

Summary of Ordinance

The purpose of this Ordinance is to amend Chapter IX, Lake County Code, Appendix E, Land Development Regulations, entitled Development Design and Improvement Standards. Specifically, this Ordinance creates Section 9.10.04 entitled ‘State Road 50 and US 27 Commercial Corridor Design Criteria’ which establishes design criteria for properties within the State Road and US 27 Commercial Corridor.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, APPENDIX E, “LAND DEVELOPMENT REGULATIONS” TO ESTABLISH SECTION 9.10.04 ENTITLED ‘STATE ROAS 50 AND US 27 COMMERCIAL DESIGN CRITERIA;’ PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the County desires to amend Chapter IX of the Land Development Regulations to establish design standards affecting those properties located within the State Road 50 and US 27 commercial corridors, as established on the Lake County Future Land Use Map; and

WHEREAS, on the 2nd day of October, 2019, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board, who considered this ordinance and recommended approval; and

WHEREAS, on the 22nd day of October, 2019, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners; and

WHEREAS, the Lake County Board of County Commissioners determines that these amendments are in the best interests of the citizens of Lake County, Florida.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein.

Section 2. Amendment. Section 15.02.11, Lake County Code, Appendix E, Land Development Regulations entitled ‘State Road 50 and US 27 Commercial Corridor Design Criteria,’ is hereby established and shall read as follows:

1 **9.10.04 State Road 50 and US 27 Commercial Corridor Design Criteria.**

- 2 A. **Intent.** The intent of the State Road 50 and US 27 Commercial Corridor Design Criteria is
3 to promote a more orderly, quality and cohesive development pattern. Further, the State
4 Road 50 AND US 27 Commercial Corridor Design Criteria encourages development to
5 provide for a mix of uses that provides for all modes of active and motorized transportation
6 for all modes and abilities.
- 7 B. **Boundary.** The State Road 50 and US 27 Commercial Corridor Design Criteria established
8 herein affects those properties located within the State Road 50 and U.S. Highway 27
9 Major Commercial Corridors, as established on the Future Land Use Map.
- 10 C. **Applicability.** The requirements of this Section are applicable to all new development and,
11 redevelopment of any parcel of land. All substantial enlargement or substantial
12 improvement of any land use or building within the State Road 50 and US 27 Commercial
13 Corridors shall comply with the requirements of this Section per the following:
- 14 1. New development means the construction of a building upon a vacant parcel;
15 construction of a building upon a parcel whereon a building existed as of the
16 effective date of this Ordinance and such building was razed; or the construction,
17 alteration, improvement, expansion, renovation or modification of a building which
18 involves the complete demolition of said building. Notwithstanding the foregoing,
19 "new development" does not include the construction, alteration, improvement,
20 expansion, renovation or modification of all or part of a building razed or
21 demolished by (or which is required to be razed or demolished due to) an Act of
22 God when such building, or portions thereof, legally existed and lawfully
23 conformed with the Code prior to the effective date of this article.
 - 24 2. Substantial modification means any improvement, expansion, renovation,
25 alteration, construction or modification of a building or accessory structure existing
26 as of the effective date of this article in which said improvement, expansion,
27 renovation, alteration, construction or modification:
 - 28 a. Results in greater than a 50 percent increase in the total square footage of
29 the existing building and accessory structure footprint if said existing
30 building and accessory structure footprint is 10,000 square feet or less; or
 - 31 b. Results in greater than a 25 percent increase in the total square footage of
32 the existing building and accessory structure footprint if said building and
33 accessory structure footprint is greater than 10,000 square feet; or
 - 34 c. Results in an improvement, expansion, renovation, alteration, construction
35 or modification where the cost of the proposed improvements is greater than
36 50 percent of the assessed value of the existing improvements. For purposes
37 of this paragraph, "assessed value" shall be as determined by the Lake
38 County Property Appraiser and "costs of the proposed improvements" shall
39 be submitted with a cost estimate from the contractor and approved by the
40 building official; or
 - 41 d. Results in greater than a 100 percent increase in the number of existing
42 paved parking spaces, as required and in compliance with the by the Code,
43 due to a change in the use of the subject property when compared to the
44 existing number of paved parking spaces required for the prior use of the
45 subject property.

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3. Non-Substantial modification means any improvements, expansions, renovations alterations or modifications of a building or accessory structure existing as of the effective date of this article in which:

- a. Results in a redevelopment, modification, alteration, renovation or refurbishment of the existing business building façade and building design with no proposed change of uses for the subject property.
- b. It is expressly provided that the reconstruction of a building or accessory structure, or portions thereof, legally existing and lawfully conforming with the Code as of the effective date of this article shall not constitute a "Substantial Modification" provided that: (1) such reconstruction is necessitated due to a natural disaster; (2) such reconstruction is substantially similar to such building or accessory structure, or portions thereof, which was damaged or destroyed by an Act of God; and (3) such reconstruction does not cause nonconformity with the provisions of this article or increase its size, height, or other physical characteristics or intensity of the site when compared to the building or accessory structure, or portions thereof, which was destroyed or damaged by an Act of God.

D. **Design.** All land development within the State Road 50 and US 27 Commercial Corridor shall conform to the applicable provisions of this land development code and all other county codes. The following site/building design criteria are required in addition to, or in lieu of the applicable provision of the land development code. When in conflict, the provisions of the State Road 50 and US 27 Commercial Corridor shall take precedence.

- 1. Site circulation.
 - a. Access to a site shall maximize shared ingress and egress and minimize access from Highway 50 and US 27 to individual uses.
 - b. Access within a site shall provide cross access between all adjoining parcels and uses, maximizing multiple options for internal circulation.
 - c. A pedestrian circulation plan shall be required for all development proposals within the State Road 50 and US 27 Special Overlay District. This plan shall demonstrate how each use is internally connected to ensure safe access for pedestrians.
 - d. All properties with frontage along Highway 50 and US 27 shall provide a direct pedestrian connection(s) to the sidewalk system on Highway 50 and US 27.
- 2. Drive thru facilities
 - a. Drive thru facilities should be located to have the minimal visual impact on Highway 50 and US 27 while ensuring safe vehicular movement on site. Drive thru lanes should not be front facing.
 - b. Drive thru canopies colors materials, architectural details of the canopy supports shall be consistent with the principle building and building façade.
 - c. All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as "neutral."
 - d. Canopies must be one color, consistent with the predominant color of the principal structure.
 - e. Accent banding, which is color banding on all structures including canopies is prohibited.

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- f. A clearly defined pedestrian route shall be provided. Pedestrian routes travelling through the drive thru lanes shall be prohibited.
- 3. Building – Street Relationship. Buildings shall be setback from State Road 50 and US 27 a minimum of ten (10) feet and a maximum of sixty (60) feet. The setback may be increased if additional right of way is needed, as determined by FDOT.
- 4. Convenience Stores with Gasoline Sales

 - a. All convenience stores with gasoline sales shall have canopies and awnings where the form, pitch, colors, materials and architectural details used for the canopy roof shall be designed to appear as an extension of the roof covering the principle structure.
 - b. The colors, materials and architectural details of the canopy supports shall be consistent with the principle building and building façade.
 - c. All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as “neutral.”
 - d. Canopies must be one color, consistent with the predominant color of the principal structure.
 - e. Accent banding, which is color banding on all structures including canopies is prohibited.
 - f. A clearly defined pedestrian route, distinguished by varied paving treatments shall be provided between fueling pumps and the primary entrance(s) to the building.
 - g. The design elements of the pump island, canopy and the primary building shall be aesthetically compatible using the same colors, materials and architectural details.
- 5. Water Retention and Detention Areas Natural and man-made bodies of water, which are located adjacent to public rights-of-way and are greater than 20,000 square feet in area shall be incorporated into the overall design of the project with one of the following:

 - a. Provide a minimum of eight-foot sidewalk with trees planted an average of fifty (50) feet on center and shaded benches a minimum of six-feet long, every 150 linear feet.
 - b. Provide a public plaza/courtyard, 200 square feet minimum, shaded benches and picnic tables adjacent to the water body.
- 6. Corporate logo colors corporations commonly use colors as an identifying building feature, which is in contrast to the primary building colors, will be regulated as part of the Commercial Design Standards. Any areas of the building façade, which use colors identifying the color scheme of the corporate brand will be considered signage and shall be included into the calculation for signage.
- 7. Parking of Commercial and Recreational Vehicles. All commercial parking and loading areas shall be designed and located so as to ensure visually appealing projects.

 - a. Overnight parking of commercial vehicles, tractor trailers, boats, recreational vehicles, campers, motor homes, lawn mowers, ATV’s and golf carts shall be prohibited within the Commercial Corridors.

- 1 b.No commercial or personal vehicle with signage placed thereon shall be
2 parked in a manner along a public street to be visible as an advertising
3 device.
4 c.Exceptions: existing prior to the adoption of the Commercial Corridor
5 design criteria, existing commercial automotive dealerships, boat sales and
6 commercial businesses with front facing repair bays are excluded.
7 8. Storage areas, Service areas; Miscellaneous.
8 a.No outside freestanding display of products of any kind shall be permitted
9 unless located in a fully screened enclosure which includes propane
10 stations, newspaper boxes, vending machines or similar devices.
11 b.Shopping cart corrals are required where shopping carts are provided to
12 customers. Shopping cart corrals must use screening to contain carts. Logos
13 are prohibited from shopping corrals. Colors of the shopping corrals must
14 be consistent with the primary building color. Shopping corrals must
15 include a covered waste receptacle. A minimum of one (1) cart return corral
16 measuring a minimum 180 square feet shall be provided for every 100
17 parking spaces. Cart return corrals shall be of durable, non-metal, all season
18 construction, and shall be designed and colored to be compatible with the
19 building and parking lot light standards. Cart storage adjacent to the
20 building entry shall be within the building, or within designated, walled
21 enclosures measuring a minimum of four (4) feet in height. The design of
22 the walled enclosure shall be compatible with the primary building by
23 incorporating similar fenestration and construction materials. Sidewalks
24 necessary for pedestrian use shall not be permitted for cart storage.
25 Landscaping may be necessary to visually enhance or otherwise camouflage
26 the appearance of the corral.
27 9. Bicycle and transit facilities. Individual projects shall create a safe enjoyable
28 environment for pedestrians, motorists, and cyclists as well as encouraging transit
29 ridership, at a minimum, by accomplishing the following:
30 a.Accommodating bicycle and pedestrian facilities.
31 b.Providing bicycle racks on each site at or near building entrances consistent
32 with the requirements of Section 9.03.07.
33 c.Designating transit access points and pick-up areas and transit shelters on-
34 site, if determined to be necessary by the transit provider.
35 d.Providing for future transit stops, if determined to be necessary by the
36 County or transit provider, if a project contains new commercial uses
37 totaling more than 100,000 square feet.
38 e.Providing a sidewalk connection to the front entrance of any adjoining
39 building to transit stops located adjacent to a site.
40 10. Outparcel/auxiliary uses. When a development includes an outparcel site, the
41 architecture of the outparcel buildings shall complement the architectural design of
42 the non-outparcel buildings in types of colors, roof treatments and architectural
43 details.
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45 **Section 3. Inclusion in Code.** It is the intent of the Board of County Commissioners
46 that the provisions of this Ordinance shall become and be made a part of the Lake County Code

1 and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance"
2 may be changed to "section", "article", or such other appropriate word or phrase in order to
3 accomplish such intentions.
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5 **Section 4. Severability.** If any section, sentence, clause, phrase or word of this
6 Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such
7 holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be
8 construed to have been the Commissioner’s intent to pass this Ordinance without such
9 unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the
10 exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been
11 included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any
12 person, groups of persons, property, kind of property, circumstances or set of circumstances, such
13 holding shall not effect the applicability thereof to any other person, property or circumstances.
14

15 **Section 5. Filing with the Department of State.** The Clerk shall be and is hereby
16 directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State
17 of Florida.
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19 **Section 6. Effective Date.** This ordinance shall become effective as provided for by
20 law.
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22 ENACTED this day of _____ day of _____, 2019.
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24 FILED with the Secretary of State the ____ day of _____, 2019.
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28 ATTEST:
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BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

33 _____
34 Neil Kelly, Clerk of the
35 Board of County Commissioners of
36 Lake County, Florida
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Leslie Campione, Chairman

This ____ day of _____, 2019.
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39 Approved as to form and legality:
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43 _____
Melanie Marsh, County Attorney