundary lines and all units, park buildings and/or accessory structures.

d. There shall be a minimum distance of ten (10) feet between units, accessory structures or park buildings and the adjoining pavement of a park road or other common area.
e. It shall be the responsibility of the park owner or manager to enforce setback requirements for the placement of any accessory structure or attachment to a unit within the park. All building permit applications shall be co-signed by the park management to verify required setback.

3. PARK BUFFERS

The developer/owner shall provide and maintain a buffer around the perimeter of the park to screen the development from adjacent properties and roadways. The buffer shall be in accordance with landscape requirements as set forth in Chapter 10 of this Ordinance, or in accordance with standards set forth in the public hearing which authorizes the park. The buffer may be one of the following:

a. A decorative masonry wall, at least six (6) feet in height

b. A chain-link fence, landscaped in accordance with this Ordinance, at least six (6) feet in height

c. Open space at least fifteen (15) feet in width, landscaped in accordance with this Ordinance.

d. Any reasonable combination of wall or fence and yard (1, 2 and 3 above)

The requirements for a buffer may be waived by the Board of County Commissioners where the development abuts a natural buffer area, such as rivers, lakes and marshes, which will effectively screen or separate the park from other developable areas, or where the Commission finds that such screening is not necessary due to the proposed location of the park and the character of the adjacent land.

4. RECREATION AREA

All parks shall contain one or more recreation areas which shall be easily accessible from all unit sites. Recreation areas shall be provided on the basis of a minimum of one hundred (100) square feet per unit site. Minimum size of recreation area in any park with twenty (20) or more lots shall be not less than twenty five hundred (2,500) square feet.

5. PARK STREET SYSTEM

a. A safe and convenient vehicular access shall be provided from abutting park streets or roads to each unit lot.

b. External public access to parks shall be designed to minimize congestion and hazards at the park’s entrance or exit points. All traffic from internal streets shall enter or exit the park through major approved entrance or exit points only. Direct external access from a unit lot to an abutting public street shall not be permitted except on local streets and approved as part of the site plan review.

c. Each unit lot or campsite shall be designed in order that automotive or RV parking, loading, or maneuvering (incidental to parking) shall not necessitate the use of any public street, sidewalk or right-of-way, or any private lots within the park or grounds not part of the park.

d. Minor park roads (less than five hundred (500) feet long serving no more than twenty (20) units shall be at least eighteen (18) feet in width.
e. All other park roads shall be at least twenty-four (24) feet in width.

f. Dead-end streets shall be prohibited. Cul-de-sacs shall be incorporated into street design. However, when permitted, they shall be limited to eight hundred (800) feet in length and shall be provided at the closed end with a cul-de-sac having an outside diameter of sixty (60) feet.

g. All park roads shall be paved with a smooth, hard and dense surface which shall be durable and well drained under normal use and weather conditions and shall be in compliance with Osceola County engineering standards. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Roadway surfaces shall be maintained free of cracks, holes and other hazards and shall be graded to insure adequate surface drainage.

h. Within one hundred (100) feet of an intersection, roadways shall be at approximately right angles. A distance of at least one hundred and fifth (150) feet shall be maintained between center lines of offset intersecting roadways. Intersections of more than two roadways at one point shall be avoided.

6. STREET LIGHTING

All park streets shall be provided with lighting units so spaced and equipped with luminaries placed at such mounting heights as will provide the following levels of illumination for the safe movement of pedestrians and vehicles at night.

a. Park road lighting shall provide an average of 0.6 foot candle, with a minimum of 0.1 foot candle on all parts of the park road systems.

b. Intersection lighting shall provide a minimum of 0.3 foot candle on all potentially hazardous locations, such as major intersections.

7. UNIT SIZE

The size of the unit shall be governed by the size of the lot to be used so that all setbacks can be met. Units or accessory structures may not ingress setbacks and oversize units shall be prohibited unless the lot can accommodate the unit and meet required setbacks.

8. ACCESSORY STRUCTURES

Permanent awnings, patio covers, carports, screen porches and storage buildings

Individual site attachments shall be permitted only on designated permanent residency lots. Attachments may not exceed the length of the principal structure and must obtain building permits and be tied down, when required, in accordance with the building code requirements of the County. Attached awnings, patio covers, carports and screen porches shall be considered as part of the unit when measuring minimum setbacks between structures.

Individual storage buildings may be placed next to the living unit, under a patio cover or awning or detached from the unit provided, if detached, it meets the setbacks from both the living unit and attachments and any surrounding structures or property lines.
9. **PARKING**

   a. Parking shall be provided and shall be calculated at the rate of 1.25 automobile spaces for each permanent resident lot.

   b. Parking for transient use lots shall be calculated at the rate of one (1) automobile space for each unit lot.

   c. Parking on the park roadway system shall be prohibited.

   d. Parking shall be provided in one of the following ways:

      (1) On-site parking at each lot

      (2) Spaces in a parking lot so located as to provided convenient access to the lots served, but shall not exceed a distance of two hundred (200) feet.

      (3) A combination of on-site and lot parking

   e. Parking lot stalls shall be a minimum of nine (9) feet wide by nineteen (19) feet long.

10. **WALKS**

    All parks shall provide safe, convenient, all-season pedestrian access. These facilities shall be of adequate width, durable and convenient to maintain. Sudden changes in alignment and gradient shall be avoided.

    a. Common Walk System – Where a common walk system is provided and maintained between locations, and where pedestrian traffic is concentrated, such walks shall have a minimum width of five (5) feet on one side of major park roads.

    b. Individual Walks – All permanent resident spaces shall be connected to common walks, or to streets, or to driveways or parking spaces connecting to a street. Such individual walks shall have a minimum width of two (2) feet.

11. **WATER SUPPLY**

    An accessible, adequate, safe, palatable and potable supply of water shall be provided in each park. Where a publicly owned water supply of satisfactory quantity, quality, and pressure is available, connection shall be made to it and its supply used exclusively. When a satisfactory publicly owned water supply is not available, a privately owned water supply system shall be developed and used as approved by the Environmental Health Department. The system shall be designed, constructed and maintained in accordance with the requirements of county codes and ordinances, the regulations of the County and State Health Department, pursuant to Florida Statute and other appropriate agencies.

12. **SEWAGE DISPOSAL**

    General requirements – An adequate and safe sewage system shall be provided in all parks for conveying and disposing of all sewage. Where a publicly owned treatment facility is available, connection shall be made to it and its system used exclusively. When a satisfactory publicly owned disposal system is not available, a privately owned
treatment facility shall be developed and used as provided by the Environmental Health Department. The system shall be designed, constructed and maintained in accordance with the requirements of county codes and ordinances, the regulations of the County and State Health Department, Florida Statutes and other appropriate agencies.

13. BUILDING REQUIREMENTS

All structures shall be properly protected from damage by ordinary use, decay, corrosion, termites, and other destructive elements. All structures shall be constructed in accordance with the current National Electric Code, Standard Plumbing Code and Standard Building code as adopted and amended by Osceola County.

14. REFUSE DISPOSAL

It shall be the responsibility of the management to collect and dispose of refuse in the park. The storage, collection and disposal shall be so managed as to create no health hazard, rodent harborage, insect-breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in flytight, watertight, rodent-proof containers, which shall be conveniently located to the unit it serves. Containers shall be provided in sufficient number and capacity to properly store all refuse. Garbage shall be collected and disposed of as frequently as may be necessary to insure that the containers shall not overflow.

15. FIRE PROTECTION

All parks shall meet the requirements of the National Fire Protection Association Code.

16. SERVICE BUILDINGS AND MISCELLANEOUS FACILITIES

a. Sanitary Facilities – All parks serving recreational vehicles shall comply with rules contained in Florida Administrative Code (F.A.C.) Rule 64E-15.005, or as amended.

b. Miscellaneous Service Facilities – In addition to service buildings, watering stations and sanitary stations, other structures may be approved as part of the development review process. Such facilities may include:

   (1) Management offices, maintenance buildings, owner or manager’s residence

   (2) Swimming pools, recreation buildings or outdoor recreation facilities

   (3) Laundry facilities

   (4) Shops providing merchandise for the convenience of campers.

17. RESPONSIBILITIES OF THE PARK MANAGEMENT

a. Compliance – The person to whom a permit for a park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition.

b. Access – The park management shall give the County Manager or his designee free access to all lots, service buildings and other community service facilities for the purpose of inspection.
c. Register – The management shall maintain a register containing the name, address, current trailer tag and term of occupancy of all park occupants. Such register shall be available to any authorized person inspecting the park.

18. REVOCATION OF PERMIT

Whenever, upon inspection of any park, it is determined that conditions or practices exist which are in violation of any provision of this regulations, or of any regulation adopted pursuant thereto, the Board of County Commissioners or their representative shall give notice in writing to the person to whom the permit was issued, advising them that unless such conditions or practices are corrected within a period of time specified in the notice, the permit to operate shall be suspended. At the end of such period, the park shall be re-inspected and, if such conditions and practices have not been corrected the Board of County Commissioners shall revoke the permit and give notice in writing of the revocation to the person to whom the permit is issued. To reinstate a revoked permit, the procedure and fees shall be the same as an application for a non-existent park.

14.26 SHORT TERM RENTAL OVERLAY

A. OBJECTIVES

An objective of this Section is to permit the location and construction of short term rental units, given the County’s role as a tourist destination. This Section recognizes that short term rental housing is a unique land use that is to be regulated apart from traditional residential and commercial development. An objective of this Section is to provide for the proper location of short term rental housing, in a specifically designated area, restricting this use from traditional neighborhoods.

B. PERMITTED USES

Short term rental housing is permitted in the planned development zoning district within the following described geographic areas and as further illustrated in Exhibit A:

1. Beginning where Shingle Creek enters Osceola County, following Shingle Creek South to the south section line of Section 30, Township 25 south, Range 29 East, thence westerly along said section line and the south section line of Sections 25, 26, 27, 28, 29 and 30 of Township 25 South, Range 28 East, continuing west along the south section line of Sections 25 and 26, Township 25 South, Range 27 East to the right of way for County Road 545, thence south along the right of way line of County Road 545 to the southern boundary of Township 25 South, Range 27 East, thence westerly along said southern boundary to the west boundary of Township 25 South, Range 27 East, thence north along the west boundary of Township 25 South, Range 27 East, thence east along the northern boundary of Township 25 south to Shingle Creek, further provided, all local and state licenses are obtained, as required. As such, short term rental housing may be designated as a short term rental planned development (STRPD), subject to the standard considerations and criteria required in STRPD review. Short term rental housing shall be allowed only within those parts of the STRPD which are specifically designated as such.

2. Begin at the intersection of the Boggy Creek Road as re-aligned and US Hwy 192 (SR 530); thence southeasterly along the centerline of US Hwy 192 (SR 530) to the intersection with the east line of the west ½ of Section 24, Township 25 South, Range 29 East, said point being a point north of the northwest corner of Tract A of Magic Landings as recorded in Plat Book 11, Pages 184-187 of the public records of Osceola County, Florida; Thence south to the northwest corner of Tract A; Thence south along the westerly boundary of Tract A and Tract L to the northwest corner of Magic Landings Phase 2 as recorded in Plat Book 17 Pages 12-13 of the public records of Osceola County.
County, Florida; Thence continue south along westerly boundary to the southwest corner of said subdivision; Thence easterly along the south line of said subdivision, to the northwesterly corner of Heritage Key Villas Phases 1 & 2 as recorded in Plat Book 18, Pages 121-126 of the public records of Osceola County, Florida; Thence southerly, along the westerly boundary of said subdivision to the southwesterly corner of Tract W3, also being the southern boundary line of said subdivision; Thence southeasterly, along said southerly boundary of said subdivision, to the intersection of the northwesterly boundary line of Neptune Pointe as recorded in Plat Book 16 Pages15-16 of the public records of Osceola County, Florida; thence in a northeasterly direction, along said northern boundary of said subdivision, to the intersection of the west line of Section 30, Township 25 South, Range 30 East, Thence south along said west line to the most westerly corner of the Kingsland Property as recorded in Official Records Book 886, Page 100 of the public records of Osceola County, Florida; Thence southeasterly along the southwesterly line of said lands and a projection thereof, to the centerline of Shady Lane; Thence southwesterly along centerline of Shady Lane to the intersection of the centerline of Partin Settlement Road; Thence easterly along the centerline of Partin Settlement Road to the intersection of the centerline of Florida’s Turnpike; Thence northwesterly along the centerline of Florida’s Turnpike to the intersection of the centerline of Boggy Creek Road; Thence westerly along the centerline of Boggy Creek Road to the centerline of Boggy Creek Road as re-aligned; Thence southwesterly, along centerline of said road, to the point of beginning.

As referenced in the planned development zoning district, short term rental housing may be allowed in the STRPD district, in accordance with other regulations of that district and other provisions of this Ordinance. Preliminary concept plan and final development plan shall clearly designate areas to be developed as short term rental housing, including net acreage and the number of housing units.

C.  DEFINITIONS

1. Dwelling is defined as a building or portion thereof, designed or used exclusively for residential occupancy, but not including hotels, lodging houses, time-share units or motels.

2. Short term rental is defined as a land use, exhibiting characteristics common to both commercial and residential uses, in which a dwelling is leased or rented for a period of less than twenty-eight (28) days by a non-owner not making the dwelling his/her sole residency.

D.  PROHIBITED USES

Short term rental housing shall be a prohibited use in all other zoning districts.

E.  APPROVED SHORT TERM RENTAL DEVELOPMENTS

Short term rental developments approved as a conditional use or planned unit development by Osceola County prior to the adoption of the regulations contained herein, and developed in conjunction with all conditions of approval, may continue to operate as short term rental housing. A non-conforming STRPD shall be administered in accordance with Chapter 2 of this Ordinance.
CONDITIONAL USE AND SITE STANDARD (C.U.S.S.)

THE FOLLOWING SECTIONS DESCRIBE MINIMUM REQUIREMENTS, STANDARDS AND/OR CONDITIONS APPLICABLE FOR DEVELOPMENT OF SPECIFIED USES, FACILITIES, AND/OR STRUCTURES IN ADDITION TO THE CRITERIA LISTED BELOW. THOSE SECTIONS WHICH PERTAIN TO CONDITIONAL USES ALSO REQUIRE COMPLIANCE WITH CHAPTER 2 AND CHAPTER 17.

14.27 ADULT DAY CARE FACILITY

A. Adult day care facilities shall be permitted without regard to subsequent standards set forth in this Section if such uses are accessory to the following permitted uses: churches, social service agencies, health care facilities, community centers, or elderly housing developments. Adult care facility uses shall only be permitted as an accessory use.

B. The location and extent of the facility shall not adversely affect the character of the existing neighborhood. The adult day care facilities shall be located in a building that is in scale with the buildings located within two hundred (200) feet of said building. Said adult day care facility buildings shall not deviate by more than thirty (30) percent from the median scale of neighboring buildings as determined by site volume ratio and total building volume.

C. No overnight lodging shall be permitted for any type of adult day care facility.

14.28 AGRICULTURAL STANDS

The Planning Official is authorized to permit construction and/or use of agricultural stands. Permits for such uses shall be limited to six (6) months, with an option to renew every six (6) months for a maximum number of four (4) consecutive renewal periods. The following conditions shall apply.

A. The use shall provide for all required off-street parking and loading on private property. Paved parking is not required; however, a surface that will not contribute to erosion or sedimentation, either on-site or off-site, is required. If paved parking is provided, review by the County Engineer shall be required.

B. The use shall be located along and have direct vehicular access to a public street.

C. No sales, parking or display activity shall be located within road rights-of-way or on public land.

D. Access to and from the site shall be in accordance with requirements of the Osceola County Engineer.

E. The use shall conform to Development Standards of the applicable zoning district, however, agricultural stands can be located at a minimum twenty (20) feet front yard setback.

F. The use shall comply with all applicable Health Department regulations, as set forth in Rule 10D 15, Florida Administrative Code, pursuant to Chapter 381, Florida Statutes, and other applicable regulations.

G. At least one (1) fully charged, 2A-10BC fire extinguisher shall be located on the premises at all times in a visible, accessible location.

H. Written permission from the owner of the property, when the stand is not located on land owned by the operator, shall be required on-site at all times the site is in use.
I. No more than one (1) readily removable, temporary structure, smaller than one hundred and forty-four (144) square feet for storage, display or sales shall be utilized.

J. Signage shall be in conformance with requirement contained in Chapter 15 of this Ordinance, however, an Agricultural Stand will be allowed a maximum of two (2), thirty-two (32) square feet on-site pole or ground signs per development site.

K. Permit issued by Osceola County for the agriculture stand shall be displayed in a conspicuous place at all times while stand is operational.

14.29 AIRCRAFT LANDING FIELD

A. Aircraft landing fields and aircraft operations shall meet all relevant Federal and State regulations.

B. Approval of said aircraft landing field shall not significantly limit or prohibit operation of existing or approved airports, aircraft landing fields or ultra light flight parks.

C. Aircraft landing fields shall be classed according to landing field capabilities and intended uses as outlined below.

1. Class I Privately-owned landing field which meets minimum physical standards for use by small aircraft, and used primarily by licensee for personal use, and not open to public.

   a. Runway dimensions shall be no greater than one thousand, eight hundred (1800) feet in length.

   b. A maximum of five (5) aircraft shall be based at the landing field at any one time. This number includes aircraft to be stored at the facility.

   c. Primary surface of runway, hangars and repair buildings shall be set back at least one hundred fifty (150) feet from property boundaries. All other structures shall be set back at least fifty (50) feet from property boundaries.

   d. Flight operations shall be restricted to V.F.R. (Visual Flight Rules) weather conditions.

   Class I aircraft landing fields are permitted uses in the AC zone.

2. Class II privately or publicly-owned landing field which meets minimum standards for use by small aircraft and which is open for use by the public.

   a. Runway dimensions shall be no greater than three thousand, two hundred (3200) feet in length.

   b. Primary surface of runway, hangars and repair buildings shall be set back at least two hundred (200) feet from property boundaries. All other structures shall be set back at least seventy-five (75) feet from property boundaries.

   c. Flight operations shall be restricted to V.F.R. weather conditions. Class II aircraft landing fields are conditional uses in the AC zone.

3. Class III privately or publicly-owned landing field which has a runway in excess of three thousand, two hundred (3200) feet in length, which has no published instrument approach procedure and which is open for use by the public.
a. Primary surface of runway, hangars and repair buildings shall be set back at least two hundred fifty (250) feet from property boundaries. All other structures shall be set back at least seventy-five (75) feet from property boundaries.

b. Operations shall be restricted to V.F.R. weather conditions unless a specific variance is otherwise granted.

Class III aircraft landing fields shall only be authorized in conjunction with a planned development.

4. Class IV public use landing field which has a published instrument approach procedure.

Class IV aircraft landing fields shall only be authorized in conjunction with a planned development.

14.30 AUTOMOBILE OR MOTOR VEHICLE REPAIR IN RESIDENTIAL DISTRICTS

A. Only minor repairs and maintenance may be accomplished on privately registered vehicles owned by the resident of the lot and having current State of Florida license plates, or motor vehicles designated by the State of Florida as qualifying for an antique or horseless carriage designation, may be performed which, for purposes of this section, are limited to the changing and replenishment of fluid levels, such as hydraulic fluid, windshield washer fluid, and lubricating oil, the replacement of spark plugs, ignition points, the rotation of tires and the checking of adequate pressure; and the replacement of drive belts and hydraulic lines, provided all repairs are completed within seven (7) days of the commencement.

B. Any other repairs on the motor vehicle or automobile shall be restricted to a totally enclosed building and only accomplished on privately registered vehicles owned by the resident of the lot and having current State of Florida license plates, or motor vehicles designated by the State of Florida as qualifying for an antique or horseless carriage designation.

C. The automobile or motor vehicles referred to in this Section shall be licensed and registered to the resident of the address at which the limited repairs and maintenance or other repairs are to be performed. Repairs and maintenance shall not be performed on more than two (2) vehicles at a time.

14.31 BED-AND-BREAKFAST ESTABLISHMENT

A. The bed-and-breakfast establishment, for the purposes of calculating density, shall constitute one dwelling unit and may be allowed as a conditional use within RPB, AC and all RM zoning districts.

B. Parking shall be provided in accordance with other provisions of this Ordinance.

C. Buffering and screening shall be provided in accordance with other provisions of this Ordinance.

D. Bed-and-breakfast establishments, in RPB zoning districts, shall be allowed to have no more than six 6 lodging units.

E. All bed and breakfast establishments shall meet all applicable state and local regulations.
14.32 BOARDING HOUSE

A. In each boarding house, for the purposes of calculating density, every 2.5 residents shall constitute one (1) dwelling unit. Therefore the facility must be located on a lot large enough to meet the density requirements of the Osceola County Comprehensive Plan for the equivalent number of dwelling units or the minimum requirements of the zoning district in which it is located, whichever is more restrictive.

B. Parking shall be provided in accordance with other provisions of this Ordinance.

C. Buffering and screening shall be provided in accordance with other provisions of this Ordinance.

D. All boarding houses containing more than fifteen (15) residents shall have direct access to a collector or arterial street, as is defined under the Osceola County Functional Classification System.

E. All boarding houses shall comply with all applicable state and local regulations.

F. Where boarding houses shall be located within two (2) lots, or one hundred (100) feet from the boundary of a single family residential zoning district of lesser density than permitted in the zoning district in which said boarding house is located, then said boarding house shall be in scale with the building located within two hundred (200) feet of said boarding house. Said boarding house shall not deviate by more than thirty (30) percent from the median scale of such neighboring buildings as determined by site volume ratio and total building volume.

14.33 CANOPIES AS ACCESSORY USES

Canopies provided over the pump islands at gas stations, service stations and convenience stores shall meet the setback requirements of a principal structure. However, if the following requirements can be met, the canopy may intrude a limited amount into an otherwise required setbacks.

A. The outside edge of the canopy may intrude up to ten (10) feet into the required front yard.

B. The canopy shall not block visibility at intersections of rights-of-way or drives.

C. All pump islands, their surrounding structures and the canopy support structures shall meet the zoning district’s yard requirement for building setbacks.

14.34 CEMETERIES

A. All requirements of the Florida Statutes regarding the interment of human dead shall be met.

B. A minimum lot size for the entire cemetery site shall be eighty-five thousand (85,000) square feet.

C. There shall be adequate space within the site for the parking and maneuvering of funeral corteges, parking may be grass.

D. No interment shall take place within thirty (30) feet of any adjoining lot line.

E. All structures shall be set back a minimum of twenty-five (25) feet from any boundary line of the cemetery property.

F. All structures over twenty-five feet in height must be set back from any boundary line of the cemetery a minimum of twenty-five (25) feet plus two (2) feet for each one (1) foot of height.
over twenty-five (25) feet to the maximum height permitted by the zoning district in which it is located or fifty (50) feet, whichever is more restrictive.

14.35 CENTRAL SOLID WASTE STORAGE AREA

All new buildings and uses which provide facilities for the central storage of solid waste within the lot, but outside of a building, shall be screened from public rights-of-way and adjacent properties by an enclosure constructed of materials compatible with the materials of the main building.

14.36 CHILD CARE CENTER

A. If a circular driveway is provided for pick-up/drop-off of children, the following shall be required in addition: A one-way direction paved circular driveway, twelve (12) feet in width with a minimum inside turning radius of twenty (20) feet, and an area a minimum of fifteen (15) feet from the designated discharge point where the children are picked up or dropped off. If fire regulations require the designation of a fire lane, then the width of the circular driveway shall be at least twenty (20) feet.

B. A fenced outdoor play area for the children shall be provided. The use of the fenced outdoor play area shall be limited to between 7 a.m. and 7 p.m. if the fenced play area is within one hundred (100) feet of a residential zoning district unless otherwise specifically approved by the Board of County Commissioners.

C. The location and extent of the facility shall not adversely affect the character of the existing neighborhood.

D. The child care center shall be of a design, intensity and scale to serve the surrounding neighborhood and be compatible with the surrounding land uses and zoning.

E. Child care centers for more than 15 children shall have direct access onto a collector or arterial streets in conformance with other provisions of this Ordinance.

14.37 COMMUNITY RESIDENTIAL HOME

The requirements and standards of Chapter 419, Florida Statutes and regulations of the Department of Children & Families shall be met. A community residential home is “a dwelling unit licensed to serve clients of the Department of Children & Families, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents” (Florida Statutes). Osceola County defines three (3) types of community residential homes.

A. COMMUNITY RESIDENTIAL HOME A

Homes, which otherwise meet the definition of a community residential home, shall have no more than six (6) residents and shall be deemed a single family unit for the purposes of this Ordinance. This home shall be a permitted use in all residential zoning districts of this Ordinance and does not require approval from the County. A home in this category shall not be located within a radius of 1,000 feet of another existing community residential home. A community residential home “A” shall constitute one dwelling unit.

B. COMMUNITY RESIDENTIAL HOME B

This home shall have between seven (7) and fourteen (14) residents. The location of a community residential home “B” shall be determined by Osceola County review in accordance with other provisions of this Ordinance. Notification requirements of the sponsoring agency are found in Chapter 419, Florida Statutes. Specific locational review criteria are cited for a community residential home “B” (Chapter 419, Florida Statutes), and shall be used in addition
to other provisions of this Ordinance, by the County in reviewing and acting upon an application. Community residential homes “B” and “C” shall be located so that a minimum twelve hundred (1200) feet radius exist between other established community residential homes in multi-family and 500 feet in residential single-family districts. Community residential homes “B” and “C” shall have a density calculated at 1/5 of a dwelling unit per resident. The facility shall be designed and built in a similar fashion to a single-family home, a single-family townhouse, or a low density garden apartment. The facility shall meet all other provisions of this Ordinance.

C. COMMUNITY RESIDENTIAL HOME C

This home shall have in excess of fourteen (14) residents. The location of a community residential home “C” shall be determined by Osceola County, in accordance with other provisions of this Ordinance. Notification requirements by the sponsoring agency are found in Chapter 419, Florida Statutes. Specific review criteria in addition to County provisions, shall be the same as applicable to community residential home “B”, and are cited in Chapter 419, Florida Statutes. These criteria shall be used by the County in reviewing and acting upon an application.

D. Community residential homes (A, B, and C) shall not be located as to result in a concentration of community residential homes.

14.38 CONSTRUCTION TRAILERS/MODULAR OFFICES AS TEMPORARY OFFICES

A. A licensed contractor or land excavation permitted engaged in a construction project for which a building permit or soil excavation operating permit has been issued by Osceola County, may temporarily use a construction trailer/modular office for office facilities in the location where the work is being done; provided such office shall not be placed upon a public street but upon the property on which the permit authorized the activity. The construction trailer/modular office shall be removed within thirty (30) days after completion of the work for which the permit has been issued. Septic tanks may be permitted by the Osceola County Health Department provided all applicable requirements are met.

B. Zoning approval may be issued by the Planning Official for a one year period for the use of modular facilities as temporary offices while business properties are being remodeled, provided that they are placed upon the property for which there is a building permit issued by Osceola County for the remodeling. The permit shall be for a period of one-year or until the remodeling is completed, whichever is the shorter period. The permit may not be renewed after the expiration of the one-year period.

C. Watch person trailers shall be limited to one (1) per construction site.

D. Public toilet facilities shall be provided as required by the County.

E. Planning Official, or his/her designee, may permit modular facilities as temporary offices within otherwise required building setbacks provided the applicant can demonstrate:

1. Site placement will not have an adverse impact on adjacent property
2. Can adequately buffer, when required, the proposed site from the adjacent property
3. That lacking an alternative placement, in compliance with required setbacks, the applicant would be prohibited the use of such facilities
14.39 CONVENIENCE STORE/GAS STATION

A. The use shall have direct access to a collector or arterial roadway in conformance with other provisions of this Ordinance.

B. All convenience stores abutting residentially zoned property shall use the same architectural materials (excluding windows) on all sides of the building.

C. Site lighting shall be in accordance with C.U.S.S. site lighting standards contained herein.

D. No repair services shall be performed.

14.40 CORRECTIONAL FACILITY

A. At the time of the conditional use request, the operator of the correctional facility shall provide information on, and if approved, shall utilize adequate measures to prevent the unauthorized exit of the inmates.

B. Buffers and screening shall be in accordance with other provisions of this Ordinance.

C. The facility shall comply with all applicable Federal, state and local requirements.

D. Specific requirements for the two types of correctional facilities are as listed below.

1. PRISON
   a. The minimum lot size shall be fifty (50) acres.
   b. The structures occupied by the facility residents shall be located 750 feet measured from other zoning lot boundaries.

2. COMMUNITY CORRECTIONAL FACILITIES
   a. The minimum lot size shall be five (5) acres.
   b. All structures occupied by the facility residents shall be located a minimum of one hundred fifty (150) feet from any lot boundary containing a dwelling unit or other lot boundary having an AC zoning district designation.

14.41 DISPLAY/MEETING TENTS

A. The use permit may be granted for thirty (30) days, four times per year, per lot and may be extended up to sixty (60) days by the Board of Adjustment as a special exception. No use permit shall be issued before a minimum 14 day period has lapsed following termination of a preceding use permit.

B. The use of the display/meeting tent shall be limited to between the hours of 7 a.m. and 9 p.m.

C. All parking shall be on-site.

D. Trash and debris shall not accumulate. All trash and debris shall be removed when the display/meeting tent is removed.

E. Any electrical permits for the display/meeting tent shall be obtained by a licensed electrical contractor.
F. A letter of approval from the Fire Marshall and the Health Department shall be required if portable toilets are to be used.

G. Written consent from the owner, or authorized agent, of the property shall be obtained.

H. When a display/meeting tent is used in conjunction with a seasonal sales lot, only a seasonal sales lot Permit shall be required (a separate display/meeting tent permit shall not be required).

I. Private residential use permits are exempt.

J. In PD districts, as part of a CDP, alternative restrictions may be granted.

K. One-site fire extinguisher(s) shall be located within seventy-five feet of any portion of the tent facility.

14.42 EATING ESTABLISHMENT/DRIVE-THROUGH FACILITY

A. No order box used in the ordering of food or beverages from a drive-through window shall be located within two hundred (200) feet of any property zoned residential.

B. A solid screening fence or wall, a minimum of six (6) feet in height, shall be required to be placed between any property used for a drive-through facility and any abutting property zoned residential. The intent of this solid screening is to screen vehicular headlight glare from adjacent residential property.

C. Adequate automobile stacking space will be provided from the order box to ensure that any public right-of-way or common vehicular use area will not be blocked by or utilized for vehicular stacking.

14.43 FIRING RANGE, SMALL ARMS (INDOOR)

A. Noise levels shall be in conformance with the County noise ordinance.

B. The design and safety standards of the National Rifle Association shall be met.

14.44 FIRING RANGE, SMALL ARMS (OUTDOOR)

A. The minimum size of the site shall be five (5) acres.

B. The maximum caliber used on the range shall be .45 for rifled barrels and twelve (12) gauge for non-rifled barrels.

C. A projectile-proof backstop, consisting of concrete, steel, earth or a combination thereof, at least fifteen 15 feet high shall be erected and maintained behind all target areas.

D. Noise levels shall be in conformance with the County noise ordinance.

E. The design and safety standards of the National Rifle Association (NRA), the National Skeet Shooting Association (NSSA), and the Amateur Trap Shooting Association (ATSA) shall be met. Where a conflict exists between the aforementioned standards and NRA, NSSA and ATSA, the standards of these associations may apply.

F. Must be 1,000 feet from the nearest residence.

G. Lighting used at the site shall be designed, located and constructed so as to prevent glare and minimize reflection onto neighboring property.
14.45 FLEA MARKETS

A. This use shall not be permitted for properties abutting a residential zoning district.

B. Uses authorized for flea markets shall include retail outlets for new and used general merchandise, gift and sundry items, food, produce and bakery, clothing, furniture, books and appliances, tools and automotive parts; shops for personal care services such as barbers and hairdressers; artisans and crafts persons and their wares; retail sales display areas for home improvement items such as screen rooms, spas, etc.; and restaurant space to include beer sales for consumption on premises only.

C. The use shall have direct access to a collector or arterial roadway in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.

D. All vendors shall obtain an occupational license from Osceola County and shall have said license displayed on site.

E. A minimum of 70% of sales display area shall be within covered structures built to building code standards, and a maximum of 30% of sales area to be provided as a paved open air display.

F. Expansion of sales display areas, covered or uncovered, shall require separate conditional use approval.

G. One temporary storage unit, maximum size 8’x10’, shall be permitted for each covered sales display area, provided they do not encroach upon parking spaces or walkways, or create safety hazards.

H. Internal tenants’ signage shall not be visible from public roads or sidewalks and do not require a permit from the Osceola County Planning and Zoning Office.

14.46 GARBAGE DUMPSTER

Except for single and two-family residential developments, areas therein shall be segregated for the storage of waste materials in accordance with the County Solid Waste Department’s and in compliance with the following

A. They shall be walled with materials that are like-kind to the principal building(s) on the site.

B. They shall be enclosed and have opaque doors. The doors shall remain closed at all times other than during garbage disposal or collection.

C. They shall be easily accessible by a pick-up service without causing a stoppage of vehicular traffic on arterial or collector roadways.

14.47 GARAGE, YARD, ETC. SALES

Garage, yard, tag, patio and apartment sales are specifically permitted, as an accessory use, in all residential districts. Such sales shall be limited to one during each six (6) month period, for a duration not to exceed three (3) days.

14.48 GOLF DRIVING RANGES

A. The site shall be of such configuration so as to permit a minimum driving distance of three hundred fifty (350) yards from each proposed tee.
B. A site plan of the facility shall be submitted showing the layout of the property with all fairways, roughs, greens, structures, off-street parking areas, fencing and proposed plant materials and location.

C. Lighting used at the site shall be designed, located and constructed so as to prevent glare and minimize reflection onto neighboring property.

D. Minimum required buffers on all sides of a golf driving range shall be fifty (50) feet.

14.49 GUEST HOME AND/OR QUARTERS FOR DOMESTIC EMPLOYEES

The following list of development standards are designed to achieve compatibility between guest homes and/or quarters for domestic employees and surrounding residential structures. In order to confirm development criteria has been achieved, all applications for guest homes or quarters for domestic employees shall provide architectural drawings of both the existing single family home as well as the proposed guest home or quarters for domestic employees. In addition, all development plans shall provide a property survey performed by a Florida registered land surveyor. The survey must show lot area and location of all existing and proposed structures. If the subject property contains less than one (1) acre, the request for a guest home or quarters for domestic employees must be approved as a special exception to the Board of Adjustment.

A. All such dwelling units shall be on a conforming lot, with a minimum lot area as prescribed in these regulations or agreed to under a PD zoning application and shall meet all other applicable building setback requirements unless otherwise exempted by this Code.

B. Minimum building size 450 square feet (See Note 1)

Maximum building size 800 square feet (See Note 2)

NOTE 1: The 450 sq feet standard does not apply if the request is for an attached guest home and/or quarters for domestic employees.

NOTE 2: Requests for guest homes and/or quarters for domestic employees larger than 800 sq feet cannot exceed 40% of the total conditioned floor area of the existing single family home unless approved as a special exception by the Board of Adjustment.

C. No guest home or quarters for domestic employees may be located greater than one hundred (100) feet from the primary residential structure.

D. Guest homes or quarters for domestic employees shall be architecturally compatible with the primary residential structure.

E. Guest homes or quarters for domestic employees shall not be leased or rented.

F. Guest homes or quarters for domestic employees may be either attached to the primary residential structure or detached from the primary residential structure.

G. Guest homes or quarters for domestic employees must be sub-fed electrically from the same meter as the primary residential structure.

H. Any and all deviations from the above standards shall require special exception approval by the Board of Adjustments.

14.50 HELIPORT

A. Heliports shall meet all Federal, state and local regulations.
B. Landing and take-off areas shall be located a minimum of one hundred fifty (150) feet from any zoning lot boundary and a minimum of one thousand (1000) feet from any dwelling unit or residentially zoned property.

C. All storage and repair shall be conducted in enclosed buildings.

D. Hangars and repair facilities shall be set back at least one hundred fifty (150) feet from any zoning lot boundary and all other buildings shall be set back at least fifty (50) feet from any zoning lot boundary.

E. In the PD districts, heliports are permitted only if the district is fifty (50) contiguous acres or more in size.

F. Parking requirements shall be in accordance with other provisions of this Ordinance.

14.51 HOME OCCUPATION

A. The County Manager or his/her designee may authorize the operation of a Home Occupation, in all single-family, multiple-family and mixed use zoning districts only by approving an owners / operators affidavit, in a form approved by the County, that declares an owners / operators statement of compliance with all of the provisions of this section.

B. A Home Occupation shall include, but not necessarily be limited to the following: domestic crafts such as seamstress, sewing, tailoring, washing and ironing, real estate services, bookkeeping, tax preparation, computer input or computer consulting services, telemarketing services, short term rental property management office, medical transcription, beautician, mail order, internet/web based operations, contractor (office only), interior decorator / designer, products of home made crafts (such as writer, painter, composer, etc.), private tutoring and instruction (limited to three pupils at any one time), and professional services

C. No person shall be employed other than members of the immediate family all of which must reside on the premises.

D. The use of the dwelling unit for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes. Not more than twenty-five (25) percent of the air conditioned floor area of the dwelling unit shall be used in the conduct of the Home Occupation and no more than 20 square feet of merchandise may be stored. No outside display, storage, or use of land is permitted.

E. There shall be no change in the outside appearance of the building or premises as a result of such occupation, with the exception of an unlighted sign or nameplate. The sign shall be limited to not more than two (2) square feet in area, attached to and not projecting from the building.

F. A Home Occupation may be conducted in any accessory building provided the building is incidental to and subordinate to the primary residential structure.

G. Mechanical equipment shall not be used on the premises, except such that is normally used for purely domestic or household purposes, nor shall it create levels of noise, vibration, glare, flumes, odors or electrical interference detectable to the normal senses outside the dwelling unit in excess of that normally associated with household use. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television sets off the premises, or causes fluctuations in line voltage in excess of that normally associated with household use.

H. No products other than that produced on site may be sold on site. This does not preclude taking orders for sales or provision of services off-site.
I. Traffic or parking demands to or from the residence shall not be generated by the residential use and Home Occupation in greater volume, frequency or type than ten vehicle trips per day, as defined by the Institute of Transportation Engineers (I.T.E.). Deliveries related to the home occupation shall not occur more frequently than twice per day, not including any deliveries made by the U.S. Postal Service. Parking demand shall be limited to a maximum of four (4) parking spaces.

J. A Home Occupation shall not be interpreted to include activities such as, but not restricted to, auto repair and tune-up, general offices, clinics, physician’s, dentist’s and offices (except contractors) of the like, welding shops, animal hospitals, kennels, catering or other food preparation businesses.

K. Multiple Home Occupations shall not have a cumulative impact greater than the criteria for one occupation.

L. A Home Occupation shall not be transferred to another owner or lessee of the property unless the identical conditions exist as to the specific occupation, number of persons operating the occupation, and all site conditions remain the same. Any transfer requires approval of the County, including a new application and affidavit as required herein.

M. Home Occupation may be approved for up to one (1) year and must be renewed annually by making application to Osceola County Planning & Zoning Office. Home Occupations may be approved for up to one (1) year and must be renewed annually by making application to Osceola County Planning and Zoning Office. Upon filing a new application or renewing an application the applicant shall sign an affidavit, provided by the Planning & Zoning Office, confirming compliance with the criteria contained in this section. If the applicant is not the property owner, a notarized letter of authorization from the property owner shall be submitted at the time of application.

N. A Home Occupation approval may be revoked by the County Manager or her/his designee upon any violation of these criteria, after written notice.

O. Any denial or revocation of a Home Occupation may be appealed by filing an application for Special Exception for a Home Occupation to the Board of Adjustment.

14.52 HOUSES OF WORSHIP

A. Minimum lot size of twenty thousand (20,000) square feet shall be provided.

14.53 HUNTING CAMPS AND FISHING CAMPS

A. Hunting camps may only be approved as a temporary use during hunting seasons as defined by the Florida Fish and Game Commission.

B. Fishing camps must be located within 500 feet of a lake, creek or canal identified on a current tax map.

C. Hunting or fishing camps must contain a minimum of five acres with 200 feet of lot width in an AC zoning district.

D. An application for conditional use must include the following supporting documents:

   1. Survey of property providing legal description and confirming acreage.

   2. Photograph of dwelling unit to be used on site (mobile home, motor home, recreational vehicle or cabin).
3. Documentation from authorized RV dealer or repair facility confirming that self-contained sewage system is operable or copy of septic tank permit from Osceola County Environmental Health Department.

4. Site plan showing access and distance from county or state maintained road.

5. Applicant to sign affidavit recognizing that emergency services may not be available to the site and stating that site will not be used for permanent housing.

6. No property approved as a hunting camp will be eligible for homestead exemption.

E. Hunting camps located on parcels in excess of 500 acres in single ownership that abut a public maintained road and provide hunting rights by lease may submit an application for site plan approval and may be exempt from a conditional use application and the above provisions. Appeals from TRC conditions must be made through conditional use procedures to the Planning Commission and Board of County Commissioners.

14.54 KENNEL

A. The method of disposal of all feces and other solid waste generated by the kennel operation shall be reviewed and approved by the Health Department.

B. All runs and kennel areas shall be fenced with chain link, solid wood fencing or a masonry wall. The fence or wall shall be of quality material and be neat in appearance. The fenced kennel areas shall set back a minimum of 15 feet from rear and side property boundaries. The fenced kennel area is not permitted within the front yard.

C. Any training of animals shall not include the use of loud noises or produce smoke or odor.

D. Humane Society of the United States (HSUS) Guidelines shall be used, at a minimum for the flooring, walls between kennels, drainage, heating and cooling, cage sizes and runs.

E. The kennel facility shall not generate adverse off-site noise or odor impacts.

F. All outdoor runs shall be a minimum of one hundred fifty (150) feet from any residential zoning district.

14.55 LAND APPLICATION DISPOSAL

A. GENERAL STANDARDS

Land application disposal shall meet all relevant Federal and state regulations. The minimum standards for the land application disposal of domestic wastewater residuals shall be pursuant to Chapter 17-640, FAC, as amended, and as authorized and monitored by the Health Department. The minimum standards for land application disposal of domestic sewage and food service sludge shall be pursuant to Chapter 10D-6, FAC, as amended, and as authorized and monitored by the Osceola County Health Department.

B. OPERATION STANDARDS

The operator of the land application disposal activity shall be responsible for using site management practices pursuant to Chapter 17-640.600, FAC, as amended, or Chapter 10D-6, FAC, as amended.
C. BUFFER/SETBACK STANDARDS
Buffer/setback requirements shall be as provided by Chapter 17-640, FAC, as amended, and Chapter 10D-6, FAC, as amended, with the following additional requirements: the land application boundary shall be located not less than one thousand (1000) feet from any occupied building and two hundred (200) feet from the land application area property line.

D. ACCESS STANDARDS
The land application area shall have direct access to a collector or arterial street in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.

E. HOURS INFORMATION
A certified statement by the operator specifying the hours of operation for the disposal activities.

F. VOLUME INFORMATION
An explanation of the volume of material to be land applied, expressed in gallons per day, cubic yards per day, or tons per day.

G. KINDS OF MATERIAL INFORMATION
An explanation of the classes of residuals and types of sewage and food service sludge to be land applied.

H. Land application disposal is allowed only as a conditional use in the AC zoning district.

14.56 LANDFILLS, CLASS I, II, III AND CONSTRUCTION AND DEMOLITION DEBRIS SITES
A. Front, rear and side yards shall be a minimum of 50 feet. When adjacent to residentially zoned property, yards shall be a minimum of 200 feet for non-office type buildings and uses.

B. Proof of the ability to meet all applicable local, state and federal environmental standards shall be provided.

C. The facility shall have direct access to a collector or arterial in accordance with Chapter 13 of this Ordinance.

D. The use shall not be within one thousand (1000) feet of a school, measured on a straight line along the shortest distance between the perimeter of the landfill and the boundary of the property upon which the school is situated.

E. The site shall be fenced by a six foot high fence.

F. The following information shall be provided in addition to the general information required:

1. The haul routes and points of access to the property.

2. The proposed data that the land alteration will commence and the projected date of completion.

3. An explanation of the volume of waste to be received, expressed in cubic yards or tons per day.

4. An explanation of the type of landfill requested and type of wastes to be received.
5. A statement specifying the hours of operation.

6. Evidence of approvals to operate the proposed landfill from the Florida Department of Environmental Protection and the Osceola County Health Department.

7. Buffers shall be required to be identified as part of the site development plan. Buffers shall be designed to reduce visual impacts, noise impacts and other purposes as determined by the Board of County Commissioners.

14.57 LIFE CARE TREATMENT FACILITIES

A. In a life care treatment facility, for the purposes of calculating density, every two and one-half (2.5) residents shall be considered to equate to one (1) dwelling unit. Number of residents shall be based on the maximum capacity of the facility. Each room or group of rooms containing a separate and individual kitchen shall equal to one unit. If an accessory nursing home is provided on the same lot, the density conversion rate for a nursing, convalescent and extended care facility must be met for that portion of the development. (See nursing, convalescent and extended care facility). Therefore, the facility must be located on a lot large enough to meet the density requirements of the comprehensive plan for the number of dwelling units proposed.

B. Each facility shall provide adequate parking in accordance with other provisions of this Ordinance.

C. All life care treatment facilities shall have direct access to a paved and dedicated public street.

D. Buffers and screening shall be as required in accordance with other provisions of this Ordinance.

14.58 MEMBERSHIP ORGANIZATIONS INCLUDING FRATERNAL ORGANIZATIONS

A. The use shall be located so as to discourage traffic through residential areas.

B. Required yards adjacent to residential uses or zoning districts shall be a minimum of thirty (30) feet.

C. Hours of operation may be limited, based on conditions of an approved conditional use.

14.59 MINI WAREHOUSE LOCATIONAL AND DESIGN REQUIREMENTS

A. Such facilities shall front on collector or arterial roadways in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25. Such facilities shall be designed so that warehouse doors do not face collectors or arterials.

B. Such facilities shall be used only for dead storage of materials or articles and shall not be used for assembly, fabrication, processing or repair.

C. No services or private sales shall be conducted from any storage unit. Garage sales and/or flea market type activities are prohibited. Non profit organizations may be authorized by specialized permit to hold fund raising events.

D. Facilities shall not be used for meeting rooms, or residents.

E. No exterior storage shall be permitted, unless authorized by conditional use.

F. Storage of explosive or highly flammable material shall be prohibited.
14.60 MODEL HOME AND PRE-CONSTRUCTION SALES OFFICE

A. The model dwelling unit shall meet all district requirements for lot and yard dimensions.

B. Signs shall not be illuminated after 9:00 p.m.

C. The model dwelling unit shall not be used for any business activity later than 9:00 p.m.

D. At least five (5) off-street parking spaces shall be provided on the same lot as the model dwelling unit or on a contiguous lot within the specific project. One of which must meet ADA requirements.

E. In subdivisions where model homes are not located within a phase, section or unit of new construction, a conditional use plan approval shall be required.

F. Model dwelling units may be erected or displayed in districts which exclude residential uses, provided that such models shall not be used for residential purposes, but only for display as a means to sell homes in districts in which they are permitted and provided that all other requirements of the district in which the model dwelling unit is erected shall be met.

G. A temporary structure may be used as a pre-construction sales office for the purpose of displaying a typical dwelling unit arrangement, subject to the following restrictions:

1. The structure shall be landscaped in accordance with other provisions of this Ordinance.

2. The structure shall be subject to the same front yard requirements as the principal structure to be erected and shall otherwise be subject to all yard requirements for the district in which it is located.

3. Adequate off-street parking facilities (a minimum of five (5) spaces which may be mulched) and access driveways shall be developed within those locations approved for such facilities in conjunction with the permanent apartment structure and no additional parking areas or access driveways shall be permitted.

4. Signs shall be permitted only in accordance with other provisions of this Ordinance for the specified use.

5. The structure shall comply fully with all existing building codes and ordinances of the County.

6. The structure shall be completely and totally removed within six (6) months from the date of the issuance of a building permit for or upon the completion of the permanent residential dwelling structure whichever date is later.

7. In the event that the structure should not be removed or demolished by the owner or other parties in interest within the terms of this Section, the County, to the extent permitted by law, acting through its Chief Building Inspector, is authorized to vacate, demolish or remove any such building or structure. The County shall assess the entire costs of such vacation, demolition or removal against the owner or other parties in interest.

14.61 NURSING, CONVALESCENT AND EXTENDED CARE FACILITIES

A. All nursing, convalescent and extended care facilities shall have direct access to a collector or arterial roadway.
B. Minimum lot size shall be one 1 acre with a minimum frontage on a public street of one hundred fifty (150) feet.

C. Buffers and screening shall be in accordance with other provisions of this Ordinance.

D. Each nursing, convalescent, or extended care facility shall not exceed a floor area ratio of .25.

E. Parking shall be in accordance with other provisions of this Ordinance.

14.62 PRIVATE SKATEBOARD RAMPS IN RESIDENTIAL DISTRICTS

A. Regulations contained herein shall apply only to planned residential districts, residential single family districts, and residential multiple family districts.

B. Minimum lot size of 7,500 square feet is required.

C. Shall comply with setback requirements for the principal structure but in no case shall the ramp be located forward of the front building line.

D. Ramps shall be screened from adjacent properties by a solid opaque fence not less than six 6 feet in height.

E. A building permit must be obtained for the skateboard ramp structure.

F. Ramps shall not be lighted.

14.63 PUBLIC SERVICE FACILITY

A. The uses shall be restricted to water pumping stations, water treatment plants, telephone exchanges, transformer step-down locations, and similar uses required to serve the needs of the surrounding residential, office and commercial districts.

B. Noise abatement measures or increased setbacks shall be used to insure that noise levels produced by the facility do not exceed ambient noise levels of the surrounding area as measured at the zoning lot boundary.

C. The facility shall be adequately screened and buffered from adjoining land uses which may be of a lower intensity. Buffers and screening shall be in accordance with other provisions of this Ordinance for new facilities. Expansions to existing facilities shall be screened and/or buffered so that the expanded facility does not have any greater impact on the adjacent properties than prior to the expansion.

14.64 PUG MILLS AND TEMPORARY ASPHALT PLANTS IN AGRICULTURAL ZONING DISTRICT AS PART OF AN APPROVED LAND EXCAVATION SITE

A. The pug mill shall be located a minimum of two hundred (200) feet from all property boundaries.

B. The pug mill shall be located a minimum of five hundred (500) feet from any residential dwelling unit and one thousand (1000) feet from property boundaries of any school, church, or hospital.

14.65 RECREATION SERVICES NEIGHBORHOOD LEVEL

A. All courts, pools and playing fields shall meet the principal structure yard requirements of the district in which they are located.

B. All outdoor lighting shall be directional and shall not shine directly onto adjacent properties.
C. When located within or adjacent to a residential zoning district, hours of operation shall be limited from 7:00 A.M. to 10:00 P.M.

14.66 RESIDENTIAL BUILDING PERMIT SITE PLANS

All building permit requests shall be accompanied with a site plan having the following minimum standards.

A. A scaled drawing shall be on paper at a minimum of 8 ½” x 11” in size.

B. Drawing shall indicate dimensions of the property, direction of north, location of roads and/or rights of ways, easements, buildings and structures with their dimensions, location of well and septic (where applicable), linear distance of buildings from bodies of water of wetland areas.

14.67 SANITARIUM/MENTAL INSTITUTION

A. All sanitarium/mental institutions shall have direct frontage onto a collector or an arterial roadway in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.

B. The minimum lot size shall be five (5) acres with a minimum frontage on a public street of two hundred (200) feet.

C. The structures shall be located a minimum of one thousand, two hundred (1,200) feet from any residential single family or multi-family zoning district boundary permitting a density of two (2) units per acre or greater, five hundred (500) feet from any zoning district boundary permitted at a density of less than two (2) units per acre and a minimum of two hundred (200) feet from all property boundaries.

D. At the time of the conditional use request, the operator of a mental institution shall provide information on, and if approved, shall utilize adequate measures to prevent the unauthorized exit of the patients.

E. Buffers and screening shall be in accordance with other provisions of this Ordinance.

F. The Facility shall comply with all applicable Federal, state and local requirements.

14.68 SEASONAL SALES LOTS

A. The permit may be granted for up to forty-five (45) days during official Federal holiday seasons.

B. Products shall not be located in any right-of-way.

C. All parking shall be on-site.

D. The location of products on the property shall not block visibility for vehicles or pedestrians on or off the lot in a way that would create a safety hazard.

E. Sales shall be limited between the hours of 7:00 a.m. and 11 p.m.

F. All trash and debris shall be removed when sales end.

G. Written consent from the owner, or authorized agent, of the property shall be provided.

H. A recreational vehicle may be used for security, provided it has all applicable permits.

I. Signage and tents shall be in accordance with other provisions of this Ordinance.
J. Products remaining after the holiday shall be removed from the premises no later than seven (7) days after the holiday.

14.69 SELF-SERVICE ICE BUILDINGS

A self-service ice building is a self-contained ice making system that produces bags of ice. It houses a unit that is enclosed in a freezer-cooled insulated box and may operate without full time service personnel. These units are activated by the insertion of money and ice is bagged automatically or dispensed in bulk outside to the consumer.

A. Shall be allowed when accessory and incidental on parcels where the principal use is one of the following:

1. Convenience store or gasoline service station
2. Supermarket or grocery store
3. Licensed package store for the sale of alcoholic beverages for off-premise consumption
4. Marina, boat ramp, or fishing pier
5. Specialty food store such as a bakery or delicatessen
6. Recreational vehicle park
7. Amusement park
8. Commercial outdoor recreation facility, such as golf course, driving range or paintball field
9. Other uses where food and beverage items are sold for off-site consumption

B. Shall only be allowed as an accessory use on parcels that have an existing principal building.

C. Shall require Engineering Improvement Plans and a building permit.

D. Shall not exceed 400 square feet in footprint area.

E. Shall not exceed 15 feet in overall height as measured from the grade at the base to the top of the structure. This does not include the screening for mechanical equipment.

F. Shall meet required setbacks of the principal building(s) on the parcel and shall not be placed greater than fifty (50) feet distance from the principal building(s) unless deemed necessary by the Planning Official to mitigate impacts to adjoining properties.

G. Shall be architecturally compatible with the existing principal building(s) on the parcel. A building elevation plan demonstrating architectural compatibility shall be provided with an application for a building permit. Components of architectural compatibility shall include but not be limited to the following:

1. Predominant color(s) and exterior materials;
2. Primary landscape theme;
3. Lighting elements;
4. Other elements which may be relevant to a specific development and how they are compatible with the adjacent sites; and
5. Uniform Signage Plan.

H. Shall have a minimum of two (2) paved parking spaces within 50 feet of the self-service ice building (one of which shall be ADA compliant.)

I. Bollards, ramps, and any other attachments to the building shall be painted to match the building.

J. Shall be well maintained in a clean sanitary condition and free of rust, chipping paint, rips or tears and vermin.
K. All mechanical equipment shall be screened from the public view.

L. Shall not encroach on required parking, landscaping, or open space for the principal use(s) on the site.

M. Skirting shall be required around the base of the building.

N. All utilities shall be underground.

O. Shall operate in compliance with Chapter 500, Florida Statutes.

P. Shall include a landscaped area at the base of the building as follows:
   1. The landscaped area ratio to building area shall be 1:2.
   2. A landscape plan shall be submitted with the Engineering Improvement Plan.
   3. The landscaped area surrounding a self-service ice building shall create an aesthetic effect by the combined use of plant material and/or inorganic material including but not limited to grass, trees, shrubs, planters, brick, stone, natural forms, water forms, aggregate and other landscape features, but not including the use of concrete, asphalt or outdoor carpeting. The landscape plan shall illustrate compliance with these requirements, and shall emphasize aesthetics for the portions of the building facing the public right-of-way.
   4. The landscaped area shall be irrigated and maintained, as necessary, to promote healthy plant growth.

14.70 SERVICE STATIONS

A. The uses shall have direct access to an arterial or collector in conformance with Chapter 13 of this Ordinance.

B. All repair services shall be performed within a completely enclosed building.

C. All storage of vehicles awaiting needed parts shall be within the building or in a yard completely screened from off-site view.

D. All damaged or non-operable parts shall be stored indoors until removed from the premises.

E. A service station shall store all vehicle parts within a completely enclosed building.

F. Where the use abuts residentially zoned property, a minimum 20 foot buffer shall be provided. Said buffer or buffer wall shall be in accordance with other provisions of this Ordinance. Landscaping shall be in accordance with other provisions of this Ordinance.

G. All service stations abutting residentially zoned property shall use the same architectural materials (excluding windows) similar to and consistent with residential use.

H. All outdoor lighting shall be in compliance with site lighting standards contained herein.

14.71 SITE LIGHTING

A. Exterior site lighting shall be designed to prevent direct view of light source from adjacent property boundaries. However, when approved as part of an overall site lighting plan, direct view of a light source may be permitted, provided the light source utilizes the use of prismatic lens, frosted or amber globe, diffuser or shield, bulb coating, low wattage, or other means of reducing intensity of the light beyond the light source.

B. Canopy lighting fixtures, including lens covers, shall be recessed into the canopy ceiling or designed with fixture shields that prevent direct view of light source.
C. Lighting and/or electrical plans designed for non-single family residential developments shall identify the location of all exterior light fixtures. Manufacturers cut-outs identifying proposed light fixtures shall accompany all required lighting plans.

14.72 SLAUGHTERHOUSE

A. All slaughtering, butchering and related operations shall be conducted within enclosed buildings.

B. All offal shall be stored in water tight and odor tight containers.

C. The operation shall meet all Federal and State of Florida requirements and qualify for all Federal, state and local health permits.

D. All animal holding areas shall be located a minimum of one thousand, three hundred twenty (1,320) feet from any residential development or zoning district developed to or permitting a density of five (5) units per acre or greater; a minimum of five hundred (500) feet from any dwelling unity existing on adjacent property developed at less than two (2) units per acre at the time of the development or expansion of the use; and a minimum of three hundred (300) feet from any property line.

147.73 SPECIAL EVENTS

A. Permits for functions such as art festivals, parades, fairs or other special events shall be authorized in compliance with the following minimum requirements. Additional requirements may be imposed by Staff as they deem necessary.

1. The hours of operation allowed shall be compatible with the uses adjacent to the activity.

2. The amount of noise generated shall be in compliance with the County noise ordinance.

3. Applicants shall guarantee that all litter generated by the special event be removed at no expense to the County.

4. A Special Event Permit shall only be granted if Staff finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic. Utilization of off-duty police, sheriff or Highway Patrol officers to direct traffic shall be required. Cost of providing same to be incurred by the operator of the special event.

5. Traffic and parking shall be maintained without undue disruption to or interference with the normal flow of traffic. If the event requires the closure of all or a portion of a county road, the applicant must demonstrate compliance with Section 336.048, Florida Statutes. Additionally, the County Board of Commissioners may condition the permit to require special signage, barricades, the use of personnel to assist with directing traffic or other conditions which may be necessary to protect the health, safety and welfare of the public.

B. In cases where it is deemed necessary, the County Commission may require the applicant to post a bond to ensure compliance with the conditions of the special event permit.

C. In cases where it is deemed necessary, the applicant may be required to provide special event insurance coverage up to a limit of $5,000,000 per occurrence.

D. If the applicant requests the County to provide extraordinary services or equipment or the County Manager otherwise determines that extraordinary services or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the County a fee sufficient to reimburse the County for the costs of these services.
14.74 STORAGE BUILDINGS AND TOOL SHEDS

A. Accessory storage sheds shall comply with the following:

1. An accessory storage shed, less than 250 square feet and 10 feet in height, may occupy required side yard and rear yards, but shall not occupy required front yard unless otherwise provided for herein. An accessory storage shed shall not be located closer than six (6) feet to the side or rear property line. No accessory storage shed shall be located within a recorded easement.

2. Corner lots shall require accessory storage sheds to be located in the rear yard. However, accessory storage sheds may be located within the side yard, provided the accessory storage shed maintains the side yard setback required for the residential or commercial building.

3. For lots having street frontage (double frontage) along both front and rear yards, accessory storage sheds shall be located in the yard which functions as the rear yard.

4. Accessory storage sheds may be located within a front yard when authorized as a special exception by the Board of Adjustment.

B. Storage buildings and tool sheds, may be permitted in the Agriculture Development and Conservation (AC), Rural Development-One Acre (R-1, R-1M), Rural Development-Two Acre (R-2, R-2M), Estate Development (E-1, E-1A, E-2, E-2A, E-5), Residential Single Family (RS-1, RS-2, RS-3, RS-1A, RS-1C), Residential Manufactured Housing (RMH, RMH-1, RMH-1A), Residential Multiple Family One (RM-1), Residential Multiple Family Two (RM-2), and Residential Professional Business (RPB) zoning districts subject to the following criteria:

1. Must be accessory and incidental to the principal dwelling or principal use.

2. May not be located within a recorded easement.

3. Must be located in a rear yard or side yard behind the front line of the principal dwelling, unless authorized as a Special Exception by the Board of Adjustment.

4. Storage buildings and tool sheds of less than 250 square feet and 10 feet in height may be located six (6) feet from the side and rear property lines, unless the recorded easement is greater.

5. Storage buildings and tool sheds of more than 250 square feet but less than 750 square feet must meet the minimum required rear yard and side yard setback of the applicable zoning district.

6. Storage buildings and tool sheds in excess of 750 square feet must be authorized as a Special Exception by the Board of Adjustment.

7. Storage buildings and tool sheds shall be site constructed and/or prefabricated in accordance with Florida building codes.

8. Modification of vehicles, mobile homes, recreational vehicles, tractor trailers, cargo containers, temporary storage units or other structures not designed or constructed for this use shall be prohibited.
14.75 SWIMMING POOLS

A. Fencing shall be in accordance with the Standard Building Code.

B. ENCLOSURE

1. Required screen mesh enclosures with no solid roof shall not be located closer than six (6) feet to the side or rear lot line. No screen mesh enclosure shall be permitted within a recorded utility easement.

2. Swimming pools with a solid roof shall be considered a building. These can be either detached or attached to the main building. If attached, they shall meet the same setbacks and coverages as the main structure.

C. REQUIRED PLACEMENT

1. A private pool may occupy required side and rear yards, but shall not occupy required front yards unless otherwise provided for herein. A private pool and required decking shall not be located closer than six (6) feet to the side or rear property line. No pool shall be located within a recorded easement.

   a. Corner lots shall require pools and their surrounding decking to be located in the rear yard. However, pools, decking and required screen enclosures may be located within the side yard, provided the pool, decking and screen enclosure maintain the side yard setback required for the residential or commercial building.

   b. For lots having street frontage (double frontage) along both front and rear yards, pools and their surrounding decking shall be located in the yard which functions as the rear yard, provided the pool is screened from the rear street by a fence, wall or hedge, having a minimum six (6) feet of vertical height running along entire length of rear street property line.

   c. Pools may be located within a front yard when authorized as a special exception by the Board of Adjustment, provided the pool is enclosed by an architecturally finished wall.

14.76 TEMPORARY RESIDENCES

A. Manufactured homes, mobile homes, and H.U.D. certified manufactured homes may be approved as a temporary residence and shall comply with the following standards:

1. Shall be located a minimum of fifteen (15) feet from the principal dwelling.

2. Manufactured homes shall be skirted.

3. The setback requirements of the zoning district shall be met.

4. A building permit must be issued for the set-up of the temporary residence.

5. Deviations from the above standards, including the use of a recreational vehicle as a temporary residence, must be authorized as a Special Exception by the Board of Adjustment.
B. ADDITIONAL REQUIREMENTS BY USE

1. For use while constructing a Principal Single Family Residence or while repairing a Principal Single Family Residence damaged by fire, flood, hurricane or other catastrophes to the extent the Principal Single Family Residence is no longer able to be occupied.
   a. Requires the issuance of a building permit for the principal single family dwelling. The required site plan shall show the location, size and description of the temporary residence.
   b. Shall be approved for one (1) year with a maximum extension of one additional year. The temporary residence shall be removed from the property within thirty (30) days upon issuance of the Certificate of Occupancy for the principal single family dwelling regardless of the approval time period.

2. USE AS A SECURITY RESIDENCE WITHIN BONAFIDE AGRICULTURAL, COMMERCIAL OR INDUSTRIAL ZONING DISTRICTS
   a. May be authorized for bonafide agricultural and silvicultural activities including sod farming, forestry operations, mining, and the cutting, sizing and curing of lumber.
   b. The applicant shall provide evidence that a security residence, as opposed to use of periodic security patrols, is necessary to protect the property.
   c. A security residence shall not be transferred to another owner or lease of the property unless the identical conditions exist and all site conditions remain the same.
   d. Shall be approved for one (1) year and may be renewed upon application.

3. MEDICAL HARDSHIP
   a. The applicant shall provide proof, in the form of a letter from an attending physician that a medical hardship exists which requires that the infirm resident have continuous supervision.
   b. Shall be approved for one (1) year and may be renewed upon re-application.
   c. If for any reason the infirm resident ceases to reside in the principal dwelling or the temporary residence, the applicant shall notify the Planning and Zoning Office and remove the temporary residence from the property within thirty (30) days upon notification.

14.77 TICKET SALES & INFORMATION FACILITY

A. May be permitted in a commercial zoning district located in the tourist corridor as defined in Article 4, Section 16, of the Osceola County Comprehensive Plan (U.S. 192 from Osceola/Polk County to Yates Road) and commercial zones fronting on U.S. 192 to the western limits of the city of St. Cloud, except property within the Kissimmee city limits.

B. Ticket sales and information may be provided to the public within principal buildings located within an approved subdivided development site. Detached accessory structures, including, but not limited to, booths, sheds and accessory buildings shall not be utilized for the purpose of the sale of tickets or solicitation. To the extent these requirements render existing structures to be non-conforming, such structures shall be made to conform to the standards contained herein within five years at the effective date of this Ordinance.
14.78 VEHICLE RECYCLING

A. Operations shall be located in the industrial land use plan category.

B. Open storage of stacked materials shall not exceed 20 feet in height. Entire site shall be contained within a solid fence, wall or opaque buffer a minimum ten (10) feet in height.

C. All hazardous materials shall be included in a building constructed in compliance with State and Federal requirements.

14.79 VETERINARY CLINIC

A. All activities, with the exception of animal exercise yards, shall be conducted within an enclosed building.

B. If completely enclosed with four solid walls, buildings housing animal hospitals or veterinary clinics shall be located no closer than fifty (50) feet from any adjacent residentially zoned property. Buildings housing animal hospitals or veterinary clinics, which are not fully enclosed, shall be located no closer than one hundred fifty (150) feet from any adjacent residentially zoned district.

C. Exercise areas shall be not less than one hundred (100) feet from any dwelling unit on adjacent property and seventy-five (75) feet from any residentially zoned property with the exception of farm animal grazing areas containing a density of less than three farms animals per acre. Such grazing areas may be located anywhere on the lot. The operator of the animal hospital/veterinary clinic shall be responsible for using good management practices to discourage undesirable odors, insects, and excessive noise.

14.80 WASTEWATER TREATMENT PLANTS AND FACILITIES

A. Wastewater treatment plant and facilities shall have access onto a collector or arterial road. A solid architecturally finished wall, a minimum of six (6) feet in height, and berms and/or landscaping shall be required around the wastewater treatment plant. An architecturally finished wall, a minimum of six (6) feet in height, shall be required around ponds. Pump/lift stations shall be secured either by an architecturally finished wall six (6) feet in height, by enclosing equipment in lockable buildings or enclosures, or by the use of other vandal proof construction measures which will provide protection against entry or damages.

B. For all wastewater treatment plants and facilities, the engineer of record shall certify that the design plans for the plant and pump/lift stations include nuisance control (odor and noise control) mitigation measures and shall ensure that such measures are installed. The mitigation measures shall be designed relative to the facility’s size, design, and intensity and may include, in part, landscaping measures.

C. The operation of a public or privately operated interim wastewater facility shall be discontinued and public wastewater service shall be utilized within six months of the availability of public wastewater service with adequate capacity at any project boundary unless otherwise provided for in an interim wastewater treatment agreement.

D. Prior to placement of any wastewater plant and facility on-site, the developer shall provide evidence of approval from the applicable permitting agencies.

E. WASTEWATER TREATMENT PLANT TYPE 1

1. Interim wastewater treatment plants under five hundred thousand (500,000) gallons per day (g.p.d.)
2. For Type 1 plants there shall be a distance requirement of one hundred fifty (400) feet from the plant to any off-site agriculturally or residentially zoned or used land or to any on-site platted lot or dwelling unit.

F. WASTEWATER TREATMENT PLANT TYPE 2

1. Permanent wastewater treatment plants under five hundred thousand (500,000) g.p.d.

2. For Type 2 plants there shall be a distance of two hundred fifty (250) feet from the plant to any off-site agriculturally or residentially zoned or used land or to any on-site platted lot or dwelling unit.

G. WASTEWATER TREATMENT PLANT TYPE 3

1. Wastewater treatment plants of five hundred thousand (500,000) g.p.d. or greater.

2. For Type 3 plants there shall be a distance requirement of five hundred (500) feet from the plant to the project boundary. There shall be no platted lots or dwelling units within this distance requirement. If the plant is located in the industrial category of the comprehensive plan, the distance requirement shall be two hundred and fifty (250) feet.

H. NEIGHBORHOOD PUMP/LIFT STATIONS

Serving less than three thousand (3,000) equivalent dwelling units (e.d.u.). There shall be no minimum distance requirement for neighborhood pump/lift stations.

I. MASTER PUMP/LIFT STATIONS

Serving three thousand (3,000) e.d.u.s. or greater. There shall be a distance requirement of fifty (50) feet from the master pump/lift station to the edge of the lot. Only nonresidential or agricultural structures and parking may be located within the specified distance. There shall be a distance requirement of one hundred (100) feet from the pump/lift station to any surrounding residential structures or building envelopes.

J. A waiver of distance requirements for wastewater treatment plants and facilities may be approved by the Board of County Commissioners in cases involving practical difficulties, unnecessary hardship, or superior alternatives. These difficulties, hardships, and alternatives, may include, but not be limited to adjacency to environmentally sensitive land, major rights-of-way or retention areas. The waiver request shall be heard using the procedure for conditional use.

K. In instances where the distance requirements are modified, additional conditions of approval may be required.

14.81 Public School Siting and Compliance Standards

A. Intent

1. Implement the Public School Facilities Element (PSFE) of the Osceola County Comprehensive Plan and the Interlocal Agreement between and among Osceola County, the School District of Osceola County, and the Cities of Kissimmee and St. Cloud (the “Agreement”), as well as all state statutes and rules governing the siting of schools; and

2. Balance the need for an adequate and timely supply of school sites, well served by infrastructure and services, with the need of the public to preserve adjacent neighborhoods from the impacts of development occasioned by public schools and their accessory uses, buildings and structures; to mitigate off-site impacts associated with new schools or the significant redevelopment of existing
schools; and to ensure the safety and convenience of vehicular and pedestrian traffic access to all public school sites; and

3. Create siting and compliance standards for public schools that shall implement the provisions of the “Agreement” and provide additional assurances to the public that school siting decisions shall advance the urban growth strategy of the Osceola County Comprehensive Plan by promoting the development of healthy, livable neighborhoods; and

4. Establish a School Siting Review Committee as well as an expedited school siting and compliance review process that is intended to implement the provisions of the “Agreement” associated with a public school site plan review program; and

5. Utilize a school siting and compliance review process that builds upon the “Agreement” which established protocols for public school siting and planning which include regular consultation among the governing bodies and the creation of a Technical Working Group. The review process will determine the need, timing and responsibility for transportation or other types of off-site improvements and to memorialize the responsibilities and costs of those improvements within a formal agreement between the School District of Osceola County and the Osceola County Board of County Commissioners.

B. School Siting Review Committee.

1. The County’s Technical Review Staff (TRS – See Chapter 2, Section 2.8 for a description of the function, powers and authority of the TRS) is the designated School Siting Review Committee (see Chapter 2.9 (B.2)) and shall be responsible for the conduct of the Level 2 and Level 3 Compliance Reviews that precede final actions by either the Growth Management Administrator or Planning Commission pursuant to the requirements of Chapter 2, Section 2.11 of the Land Development Code.

C. Applicability.

1. Public schools, including accessory uses, buildings and structures, are herein defined as a type of land use that is permitted within specific zoning districts subject to a Compliance Review (Permitted Subject to Compliance Review or P-SCR) procedure described in Chapter 2, Section 2.11.

2. The Compliance Review procedure is applicable to the development of new schools and the significant redevelopment of existing schools. The term ‘significant’ includes either: the addition of permanent student stations that exceeds 125 percent of the existing number of permanent student stations; or the addition of accessory facilities such as outdoor recreation facilities with spectator seating, gymnasiums, auditoriums, and parking facilities with more than 50 spaces.

3. The Compliance Review for public schools shall be based on the school design and compliance standards provided in this Section as applied to a Compliance Plan submitted to the County by the School District of Osceola County or its duly authorized representative.

4. The administrative review and approval of a Compliance Plan is a prerequisite to the submittal, review and approval of a required Public School Engineering Improvement Plan (PS-EIP) for a proposed new school or significant redevelopment of an existing school. An approved PS-EIP shall be considered the final development order and authorization to construct the proposed public school development. The requirements and process for review and approval of a PS-EIP are as defined in Section 14.81 (H), and shall apply to all proposed new schools or significant redevelopments of existing schools.

5. An approved Compliance Plan shall not be a required prerequisite for proposed improvements to an existing school that does not meet the definition of a significant redevelopment.

6. Osceola County will accept an application for Compliance Review when all of the following criteria have been satisfied for the applicable school site.
Table 14.1  
Compliance Review for Public Schools  

<table>
<thead>
<tr>
<th>Zoning Categories (within the Urban Growth Boundary and Harmony Rural Community)</th>
<th>Level 1 (2) Compliance Review (Administrative Review and Approval by Planning and Zoning Manager)</th>
<th>Level 2 (2) Compliance Review (TRS Review and Growth Management Administrator Approval)</th>
<th>Level 3 (2 &amp; 3) Compliance Review (TRS Review and Planning Commission Approval)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Estate Development categories (1 to 5 acre lots)—E1, E1A, E2, E2A, E5</td>
<td>Non-Dimensional Code Waivers; Administrative Variances; Renovations and remodeling of existing elementary, middle, high and vocational school facilities that result in &lt;25% increase in FISH capacity</td>
<td>New elementary schools, and reconstruction of an existing elementary school that increases the FISH capacity by 25% or more</td>
<td>New Middle schools</td>
</tr>
<tr>
<td>All Single Family Residential categories (7500-21,780 square feet)—RS-1, RS-2, RS-3, RS-1A, RS-1C; All Residential Manufactured Home categories (7000 to 21,780 sq. feet)—RMH, RMH1, RMH1A; The Residential Professional Business category</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Residential Multifamily categories (7000-40,000 square feet)—RM1, RM2, RM3 and RPB; Commercial General (CG); Commercial Neighborhood Center; Public Institution; and Planned Development</td>
<td>New Elementary and Middle schools, and reconstruction of an existing elementary or middle school that increases the FISH capacity by 25% or more</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Industrial, Intensive Commercial, Conservation and Natural Resource Utilization Districts (1)</td>
<td></td>
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<tr>
<td>Notes</td>
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<tr>
<td>1. Public schools are not permitted within these zoning districts. A rezoning approval would be necessary to develop public schools on lands that were formerly included within one of these districts.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>2. Each level of administrative review includes the review of the Compliance Plan by the County Traffic Engineer, Development Review Manager, County Engineer, and other members of the Technical Review Staff. The final approval by the Planning Official, Growth Management Administrator or Planning Commission represents a cumulative approval of all of the applicable administrative officials with responsibility for oversight of specific parts of the Land Development Code.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Public school facilities which serve the School District at large, e.g. an administration building, bus barn, or central store, are not addressed in this Table and are not uses that are Permitted and Subject to Compliance Review.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
a. The Compliance Plan submittal provides a justification statement that the proposed school development conforms to the provisions of all applicable development orders affecting the site in force at the time of application. These include development orders for Developments of Regional Impact (DRIs) and Developments of County Impact (DCIs); and Binding Letters of Interpretation of Vested Rights (BLIVR) and all subsequent Binding Letters of Interpretation for Modification (BLIMs) if the site is located within the Poinciana Planned Development.

b. The site appears in the most recently published Annual List of School Priorities of the School Siting Book or its successor document as designated in the “Agreement”. If the site does not appear in the Annual List, the School District of Osceola County/applicant will provide a letter committing to add the site at the next opportunity for amendment.

c. The School District of Osceola County has identified the school site and coordinated with the County with respect to acquisition and development as provided in the “Agreement” relating to school concurrency and the planning and coordination of public school facilities.

d. For purposes of this Section, elementary schools are presumed to accommodate kindergarten through fifth grade, middle schools are presumed to accommodate grades six through eight; and high schools are presumed to accommodate grades nine through twelve. When other combinations of grades are proposed, the school type will be considered that of the highest grade level (e.g. a school accommodating grades four through seven would be considered a middle school.)

e. All other requirements of the Land Development Code shall apply where there is no conflict with State law or administrative rule, and when the LDC requirement does not duplicate an SREF requirement for the same subject.

f. A Compliance Plan shall be prepared in conformance with the criteria and provisions of this Section and, when approved, shall constitute a Preliminary Development Order.

g. The division of costs for off-site improvements as identified in the letter required by paragraph G(9) below shall be determined by a site-specific interlocal agreement, or other instrument as appropriate, between the School District and the Board of County Commissioners. Said agreement shall be a prerequisite to the submittal of the PS-EIP, and attached thereto at the time of initial submittal.

D. Design and Compliance Criteria for all Public Schools.

1. In considering the compliance of design of a proposed school site of any type, the following criteria shall be considered.

a. Transportation access to the proposed site avoids potential high congestion facilities such as expressway interchanges, arterial-to-arterial intersections and active railway crossings.

b. Site transportation access through road intersections that have been determined by FDOT or the County Traffic Engineer to pose hazards to pedestrians is strongly discouraged.

The Compliance Plan will address the mitigation of hazardous conditions associated with this type of access.

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1 The Annual List of School Priorities of the School Siting Book is prepared and updated annually by the School District of Osceola County.

2 The ‘Interlocal Agreement’ (ILA) refers to both the 2003 and the 2008 Public Schools and Facilities Interlocal Agreements between Osceola County, School District of Osceola County and the Cities of Kissimmee and St. Cloud, as they may be amended from time to time.

3 School site refers to the land, buildings, structures, and improvements upon which a school has been constructed, or is proposed for construction, and includes buffers and on-site drainage facilities.
c. The proposed site is located on one (1) or more publicly dedicated, maintained and paved roads and is served by sidewalks fronting any perimeter of the school site that adjoins a public thoroughfare or street.

d. In addition to the requirements of Sec. 14.24 (F) of the 2008 version of the “Agreement”, the applicable reviewer or designee (Planning Official, TRC/School Siting Committee, Growth Management Administrator and the Planning Commission) shall, in reviewing a Compliance Plan, consider the proposed plans’ consistency with public safety requirements and public liability considerations. School recreation areas, facilities, and equipment shall be designed and located to provide maximum public use and accessibility, including direct pedestrian access to nearby existing or planned residential areas wherever possible. When consistent with public safety requirements and public liability considerations, perimeter fences or walls shall include gates or other means of entry which provide pedestrian or bicycle connections to adjoining residential neighborhoods or other pedestrian/bicycle facilities. Access through these points of entry will be managed pursuant to the terms of a Joint Use Agreement between the School Board of Osceola County and Osceola County for a specific school site. This Agreement will address the hours of operation of all access points to the school site and provide for, when applicable, an extended-hour schedule to accommodate passage for pedestrians and bicyclists who utilize after-hour school programs or public park facilities that are integrated with the public school site.

e. Where proposed school sites abut parks or public recreation areas, interconnecting pedestrian access shall be required for approval of the Compliance Plan.

f. The minimum school site size shall be that area that is required to satisfy the Florida Department of Education site selection criteria plus any additional acreage necessary to accommodate all design and compliance requirements, including setbacks and stormwater management areas. The minimum school site area may be reduced to the extent that: the stormwater retention and detention requirements for the school site are satisfied through off-site facilities; or the site is located within a designated community or urban center within a “Mixed Use” Future Land Use Classification and the site plan complies with the standards for civic uses in community or urban centers.

g. The Compliance Plan shall illustrate the location of all active primary and accessory uses including, but not limited to, vehicular and bicycle parking, loading and outdoor equipment storage areas, air conditioning units, refuse collection facilities, site identification signage, lighting, and recreation areas. These uses shall be located away from adjacent residential uses unless site limitations make this infeasible, in which case the site plan must satisfy Active Edge setback requirements as specified elsewhere in this Section.

h. Off-street parking facilities shall be located within the public school site to accomplish the separation of long-term and short-term users. Access to long-term parking facilities shall be separated from designated student drop-off and pick-up locations. Short-term parking facilities may share access with designated student drop-off and pick-up locations.

i. The location of school sites shall provide logical focal points for neighborhood and community activities and serve as the cornerstone for innovative urban design standards, including opportunities for shared use and co-location of community facilities and/or services.

j. In the case of elementary and middle schools located within the Commercial, Office, or Tourist Commercial Future Land Use Map categories, or within the Commercial Restricted, Commercial General, or Commercial Neighborhood zoning districts, the Compliance plan shall provide design features that ensure the site’s safety and accessibility, which include, as appropriate, sidewalk and traffic barriers; security fences; and vehicle access controls.
k. The Compliance Plan shall be consistent with State Requirements for Education Facilities (SREF) as approved and amended, from time to time, by the Florida State Board of Education.

l. The location of school sites shall be consistent with Land Development Code or Code of Ordinances requirements that address community values and proximity to specific land uses such as drinking, gambling or adult entertainment establishments.

m. An Active Edge Setback shall be required to separate the active uses and facilities associated with public schools from adjoining developed residential land uses as one means of minimizing the nuisance effects of sound and light associated with school operations or activities. The active edge setback shall not apply if neighboring lands are primarily in non-residential use or if the property has not been subdivided for residential use. A non-residential use may also include stormwater retention/detention ponds.

n. The determination of an Active Edge Setback requirement shall be based on the adjacent land use and the type(s) of school use or facility that is proposed to be located adjacent to the applicable site boundary.

o. For purposes of this Section, ‘active use’ includes, but is not limited to: air handling/cooling/heating equipment (ground or building mounted); parking lots; active recreation facilities; service access and loading areas; primary building entrances/exits; solid waste collection facilities; and outdoor storage. Service access and loading areas generally include the vehicular use areas adjoining a building or outdoor storage area where service and delivery vehicles can park while loading or unloading or providing services to the school facilities. It is not intended that the entire length of access drives within the school site be included as part of an ‘active use’, only that portion that is within the immediate area of the primary loading/service access vehicular use area.

p. A Building and Passive Use Setback shall be required from all property boundaries for all school uses and facilities that are not included in the definition of an Active Use.

q. For purposes of this part, ‘passive use’ includes, but is not limited to: passive recreation areas that may include trails, sidewalks and bikepaths, picnic facilities; landscaped open space; stormwater detention/retention facilities; and other types of non-vehicular areas.

r. Landscaping within an Active Edge Setback is required when a school site boundary abuts existing residential uses as described in paragraph 1, above.

s. For purposes of this part, ‘active recreational facility’ shall include: any structures, such as grandstands, concession stands, ticket booths, light poles, tents, and scoreboards which are an integral part of an active recreational use.

t. Active recreational uses are characterized by such elements as: athletic fields, whether for practice or competition; outdoor courts (basketball, volleyball and tennis); and/or outdoor amenities (skatepark, Frisbee golf) that may be used for sport competition.

u. Where applicable, setbacks from Thoroughfares required by the provisions of this Code shall be provided. However, where more than one type of setback requirement may be applicable, the more restrictive one shall apply. The width of the setback shall be the determining factor in which setback is more restrictive.

v. Unless specifically provided for otherwise, uses and activities within an Active Edge Setback may include landscaped open spaces, natural vegetation, sidewalks, bike paths, stormwater detention/retention areas.

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4 A building/passive use or active use setback refers to the setback of a building, passive use, structure or active use from the applicable property line.
management areas, and passive recreational uses. Parking facilities may be permitted within an Active Edge Setback, but not closer than twenty-five (25) feet to the property boundary, when both of the following conditions are met: lighting standards are located outside the Active Edge Setback; and, parking spaces are oriented as to prohibit vehicular lights from intruding into adjoining residential properties during nighttime use. (See subsection bb. below)

**w.** Prohibited uses within required setbacks include all principal school buildings and active uses, except as may be otherwise permitted by these regulations.

**x.** Active Edge or Building/Passive Use Setbacks shall be measured from the property line to the closest active use and/or principal school building. Modular and relocatables classrooms are included in the definition of principal school building. The setback from an active use involving a recreation facility such as a sports field, basketball court, tennis court or swimming pool shall include all aspects of the use to include bleachers, fences and walls.

**y.** Where a school site boundary abuts an existing residential use as the minimum Active Edge or Building/Passive Use setback widths shall be as follows unless the Florida Building Code or State Requirements for Education Facilities (SREF) shall specify a greater setback:

- Active Edge Setback: Fifty (50) feet.
- Building/Passive Use Setback: Twenty-five (25) feet.

**z.** Landscaping is required within an Active Edge Setback and shall consist of a minimum of two (2) canopy trees with a minimum height of twelve to fourteen feet and a 3 inch DBH (diameter at breast height of fifty-four inches above ground) or 3.5 inch caliper, per 100 feet of setback length and spaced an average of no more than fifty (50) feet apart; or two (2) canopy trees, each with a minimum height and diameter that is less than eighteen feet and 4 inches, plus four (4) understory trees per one hundred (100) feet of setback length. Canopy trees shall be placed within the Active Edge Setback Area to preclude the majority of the crown of the tree, at maturity, from encroaching into the adjoining properties.

**aa.** When parking is proposed perpendicular to a property line bordering an Active Edge Setback, a continuous planting of shrubs that will form an opaque screen six (6) feet in height at maturity may be required along the property boundary.

**bb.** All landscape materials shall be native to Central Florida and landscape areas shall be irrigated with non-potable water, when available.

### E. Design and Compliance Criteria Specific to Elementary and Middle Schools.

1. In considering the compatibility and appropriateness of a proposed elementary or middle school site the following criteria shall be considered.

- **a.** The primary transportation access to the site shall be from a local street and/or a collector road. Elementary and middle schools may have secondary access to higher classified roads where the principal access is to a local street or collector and the secondary access is consistent with the access management standards of this Code.

- **b.** Elementary and Middle School sites should be located internal or adjacent to residential neighborhoods, and discouraged from sites adjacent to major arterial roadways.

- **c.** Schools sites shall not be divided by public roads, canals, electric power transmission facilities, or other facilities that pose a potential hazard to students, faculty and visitors that must traverse the facility in order to utilize school facilities.

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5 Primary transportation access would include all vehicular access locations to administrative facilities and parking for faculty and visitors.
F. **Design Criteria Specific for High Schools.**

1. In determining compliance of a proposed high school site the following criteria shall be considered.
   a. Preference should be given to a site located within a four-mile driving distance of a majority of the students anticipated to fill permanent student stations within the school. This criterion shall not apply to vocational schools, or special schools, such as high schools for the arts, for which the service area shall be presumed to be countywide.
   
   b. The site is located with one or more primary vehicular access locations to a collector or arterial roadway. Primary access to a local street shall be prohibited. Secondary access to a local street may be appropriate if controlled for emergency access only.
   
   c. The site is not located immediately adjacent to existing or planned single-family residences unless the site is of adequate size to provide the building and active use setbacks and buffers required elsewhere in this Section to protect adjacent residences from adverse noise, lighting, or activity impacts.

G. **Compliance Plan Submittal Requirements**

The following information shall be provided in graphic or written form, as necessary to satisfy the requirements. The Planning Official is authorized to waive information requirements when deemed appropriate. The applicant shall provide five paper copies and one digital copy of all submittal information and plans.

1. **General Information**
   a. Legend, including:
      i. Name of the Public School;
      ii. Legal description of the property (may be submitted on a separate sheet with the application form);
      iii. Acreage of the property;
      iv. Scale (Not more than 1" = 100');
      v. North Arrow;
      vi. Date of preparation and space for revision dates.
   
   b. A vicinity map.
   
   c. A recent aerial photograph of the site.
   
   d. A tree survey indicating the location, diameter at breast height (DBH), and type of all existing trees with a DBH equal to or greater than 2 inches. This information may be shown on the aerial photograph, a separate plan sheet or with the site plan. This requirement is applicable only for new school sites and only for the areas of the site where existing trees will be retained as part of the site landscaping or for required active edge buffers.
   
   e. Name, address, phone number and email address of:
      i. Property Owner(s);
      ii. Engineer(s);
      iii. Surveyor(s);
      iv. Architect(s), Planner(s) or Landscape Architect(s); and
      v. Agent(s) of property owner or others involved in the proposal.
   
   f. Zoning and Future Land Use Information
      i. Existing FLUM classification(s) applicable to the property;
      ii. Existing zoning districts applicable to the property, including any overlay districts.
g. Information about abutting lands, including:
   i. Names of Recorded Owners of all abutting lots and parcels (only when Level 3 Compliance Review is required).

H. Existing Conditions (Shown on a separate plan sheet)
   a. Existing thoroughfares/streets, both on and within 500 feet of the proposed school site, including:
      i. thoroughfare/street names;
      ii. location of each thoroughfare/street and associated intersections;
      iii. right-of-way of all thoroughfares/streets; and
      iv. median locations, if applicable.
   b. Existing lot lines and easements on the property, indicating the purpose of each easement, and:
      i. Utility poles, overhead power lines and street lighting poles and fixtures.
   c. Existing buildings, structures and active uses, on the property. Any buildings, structures or land areas that have been designated as local landmarks, or are listed on the National Register of Historic Places, should be specifically noted.
   d. A topographic map showing land contours at one-foot intervals. Contour lines shall be shown 50 feet beyond the boundary of the proposed school site.
   e. The 100-year flood elevation and limits of the 100-year floodplain and any floodway.
   f. Existing surface water bodies, wetlands, streams and canals, both on and within 50 feet of the proposed development, including:
      i. Normal high water elevation or boundary;
      ii. Attendant drainage areas for each; and
      iii. Area, extent and type of wetlands.

3. Proposed Development
   a. A site plan delineating proposed buildings, structures, active and passive uses, vehicular use areas such as parking areas and internal access drives, and other plan elements including:
      i. Scaled dimensions;
      ii. On and off-site tracts to be publicly dedicated for such purposes as:, storm water management; road right-of-way; pedestrian or bicycle facilities; utilities, conservation; recreation/open space; or other public use; and,
      iii. Proposed building or structure heights.

4. Proposed phasing of the school development.

5. A setback/landscape plan for the site or applicable portion thereof depicting active and passive uses and associated Thoroughfare, Building or Active Edge setbacks, landscape plantings required by the provisions of this Section (including type, size and quantities), method of irrigation of all landscaped areas, proposed walls and fences, existing trees to be retained, and methods/procedures for protecting existing trees during construction.

6. A letter from the Technical Working Group (TWG) certifying that all applicable requirements of Article VIII ("Public School Siting") of the Interlocal Agreement have been satisfied. The TWG report required in Sec. 8.02 (F) shall be attached to the letter; and shall identify off-site improvements which will be required to serve the development as determined in consultation with the County’s Traffic Engineering Director, Planning Official and Development Review Manager. Said letter will be attached to all subsequent development orders.
H. Public School Engineering Site Plan (PS-EIP) Review Elements

The PS-EIP shall be submitted for County review following approval of the Compliance Plan. The review shall address, at a minimum, the following elements.

1. Stormwater system design and operation;
2. Method(s) of connection of site-related stormwater systems to off-site conveyances and receiving bodies;
3. Impacts to floodplains and floodways;
4. Access connections to adjoining streets;
5. Proposed earthwork if the plan includes the off-site disposal of excess soil generated by the school development;
6. Fire protection, including spacing of hydrants and fire vehicle access;
7. Erosion and Sediment Control;
8. Conditions and requirements in effect for the school site as a result of a pre-existing development order or developer’s agreement.

I. Public School Engineering Site Plan (PS-EIP) Application Submittal Requirements

1. Water Management District permit package, including stormwater calculations;
2. Construction plans for all facilities required for fire protection;
3. A master layout plan for the entire development site depicting the location and dimensions of all principal and accessory buildings and uses, including vehicular use (parking) areas, access driveways, loading and service areas, and active and passive recreation uses;
4. Erosion Control Plan;
5. Approved Compliance Plan, with any required modifications, depicting required building or active edge setbacks, landscaping, irrigation and site lighting standards;
6. Right-of-way utilization permit application;
7. If excess soil will be disposed off-site, a Soil Excavation Plan will be required that describes the quantify of soil to be disposed at an off-site location, the route to disposal site(s), hours of operation of the excavation and grading activities, and other information that may be required by the Development Review Manager to evaluate the impacts to the community and haul routes.
8. Letters from water and sanitary sewer providers indicating that service is available for the proposed public school development;
9. Environmental Resource Permit (if required);
10. Compatibility Review Letter from TWG indicating completion of required review process and identifying any required off-site improvements;
11. Proposed/required off-site improvements to stormwater and other public utility systems necessary for development and operation of the school site;
12. Proposed/required off-site improvements to the thoroughfare and/or street system necessary to provide safe and adequate site access and/or address level of service deficiencies, including conditions that render an intersection as hazardous to pedestrians or bicyclists;
13. Interlocal Agreement related to the construction and funding of off-site improvements; and
14. EIP Application Review Fee.

J. The PS-EIP Review Process shall be conducted by the Development Review Manager and involve the applicable members of the Technical Review Staff. The review will be conducted and completed within ten (10) working days of receipt of a complete PS-EIP application with all required submittals and fees.