

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; CREATING SECTION 9.10.04, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, TO BE ENTITLED *STATE ROAD 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, 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. Creation. Section 9.10.04, Lake County Code, Appendix E, Land Development Regulations, to be entitled *State Road 50 and US 27 Commercial Corridor Design Criteria*, is hereby created to read as follows:

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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
3 is to promote a more orderly and cohesive development pattern. Further, these regulations
4 will encourage developers to accommodate a mix of uses and modes of active and
5 motorized transportation.

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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.

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11 C. **Applicability.** This Section is applicable to all new development and redevelopment of
12 any parcel of land within the boundary set forth in subsection B above. All substantial
13 enlargement or substantial improvement of any land use or building within the State Road
14 50 and US 27 Commercial Corridors shall comply as follows:

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16 1. *New Development* means the construction of a building upon a vacant parcel;
17 construction of a building upon a parcel whereon a building existed as of the
18 effective date of these regulations and such building was razed; or the construction,
19 alteration, improvement, expansion, renovation or modification of a building which
20 involves the complete demolition of said building. Notwithstanding the foregoing,
21 "new development" does not include the construction, alteration, improvement,
22 expansion, renovation or modification of all or part of a building razed or
23 demolished by (or which is required to be razed or demolished due to) an act of
24 God when such building, or portions thereof, legally existed and lawfully
25 conformed with the Lake County Code prior to the effective date of this section.

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27 2. *Substantial Modification* means any improvement, expansion, renovation,
28 alteration, construction or modification of a building or accessory structure existing
29 as of the effective date of these regulations in which said improvement, expansion,
30 renovation, alteration, construction or modification:

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32 a. Results in greater than a 50 percent increase in the total square footage of
33 the existing building and accessory structure footprint if said existing
34 building and accessory structure footprint is 10,000 square feet or less; or

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36 b. Results in greater than a 25 percent increase in the total square footage of
37 the existing building and accessory structure footprint if said building and
38 accessory structure footprint is greater than 10,000 square feet; or

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40 c. Results in an improvement, expansion, renovation, alteration, construction
41 or modification where the cost of the proposed improvements is greater than
42 50 percent of the assessed value of the existing improvements. For purposes
43 of this paragraph, "assessed value" shall be as determined by the Lake
44 County Property Appraiser and "costs of the proposed improvements" shall
45 be submitted with a cost estimate from the contractor and approved by the
46 building official; or

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d. Results in greater than a 100 percent increase in the number of existing paved parking spaces, as required and in compliance with the Code, due to a change in the use of the subject property when compared to the existing number of paved parking spaces required for the prior use of the subject property.

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 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. Does not constitute a Substantial Modification provided that: (1) the building or structure was lawfully permitted under the Lake County Code; (2) such reconstruction is necessitated due to a natural disaster; (3) 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 (4) such reconstruction does not cause nonconformity with the provisions of this section 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 section and all other county codes. The following site/building design criteria are required in addition to, or in lieu of the applicable provisions 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.

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- 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. The architectural details of drive-thru canopies and canopy supports (colors, materials) 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 and 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 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 design canopies, canopy supports and awnings to appear as an extension of the roof covering the principle structure, including but not limited to the form, pitch, colors, materials and architectural details. The design elements of the pump island, canopy and the primary building shall be aesthetically compatible using the same colors, materials and architectural details.
 - b. All logos and signage are strictly prohibited on the canopy and canopy supports. Canopies shall be branded as neutral.
 - c. Canopies must be one color consistent with the predominant color of the principal structure.

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- d. Accent banding, which is color banding on all structures including canopies is prohibited.
 - e. A clearly defined pedestrian route, distinguished by varied paving treatments, shall be provided between fueling pumps and the primary entrance(s) to the building.
5. Water Bodies. Water retention areas, 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. 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.
 - b. No commercial or personal vehicle with signage placed thereon shall be parked in a manner along a public street to be visible as an advertising device.
 - c. Exceptions: existing prior to the adoption of the Commercial Corridor design criteria, existing commercial automotive dealerships, boat sales and commercial businesses with front facing repair bays are excluded.
7. Storage areas, Service areas; Miscellaneous.
- a. No outside freestanding display of products of any kind shall be permitted unless located in a fully screened enclosure which includes propane stations, newspaper boxes, vending machines or similar devices.
 - b. Shopping cart corrals are required where shopping carts are provided to customers. Shopping cart corrals must use screening to

1 contain carts. Colors of the shopping corrals must be consistent with
2 the primary building color. Shopping corrals must include a covered
3 waste receptacle. A minimum of one (1) cart return corral measuring
4 a minimum 180 square feet shall be provided for every 100 parking
5 spaces. Cart return corrals shall be of durable, non-metal, all season
6 construction, and shall be designed and colored to be compatible
7 with the building and parking lot light standards. Cart storage
8 adjacent to the building entry shall be within the building, or within
9 designated, walled enclosures measuring a minimum of four (4) feet
10 in height. The design of the walled enclosure shall be compatible
11 with the primary building by incorporating similar fenestration and
12 construction materials. Sidewalks necessary for pedestrian use shall
13 not be permitted for cart storage. Landscaping may be necessary to
14 visually enhance or otherwise camouflage the appearance of the
15 corral.

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17 8. Individual projects shall create a safe, enjoyable environment for
18 pedestrians, motorists, and cyclists as well as encouraging transit ridership,
19 at a minimum, by accomplishing the following:

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21 a. Accommodating bicycle and pedestrian facilities.

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23 b. Providing bicycle racks on each site at or near building entrances
24 consistent with the requirements of Section 9.03.07, Land
25 Development Regulations.

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27 c. Designating transit access points and pick-up areas and transit
28 shelters on-site, if determined to be necessary by the transit provider.

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30 d. Providing for future transit stops, if determined to be necessary by
31 the County or transit provider, if a project contains new commercial
32 uses totaling more than 100,000 square feet.

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34 e. Providing a sidewalk connection to the front entrance of any
35 adjoining building to transit stops located adjacent to a site.

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37 9. When a development includes an outparcel site, the architecture of the
38 outparcel buildings shall complement the architectural design of the non-
39 outparcel buildings in types of colors, roof treatments and architectural
40 details.

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42 **Section 3. Inclusion in Code.** It is the intent of the Board of County Commissioners
43 that the provisions of this Ordinance shall become and be made a part of the Lake County Code
44 and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance"
45 may be changed to "section", "article", or such other appropriate word or phrase in order to
46 accomplish such intentions.

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Section 4. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners’ intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of Florida.

Section 6. Effective Date. This ordinance shall become effective as provided for by law.

ENACTED this day of _____ day of _____, 2019.

FILED with the Secretary of State the ____ day of _____, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Gary J. Cooney, Clerk of the
Board of County Commissioners of
Lake County, Florida

Leslie Campione, Chairman

This ____ day of _____, 2019.

Approved as to form and legality:

Melanie Marsh, County Attorney