



Planning and Development
510 North Baker Street
Mount Dora, Florida 32757
352-735-7112

Email: plandev@cityofmountdora.com

PLANNING & ZONING COMMISSION

City Hall Board Room

June 21, 2023 at 10:00 AM

- I. Call to Order
- II. Roll Call with Determination of Quorum
- III. Approval of Minutes
- IV. Public participation/hearing for non-agenda items
- V. New Business
 - A. Ordinance to amend the Land Development Code
- VI. Announcement of next scheduled meeting date: July 19, 2023
- VII. Adjournment

NOTICE: For purposes of Section 286.011, *Florida Statutes*, two (2) or more members of the City Council may be present at this meeting and this meeting may be considered a City Council meeting although no decision of the City Council will be made at this meeting and the City Council shall comply with the requirements of controlling State law in every respect.

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, such person may need a record of these proceedings. For such purpose, a person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based. The City shall not make or perfect such a record. Section 286.0105, *Florida Statutes*.

NOTICE: In accordance with the Americans with Disabilities Act ("ADA") and Florida Statutes, Section 286.26, persons with disabilities needing a reasonable accommodation to participate in a public hearing or meeting should contact the City of Mount Dora's ADA Coordinator at least 48 hours prior to the proceeding. The ADA Coordinator may be contacted by phone at (352) 735-7126, ext. 1111, or by email at clerk@cityofmountdora.com.

If hearing impaired, telephone the Florida Relay Service numbers (800) 955-8771 (TDD) or (800) 955- 8770 (Voice) for assistance.



CITY OF MOUNT DORA

Planning and Development
510 N. Baker St.
Mount Dora, FL 32757
352-735-7113
plandev@cityofmoundora.com

DATE: June 14, 2023

TO: Planning and Zoning Commission

FROM: Development Review Committee
Michele Janiszewski, AICP, Senior Planner

RE: Land Development Code Amendments

Recommendation:

Staff recommends approval of the attached Ordinance which amends the Land Development Code in multiple sections.

Background:

Staff has compiled multiple revisions to the Land Development Code (LDC) into the attached, draft Ordinance. A summary of the revisions is provided below.

Code Section	Summary
1.4	Allows PUDs within the Mixed-Use Transitional Land Use Category; amends the definition of floor-area-ratio to exclude residential dwellings in the calculation; corrects the definition of gross and net acres; and deletes verbiage about the conservation land use category (still applicable).
3.4.3	Reduces the side setback for duplexes within the R-2 zoning district from 25 feet to 15 feet.
3.4.5	Clarifies that PUD are not granted by right
3.5.1	Updates language pertaining to average setbacks for residential dwelling units.
3.5.8	Allows a greater fence height for single-family and duplex lots abutting multi-family developments.
3.5.12	Updates the code criteria for Home Occupations to match Florida Statutes.
3.5.17	Deletes the requirement that Bed & Breakfast establishments obtain a new conditional use permit when the property changes ownership.
3.5.29	Updates the Sidewalk Café provisions to require the business to pressure wash the area on a regular basis.
3.5.30	New section which allows backyard chickens in residential zoning districts with conditions.

3.5.4	Allows accessory structures to be 25 feet or as high as the dwelling unit, whichever is greater.
3.5.5	Establishes criteria for eaves and overhangs which encroach into the setback.
3.4.16	Clarifies the process for rezoning applications for the Mixed Use zoning districts.
6.2.13	Establishes a Lot Grading section which requires impervious surfaces to maintain a three (3) foot setback from the side and rear property lines.
6.2.11	Clarifies the information needed on construction plans.
6.3.15	Codifies regulations and process for naming streets.
6.3.17	Modifies criteria asphalt improvements.
6.3.21	Establishes criteria for turn lanes.
6.6.1	Amends the impervious surface chart to eliminate prior zoning districts (M1 and M2) and include zoning districts WP-1 and WP-2.
6.6.7	Corrects scrivener's error pertaining to tree mitigation calculation
6.7.5	Clarifies the height of temporary signs.
Chapter VIII	Amends the definition of residential density to reference net acres; defines net acres; and defines flood-prone area.

Attachments:

Draft Ordinance amending the LDC

ORDINANCE NO: 2023-XX

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

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

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

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to its Land Development regulations; and

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

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

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

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

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

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

CHAPTER I. – OVERVIEW

Section 1.4. Land use category and zoning district compatibility.

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

Land Use Category	Permitted Zoning Districts

Mixed Use Traditional (Maximum FAR 3.00. Minimum Density 6.0 dwelling units per acre. Maximum Density 35 dwelling units per acre)	MU-1, C-3, <u>PUD</u>
Mixed Use Downtown (Maximum FAR 3.00. Minimum Density 6.0 dwelling units per acre. Maximum Density 35 dwelling units per acre)	MU-2, C-2
Notes:	
• Floor Area Ratio (FAR) is defined as the total floor area of a building or buildings on a parcel, <u>excluding dwelling units</u> , divided by the gross area of the parcel.	
• The gross net area of a parcel shall be defined as the full area of a parcel minus any areas within natural bodies of water, wetlands, and floodplains.	
• The maximum development potential for a parcel shall be calculated using <u>the net gross</u> area. Within land uses that allow both residential and non-residential uses, maximum density shall be calculated in addition to the maximum intensity.	

~~The proposed development must either be consistent with the land use designation or an application must be filed to amend the comprehensive plan. This may be done concurrent with an application to rezone.~~

~~Areas designated as "conservation" were mapped based on the best information available at the time of preparation of the comprehensive plan. If information is presented to, and accepted by, the city showing that an area is improperly mapped, then the adjacent land use designation shall apply.~~

CHAPTER III. - ZONING REGULATIONS

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

5. Site development standards:

		Single-Family Dwelling	Duplex

d.	Minimum building setback (ft.) - Note*:		
	Front yard	20	20
	Side yard	7	7
	Rear yard	20	20
	From any street	15	<u>25 15</u>

Section 3.4.5 PUD Planned Unit Development District:

7. Special Provisions: The Planning and Zoning Commission and City Council may deny the Planned Unit Development application or return the PUD to the applicant for revisions. Planned Unit Developments are not guaranteed or a given by right. Consideration of a PUD is at the sole discretion of the City and may be rejected or denied for any reason.

Section 3.5. - Supplemental regulations.

Section 3.5.1 Setback relief for single-family residential dwellings: The front, street (corner), rear and side yard setback requirements of this code for single-family residential dwellings ~~shall not apply~~ may be reduced on any lot where the average setback of existing buildings located within 200 feet surrounding the property lines is less than the code requirements. In such cases, the setback on such lot may be less than the required setback but not less than the average of the setbacks of the aforementioned existing buildings. Documentation and evidence of the averaging setback within the prescribed area shall be provided by professional surveyor. In no case shall the reduced setback be less than five (5) feet from the property lines or create a public safety hazard by obstructing vehicular visibility or other means.

Section 3.5.8. Fence requirements.

2. Height of fences. Fences in single-family and duplex residential zoning districts shall be limited to six feet in height in the rear yard, side yard and street side yard. No fence installed at a height of six feet along street side yards shall be located closer to the street side yard property line of the lot, parcel, or piece of land upon which the fence is located, than the distance required by the zoning regulations of the city for side yards in the zone in which the property is located. Fences may be installed in the front yard not to exceed four feet in height. Further, fences four feet or greater in height cannot be installed within the street side yard setback of the zoning district.

Special Provisions: In cases where existing single-family or duplex residential dwelling is located adjacent to existing multi-family structure the side and rear fence height shall be limited to 8 feet in lieu of the 6 feet fence height listed above.

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

Section 3.5.12. *Home occupations.* ~~Home occupations shall be allowed only when there is no appearance of commercial activity. No signs shall be permitted. Pickup and delivery, vehicular and pedestrian traffic should not exceed normal traffic to and from other residences in the neighborhood. No adverse noise, light or dirt impacts will be allowed. All equipment used in the business must be stored in an enclosed structure. For contractors and handymen, no materials may be stored on site. If it is determined by the development review coordinator that the above criteria are met, the home occupation license shall be granted. If, in the opinion of the development review coordinator, the subject home occupation does not meet one of these requirements the home occupation shall be denied.~~ Home occupations are permitted as a secondary use to a residential dwelling, shall maintain a business tax receipt and shall operate in accordance with Federal law, Florida law and any City code requirements related to parking, signage, equipment or processes that create noise, vibration, heat, smoke, dust, glare, fumes, or noxious odors or with respect to the use, storage, or disposal of any corrosive, combustible, or other hazardous or flammable materials or liquids.

Section 3.5.17. *Bed and breakfast establishments existing prior to the adoption of Ordinance No. 2020-03.* A bed and breakfast establishment which existed with a conditional use approval prior to the adoption of Ordinance No. 2020-03 shall be considered a legal non-conforming use subject to the provisions of City of Mount Dora Land Development Code, chapter III, section 3.5.7, except for section 3.5.7.1.e. ~~A change in ownership of the property upon which any such legal non-conforming bed and breakfast establishment is located shall require a new conditional use approval subject to the existing code requirements at the time of application. Such new conditional use approval must be secured within 90 days of the date of change in ownership.~~

Section 3.5.29 Sidewalk Café.

6. *Standards and criteria.*

- g. The adjacent sidewalk shall be pressure washed with a commercial-grade pressure washer at least quarterly. The permittee must maintain records of each pressure washing and must provide these records to the City upon request. Satisfying this requirement does not absolve the permittee from otherwise keeping the sidewalk café area, the adjacent sidewalk clear path, and the adjacent sidewalk café area in a clean and safe condition at all times.

Section 3.5.30 Backyard Chickens: Chickens, other than roosters, shall be allowed for personal use as an accessory use associated with existing single-family or duplex residential dwellings within the GB, R-1AAAA, R-1AAA, R-1AA, R-1A, R-1, R-1B, R-2, and R-3 Zoning Districts subject to the following requirements:

1. Any person keeping, harboring, raising or maintaining chickens as an accessory to an occupied dwelling unit shall be subject to the following restrictions:
 - a. Chickens are prohibited on vacant lots. The lot or parcel must be developed with a primary residential dwelling;
 - b. No more than five (5) chickens may be kept;
 - c. Slaughtering of chickens is prohibited;
 - d. Chickens must be secured within the chicken coop or fenced enclosure at all times;
 - e. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container;
 - f. No manure shall be allowed to accumulate on the floor of the coop or ground. A fly-tight bin for storage of manure shall be utilized; the size shall be sufficient to contain all accumulations of manure. The fly-tight bin shall be kept at least twenty (20) feet away from all property; and
 - g. Composting of chicken manure shall be allowed in an enclosed bin. The composting bin shall be kept at least twenty (20) feet away from all property lines.
2. Chicken coop or fenced enclosure used to house chickens. Any chicken coop or fenced enclosure used to house chickens shall:
 - a. Not be located in the front or side yards; and
 - b. Be set back a minimum of twenty (20) feet from all property lines.

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

6. Height limit. No accessory structure shall exceed a height of 25 feet or the height of the dwelling unit, whichever is greater and one story.

Section 3.5.5. *Yards.*

1. Every part of a required yard shall be open from its lowest point to the sky, unobstructed, except that an overhang or eaves may project into the required yard five (5) feet or half the width of the established setback, whichever is less.

Section 3.4.16 MU-1 Mixed Use Traditional and MU-2 Mixed Use Downtown Districts:

16. *Process and application requirement*, the applicant for mixed use development shall in addition provide the following information:
 - a. ~~Mixed use master plans, when required, shall follow the same PUD application, submittal requirements, and approvals procedures of this code: Preliminary mixed use master plan, final mixed use master plan, and final site plan and plat (these steps may be combined).~~ Establishment and assignment of the Mixed Use Traditional (MU-1) and Mixed Use Downtown (MU-2) shall following the normal rezoning application process of this code and include a concept master plan outlining the development plan, uses, and performance standards as shall serve as the development master plan for the proposed mixed-use project.

CHAPTER VI. - DESIGN STANDARDS

Section 6.2.13. Lot Grading. Lot Grading is the movement, extraction and/or placement of soils within the limits of an individual residential lot or parcel boundary.

1. Lot Grading shall not adversely affect surrounding or downstream wetlands, floodplains or neighboring property. Runoff directed to drainage easements shall not be considered an adverse impact. The volume, rate and quality of stormwater runoff shall be consistent with conditions prior to the lot grading, or consistent with approved site or lot grading plans.
2. Lot Grading Requirements in subdivisions where a Mass Grading Plan was approved.
 - a. In a subdivision where a mass grading plan was approved by the City in connection with the approval of a subdivision plat, any lot grading which occurs on a lot shall be consistent with the mass grading plan. Building permit shall include information about the grading plans on the individual lot to ensure that the lot grading is consistent with the mass grading plan.
 - b. Should an individual lot owner wish to conduct lot grading which is inconsistent with the mass grading plan for the subdivision, prior to the lot grading taking place a lot grading plan shall be required to be submitted and approved by the City.
3. Impervious surfaces may encroach into the established yard setback, provided a minimum three (3) foot setback is maintained on the property lines and the impervious surfaces do not adversely impact a drainage easement. Driveways are exempt from this requirement.

4. Additional impervious surface may intrude into the three (3) foot side or rear setback under the following circumstances:
 - a. Impervious surface is installed in no more than two (2) areas with a maximum size of four (4) feet by four (4) feet each, for the purpose of supporting mechanical equipment, pool equipment, electric generators, step-off pads and other similar uses; or
 - b. A detailed plan is submitted by the owner or applicant demonstrating that stormwater will be conveyed in a way to protect neighboring property. Drainage pipes, underdrains, inlets, or other approved methods may be used to convey the stormwater. The plan shall be reviewed and approved prior to construction of an alternative method of stormwater conveyance.

Section 6.2.11 *Stormwater management plan requirements.*

- c. Construction plans including, but not limited to, the following:

8. ~~Density of the project.~~ Scope of project (density, intensity, and land uses).
9. Natural features (wetlands, water features, floodzones with base flood elevation, and karst features).
10. Lot grading plans to control final lot grading which delineate the building footprint, include flow arrows, and specify the following:
 - i. Finished grade elevations at all lot corners and at every location that the lot slope changes in order to drain according to the lot grading diagram for that lot.
 - ii. Finished floor elevation of the building.
 - iii. Finished ground elevations at all exterior corners of the building at least 8-inches lower than the finished floor elevation and comply with Section 6.2.5. Protection from flooding.

Section 6.3. - Roads.

6.3.15. *Street names.* New street names shall not duplicate, or closely approximate phonetically, in spelling or by use of alternative suffixes, such as "lane," "way," "drive," "court," "avenue" or "street," the names of existing streets, except that a new street that is an extension of or in alignment with an existing street shall bear the same name as that borne by such existing street. Street naming shall be as follows:

1. The names of public or private streets shall not be duplicates of names of existing streets or private way.

2. The selection of names shall be coordinated with the Lake County Emergency 9-1-1 communications system and City communication systems.
3. The City and/or developers shall avoid street names that are likely to be confused with the names of existing public streets, private streets, or private ways.
4. Street name changes must be adopted by resolution, following public hearing. Notice of the public hearing will be provided to all property owners whose property abuts the street to be renamed. Notice will also be provided to any businesses located on the street to be renamed. Public notice shall also be provided in the newspaper in advance of the public hearing. The adopted and signed resolution shall be forwarded to Lake County and duly recorded in the Lake County Clerk of Court. Other agency notifications shall follow the listing maintained by the Planning and Development Department.
5. No separate name shall be used for a cul-de-sac that provides street frontage for three or less lots. The name shall be the same as that of the intersecting street. Where there is a series of long and short cul-de-sac, however, each should have separate names.
7. The developer shall be responsible for naming streets within a project. Names should be chosen that relate to the scale and location of a project, which helps establish locational identity. Before preliminary development plan approval the developer shall submit proposed street names to the Planning and Development Department. The final construction plan and plat shall include the overall tract illustrating the proposed street layout and proposed street name.
8. Unacceptable city street names. Numerical names (such as one, two, three, etc.) except numbers which continue the established grid pattern (such as First Avenue, Second Avenue, etc.); alphabetical letters (A, B, C, etc.); complicated; and compound names (may be used sparingly however) shall be avoided on streets less than 1,000 feet.
9. Directional type street names shall be prohibited as part of a street name, such as east, west, north, and south; however, such name may only be used to reference the approved grid numbering system (such as 100 East Fifth Avenue).
10. Definition of thoroughfare designations. All roadway suffix names shall be used for street naming within the City. Street suffixes not mentioned below may be used, provided the developer or property owner obtains approval by the Planning and Development Department.
 - a. Alley or alleyway: Located in the rear of residential or commercial lots and used for servicing structures fronting on regularly established roadways.
 - b. Avenues: A roadway running in a west-east direction.
 - c. Boulevard or parkway: A roadway divided by a landscape center island or median, used as a minor collector and serving as an internal traffic collector.

- d. Circle: Streets which form a ring-like shape. All circles shall contain one name.
- e. Courts: Permanently closed street such as a cul-de-sac generally less than 1,000 feet. All courts shall have one name only.
- f. Drives: Curving or meandering streets generally longer than 1,000 feet.
- g. Lane: One-block roadway in a north-south or east-west direction, generally less than 1,000 feet long.
- h. Loop: Short circular roadway which configuration is a U-shape (horseshoe-shape).
- i. Parkway: (See Boulevard.)
- j. Place: A cul-de-sac or permanent dead-end road.
- k. Road: Thoroughfares or minor arterials that run in any direction.
- l. Street: A roadway running in an north-south direction
- m. Way: Diagonal street in a northwest-southeast or northeast-southwest direction, generally less than 1,000 feet long.

Section 6.3.17 *Specifications for improvements.*

4. ~~Wearing surface. The material used for the wearing surface shall be a Florida DOT asphaltic concrete mix of Type SHI, or Florida DOT modifications thereof, having a Hubbard Field Stability of not less than 2,000 pounds. The wearing surface shall have a compacted nominal thickness of 1½ inches with a tolerance of ¼ inch, with an absolute minimum of one inch compacted thickness. On all arterial streets and all streets in commercial or industrial subdivisions, the wearing surface shall be constructed no less than 1¾ inches thick in any place, with a tolerance of one fourth inch. Ponded water due to paving inaccuracies shall be limited to a water depth of no greater than one fourth inch. Ponding in excess of this depth shall require correction.~~

~~A certified copy of the design mix shall be filed with the city, stating the type and design stability of the product used. Any deviation from this stability requirement will be considered only after review and documentation of the special circumstances. The completed road shall be guaranteed by maintenance bonding for a period of two years.~~

The wearing surface shall be asphaltic concrete structural course conforming to the latest edition of the FDOT Standard Specifications for Road and Bridge Construction, currently Section 334 Superpave Asphalt Concrete. The pavement

shall have a performance period of at least 25 years with no major rehabilitation measures required for at least 15 years from the date of construction acceptance.

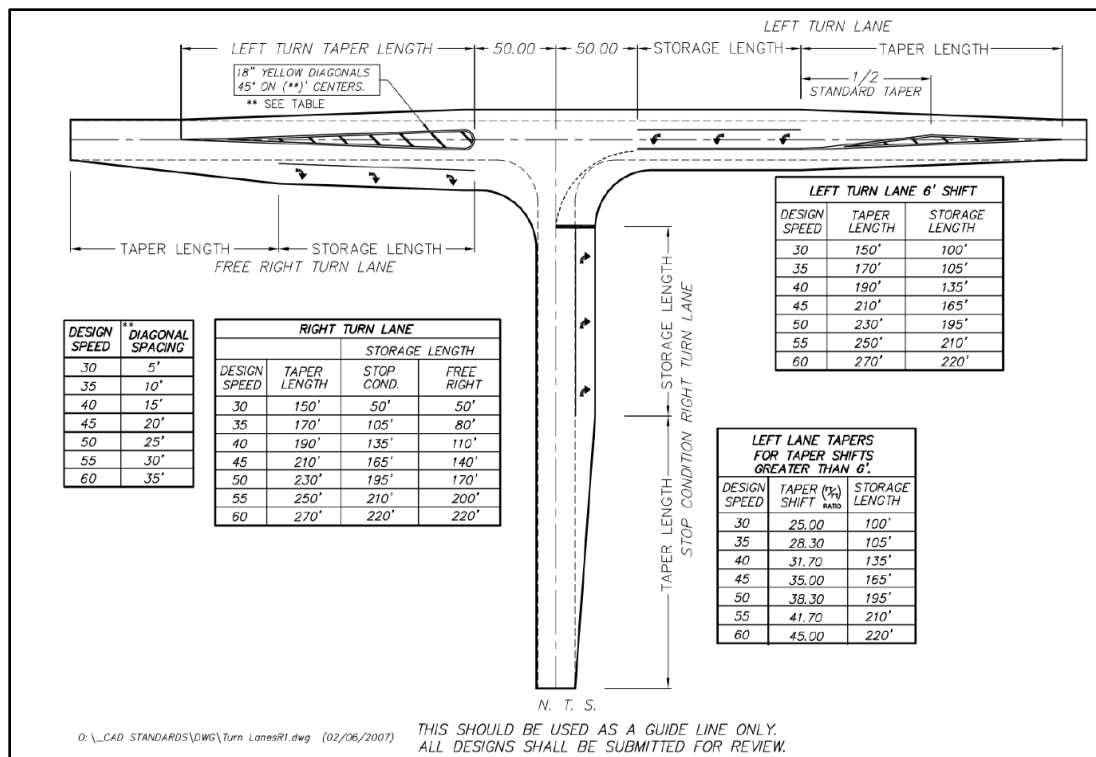
The pavement design engineer shall file a signed and sealed copy of the design mix with the City that includes a statement that the pavement design satisfies the required performance periods. The developer shall provide a maintenance bond to guarantee the completed road for a period of two years.

The wearing surface shall have a compacted nominal thickness of 1¼ inches with a tolerance of ¼ inch and an absolute minimum of one inch compacted thickness. On all arterial streets and all streets in commercial or industrial subdivisions, the constructed wearing surface shall be no less than 1¾ inches thick in any place with a tolerance of one-fourth inch.

Ponded water due to paving inaccuracies shall be limited to a water depth of no greater than one-fourth inch. Ponding in excess of this depth shall require correction.

6.3.21 Turn Lanes. Turn lanes consist of left-turn lanes and right-turn lanes (deceleration lanes).

1. Turn lanes shall be installed on the road which is being accessed at the proposed entrance(s) to the development, as deemed necessary by the City Manager or Designee. The City Manager or Designee may also require turn lanes at adjacent or nearby intersections in lieu of, or in addition to, turn lanes at the development entrances.
2. Conditions which are to be considered in determining the need for turn lanes include the following:
 - a. If the property accessing the road is projected to generate 500 or more vehicle trips per day, or 50 or more vehicle trips in any hour;
 - b. If a traffic analysis indicates that turn lanes would be necessary to maintain capacity on fronting roads and/or on adjacent or nearby intersections.
 - c. If entrances are proposed at locations where grade, topography, site distance, traffic, or other unusual conditions indicate that turn lanes would be needed for traffic safety. The need for turn lanes to accommodate right turn movements and left turn movements shall be based upon anticipated traffic distribution and projected turning movement volumes among other considerations, including traffic safety.
3. Turn lanes shall be installed in accordance with the standards depicted below.



6.6. - Landscaping and buffers.

Section 6.6.1. *General requirements.* The landscape requirements contained herein shall apply to all new development with the exception of city parks.

No additions or improvements may be made on existing developed property unless the development conforms to the regulations contained herein.

City parks shall be exempt from the regulations contained herein; however, landscape improvements shall be required at the discretion of the city council.

In order to fulfill the purposes of this code and to allow for necessary recharge, impervious surface may cover no more than the percentage of the site area (land above the mean high water line) shown below:

District	Percentage

<u>M1 WP-1</u>	65
<u>M2 WP-2</u>	65

Section 6.6.7. *Preservation of existing trees.*

1. *Tree removal and replacement program requirements:*

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

Total existing number of trees sized 6"—23.99": _____

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

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

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

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

Total number of trees placed at ratio ~~1:1~~ 1:6 (for trees removed 24" or greater): _____

Total number of trees replaced: _____

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

6.7. - Signs.

Section 6.7.5 *Temporary signs.*

3. Temporary Sign Height. Temporary signs are limited to the following heights based on the zoning district or use of the property on which it will be erected as follows:

a. GB, C-2, C-2A, RP, PLI, and OP: 5 feet

b. Residential uses: 6 Feet

c. Non-residential uses: 10 feet

CHAPTER VIII. – DEFINITIONS

The following definitions shall apply throughout this code. Words not specifically defined or otherwise explained within this code shall be as defined in a standard dictionary or as understood by the development review coordinator. Definitions specifically related to signage shall be found within Chapter VI, Design Standards, Section 6.7, Signs.

Density, residential: Refers to the number of residential dwelling units permitted per ~~gross~~ net acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel; less preservation and undevelopable areas, or areas below the normal high water line of a lake, wetlands and floodplain areas. In the determination of the number of residential dwelling units to be permitted on a specific parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

Flood-Prone Area. Any area which lies at or below the water surface elevation of the Base Flood.

Net Acre: The total area of a parcel, or combination of parcels, proposed for development, of land minus wetlands, water bodies and areas lying below the flood prone areas.

SECTION 3. IMPLEMENTATION OF ADMINISTRATIVE ACTIONS.

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

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS.

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

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

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

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

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

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

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

PASSED AND ADOPTED this _____ day of _____, 2023.

FIRST READING: _____

SECOND READING: _____

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jeanann Hand, City Clerk

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

Sherry G. Sutphen, City Attorney



CITY OF MOUNT DORA, FLORIDA

PLANNING AND ZONING COMMISSION MINUTES

May 17, 2023

I. Call to Order

Having been duly advertised as required by law Chairman, Harmon Massey called the regular meeting of the Planning and Zoning Commission to order at 10:00 a.m. on Wednesday, May 17, 2023.

II. Roll Call with Determination of Quorum

Present: Harmon Massey, Tom Dring, Kris Haukoos, Adrian Coombes, James Homich, Miles Beach and Barbara Tietmeyer

City Staff and Attorney: Vince Sandersfeld, Planning Director; Michele Janiszewski, Senior Planner; Ryan Winkler, Senior Planner ; Whitney Scott, Administrative Coordinator; Sherry Sutphen, City Attorney

Presenters: Ms. Janiszewski, Senior Planner

III. Approval of Minutes

Mr. Massey stated that an amendment is necessary on page three, changing the language from "Golf Club to Golf Cart". Staff acknowledged and made the correction. Mr. Homich motioned to approve the meeting minutes dated April 19, 2023. Mr. Coombes seconded the motion and the minutes were approved unanimously with a 7- 0 vote.

IV. Public participation/hearing for non-agenda items

None

New Business

A. Land Development Code: Model Homes

Ms. Janiszewski provided a summary of the proposed application and stated that Staff recommends approval of the attached Land Development Code Amendment for Model Homes, subject to City Attorney review and forward the draft to City Council.

Discussion on requirements for sales office per plats.



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Conversation on plat recording and model home conversions. Ms. Janiszewski clarified that once the plat is recorded, individuals can come in for dwelling units on each lot.

Mr. Dring and Ms. Janiszewski discussed public inspections and required permitting for model homes.

Discussion on City Council's role in regulating/delegating model homes vs. the Planning and Zoning Commission.

Ms. Sutphen clarified that it was presented at the City Council Level and they wanted to be responsible for determining the number of model homes allowed, to help regulate compliance matters with builders.

Conversation regarding on building limitations.

Mr. Homich and staff had a conversation regarding section 4d of the presentation provided by staff. Staff and board agreed that verbiage should be changed to "And".

On a motion by Mr. Homich, seconded by Mr. Dring, the Board voted to approve with the change of verbiage to "And" with a 7-0 vote.

**FOR: Massey, Dring, Haukoos, Coombes, Homich,
Beach & Tietmeyer**

AGAINST:

MOTION CARRIED: 7-0

B. Land Development Code Presentation: Workshop on proposed changes

Ms. Janiszewski provided a summary of the proposed changes for the board's feedback.

Discussion on PUD zoning district, regarding changing building height dependent on guidelines.

Mr. Sandersfeld clarified the PUD process and stated that the requirements regarding the criteria of the drawings/reports, are a final and duplicate each other.

Mr. Sandersfeld discussed receiving feedback from board and continuing discussions at future meetings.



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Further discussion on flexibility regarding the purpose/intent for the PUD process.

Discussion on fence/buffering height increase, for existing single family's adjacent to multi-family properties.

The board agreed that there should be opportunities for exceptions. Mr. Sandersfeld stated that staff will further review and address with board at upcoming meeting.

Mr. Homich and staff had a conversation regarding clarification on asphalt mix. Mr. Sandersfeld stated that staff will bring language to board for further clarification.

Conversation on Backyard Chicken ordinance. Ms. Janiszewski provided Lake County's adopted ordinance for the board to consider.

The board agreed that Lake County's ordinance is a good set of guidelines for the City to utilize.

Mr. Homich and staff discussed section 3.5.1 of the Land Development Code, regarding clarification for setbacks and possible language revisions.

Further discussion on exceeding current volume/square footage, concerning maximum footprint for new home construction.

Mr. Sandersfeld stated that staff will do some research and provide more information.

Conversation on Sidewalk Cafe maintenance and implementing temporary permits for sidewalk sales.

Discussion concerning sidewalk obstruction and other code enforcement issues within the City.

Mr. Sandersfeld stated that these are issues that can be addressed with staff.

Announcement of next scheduled meeting date

A. Next regularly scheduled meeting date: June 21, 2023

Adjournment

On a motion by Chairman, Harmon Massey, the meeting was adjourned at 10:54a.m.



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Whitney Scott,
Administrative Coordinator

Harmon Massey,
Commission Chair

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