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*Fostering citizen trust and cultivating a prosperous community*

**To: The Honorable Mayor and City Commissioners**

**From: Jon C. Williams, City Manager**

**Date: August 1, 2016**

**Subject: Read by title only, set August 15, 2016 as the second public hearing date and approve the first reading of Ordinance No. 16-2093, amending the Longwood Development Code to Allow Off-Site Temporary Signs and Amending Article III Development Design Standards**

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**Introduction:**

This agenda item requests that the City Commission read by title only, set August 15, 2016 as the second public hearing and approve Ordinance No. 16-2093, a Longwood Development Code (LDC) amendment that includes changes to Article VI Signs making an allowance for off-site temporary signs for new subdivisions and Article III Development Design Standards including the measurement of setbacks and other changes intended to provide more flexibility in development design.

**Background/Discussion:**

This item is primarily driven by City Commission direction to staff at the June 6, 2016 meeting to bring forward an ordinance with provisions for off-site temporary signage for new subdivisions in the City. There are also additional minor changes proposed to Article III Development Design Standards.

***Off-Site Temporary Signage for Subdivisions***

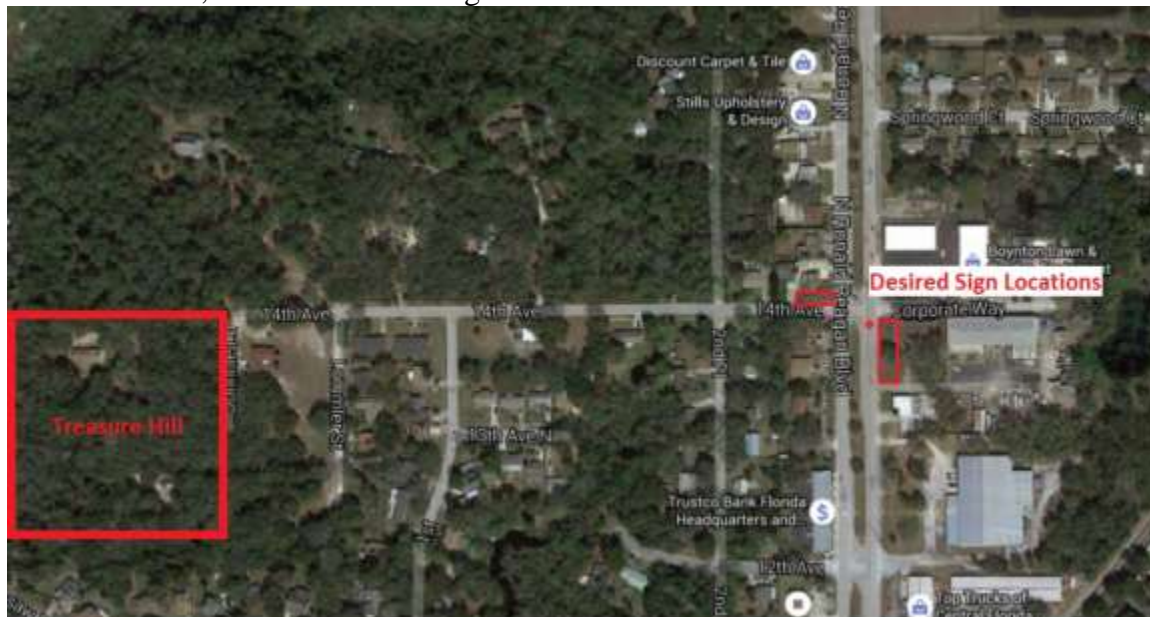
Off-site signage is a condition where signage advertises a business, subdivision, or event on different property than where the business, etc. is located. Presently, both permanent and temporary off-site signage is disallowed by the Development Code. A number of subdivisions either proposed or under construction are set back from the City's main corridors in such a way that on-site signage would not reach people on SR 434, Ronald Reagan Blvd., and 17-92.

One specific example of the issues presented involves the approved Treasure Hill subdivision. The entrance for the subdivision is set back approximately 1000 feet from Ronald Reagan Blvd. on 14th Ave. The prospective home builder would like the ability to place temporary signage for a period of 12 months with the possibility of two three-month extensions. The desired locations would be generally at the northwest and southeast corners of the intersection of Ronald Reagan Blvd. and 14th Street. A desire was also expressed for signage in the median within Seminole County right-of-way, which would require permission from Seminole County.



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Given that a number of approved and proposed subdivisions are in a similar situation to the example presented above, staff received direction from the City Commission regarding a code change that would create a limited allowance for off-site signage as it relates specifically to subdivisions that do not have frontage on the City's three major roads. It should be noted that the Florida Department of Transportation requires additional permitting and fees for off-site signage within a certain distance of state highway system roads which would apply to SR 434 and U.S. 17-92, but not Ronald Reagan Blvd.



### ***Changes to Article III – Development Design Standards***

- ***Change to Setback Measurement.*** Longwood has in recent years measured setbacks from the overhang, which is generally done to be a more accurate representation of the distance between structures. However, as many surrounding communities measure from the wall or foundation, it is occasionally a source of confusion and a request has been made that the City measure from the foundation of the building. This ordinance proposes a measurement from the vertical plane of the structure rather than the overhang. An allowance for a two-foot encroachment by eaves and overhangs has been included.
- ***Allowance for City Engineer to consider alternatives for stormwater ponds designed adjacent to transportation corridors.*** The Code contains language requiring stormwater facilities designed near major transportation corridors (roads, SunRail, etc.) to be designed as an amenity by a landscape architect. In consultation with the Acting City Engineer, it was determined that the strict application of this section could present a public safety and practicality issue in some situations. Language has been included to allow for an exemption where such issues present themselves.



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*Staff has proposed additional changes following the LPA meeting in an effort to help offer flexibility in development design:*

- ***Change to Application of Density Maximums.*** The LDC includes an incentive structure wherein certain projects seeking the maximum density in corridors must demonstrate that the project exceeds LDC standards in a number of areas including a provision of 15% of the floor area in mixed-use. While mixed-use is a desirable situation in the corridors, there is the possibility that its inclusion as a requirement for the maximum may cause some developers to be hesitant about seeking the maximum density. As density itself is desirable, staff is proposing including mixed-use an option that can be used towards reaching the maximum density in addition to the provision of other amenities or design elements that exceeds LDC minimums. The ordinance also proposed removing MDR properties from the incentive structure.
- ***Option for open space provision.*** An LDC requirement for the provision of open space remains consistent with Comprehensive Plan goals, however, staff has found that some developments may find the provision of open space undesirable on-site. The changes proposed in this ordinance allow for the developer to elect to pay into an open space/trails fund established by the City that will allow the City to meet comprehensive plan goals while providing the developer with an option.
- ***Removal of requirement for semi-pervious pavers.*** The LDC requires the use of semi-pervious paving when parking minimums are exceeded. Additionally, the City's parking minimums are generally below what the market demands for such uses, which occasionally results in situations where redevelopment projects would be asked to tear up existing asphalt solely to provide semi-pervious pavers. Staff is recommending removing this requirement.
- ***Establishment of parking standards for vehicle sales.*** Currently, vehicle sales defaults to a retail standard of 1 space per 285 square feet, which creates an undesirable amount of parking. The proposed standards are more in line with the market demand for the use.

Ordinance No. 16-2093 was advertised in the Orlando Sentinel on July 21, 2016. Ordinance No. 16-2093 appeared before the LPA on July 13, 2016 and was recommended for Commission approval 3-0.

**Budget Impact:**

There is no budget impact anticipated with this item.

**Recommendation:**

The City Manager and the Interim Community Development Services Director recommend the City Commission read by title only, set August 15, 2016 as the second public hearing date and approve the first reading of Ordinance No. 16-2093.



# City Manager 11C

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**Prepared by:**

Chris Kintner, AICP, Interim Community Development Services Director

**Reviewed by:**

Jon C. Williams, City Manager

Chris Kintner, AICP, Interim Community Development Services Director

**Attachments:**

Ordinance No. 16-2093

Ordinance No. 16-2093 (with Liner Notes)

**ORDINANCE NO. 16-2093**

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

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

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

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

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

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

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

**ARTICLE III – DEVELOPMENT DESIGN STANDARDS**

*3.2.0. - Site design standards.*

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

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

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

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

...

### 3.5.3. *General landscaping and open space requirements.*

D. Open space. Nonresidential and multifamily developments of more than 10,000 square feet in GLA that are within one-fourth mile of SR 434, Ronald Reagan Blvd., or U.S. 17-92 shall reserve at least five percent of the total site area for landscaped and useable pedestrian-oriented open space area(s). Open spaces may include parks, courtyards, landscaped gardens, outdoor dining areas, plazas, and water features; but shall not include parking or required landscape buffers. The open space may take multiple forms and be in different part of the development, but in no situation shall any section of required open space be less than 35 percent of the total amount of required open space. Where site conditions or elements of a particular use result in a situation where it is determined by the City that open space requirements may be better met off-site, open space requirements may be met by the contribution of fees to an open space/trails fund or, at the discretion of the City, in the form of direct contribution of funds to a City project that advances the City's open space goals.

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### 3.6.0. - *Mobility and parking requirements.*

...

#### C. Parking lot design.

...

3. Aisles, driveways, loading areas and access, circulation areas, parking spaces located in front of buildings, and areas subject to ADA regulation shall be paved on all properties. Parking spaces located to the side and rear of a building may be paved through the use of "eco pavers" or like semi-pervious paving materials that are

determined by the city engineer to be adequately durable for the intended use. "Eco pavers" used in this manner must be properly maintained, stabilized, and otherwise kept neat and orderly in appearance. ~~Parking spaces installed in excess of what is required are [to] utilize eco pavers or semi-pervious paving materials.~~

...

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

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

...

3.9.0. - *Stormwater management.*

...

C. *Requirements.* In addition to meeting requirements for retention or detention, all facilities shall have a perimeter planting area between the property line and the top of the slope of the retention pond. The planting area, if grassed, shall be of sufficient width to accommodate mowing equipment. Excavation to the property line shall be prohibited.

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

## ARTICLE VI. – SIGNS

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

1. Signage under this section is limited to 32 square feet and no more than 10 feet in height, and must meet all other temporary sign requirements including a 5 foot setback from the right-of-way and site distance requirements.
2. The temporary sign permit must include a notarized permission letter from the property owner which includes a rendering and relevant dimensions of the sign and the period of time allowed for sign display.
3. Signs shall be allowed until a subdivision is sold out or for a period of 12 months, whichever first occurs. Two three-month extensions may be approved by the Community Development Services Director upon presentation of sufficient justification for the extension.
4. The copy area of all temporary signs must be professionally prepared, neat in appearance, and well-maintained. All signs shall be designed and located so as to not interfere with the visibility at any intersection, driveway or otherwise create any traffic or pedestrian hazards.
5. Off-site signage adjacent to roads on the State Highway System may be subject to additional requirements through the Florida Department of Transportation. Prior to approval of the temporary sign, the applicant shall provide either proof of compliance or exemption from FDOT.

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

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

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

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

**LAND PLANNING AGENCY HEARING: July 13, 2016**

**FIRST READING: \_\_\_\_\_**



**SECOND READING AND ADOPTION:** \_\_\_\_\_

**PASSED AND ADOPTED THIS \_\_ DAY OF \_\_\_\_\_, 2016**

\_\_\_\_\_  
**JOSEPH DURSO, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**MICHELLE LONGO, CMC, CITY CLERK**

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

\_\_\_\_\_  
**DANIEL W. LANGLEY, CITY ATTORNEY**

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**Comment [A1]:**

Staff has received requests to measure buildings from the foundation rather than the overhang, which is consistent with other local municipalities.

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

**Comment [A2]:**

This change maintains an incentive structure for exceeding code minimums, but removes the mixed-use requirement. Also, sections H and I are consolidated here, with MDR removed from consideration for the 80% maximum requirement.

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**Comment [A3]:**

Creates an allowance wherein projects limited by certain site or use conditions can elect to contribute to an open space fund rather than providing open space on site.

*3.6.0. - Mobility and parking requirements.*

...

C. Parking lot design.

...

3. Aisles, driveways, loading areas and access, circulation areas, parking spaces located in front of buildings, and areas subject to ADA regulation shall be paved on all properties. Parking spaces located to the side and rear of a building may be paved through the use of "eco pavers" or like semi-pervious paving materials that are

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**Comment [A4]:**  
Given that the LDC's parking minimums are occasionally lower than market demands for parking and given the number of redevelopment projects within the City where this language would require tearing up existing lots that could otherwise remain, staff recommends removal of this language.

**Comment [A5]:**  
This relates to concerns expressed by the City Engineer about the strict application of this section.

**ARTICLE VI. – SIGNS**

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

**Comment [A6]:**  
This language is related to City Commission direction from a June 2016 meeting.

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

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

**LAND PLANNING AGENCY HEARING:** \_\_\_\_\_

**FIRST READING:** \_\_\_\_\_

**SECOND READING AND ADOPTION:** \_\_\_\_\_

**PASSED AND ADOPTED THIS \_\_ DAY OF \_\_\_\_\_, 2016**

\_\_\_\_\_  
**JOSEPH DURSO, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**MICHELLE LONGO, CMC, CITY CLERK**

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

\_\_\_\_\_  
DANIEL W. LANGLEY, CITY ATTORNEY