

# **City of Mount Dora**

## **Economic Development Advisory Committee**

### **Final Report to the City Council**

**November 2009**

**Economic Development Advisory Committee**

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## Executive Summary

Based upon the deliberations over the last several months, the following have been determined to be priorities to the Economic Development Advisory Committee (EDAC).

### 1. Employment Center

Continue to work with Lake County, DOT and the Orlando Orange County Expressway Authority to ensure that the land uses and transportation network are in place to ensure the success of this area. The Employment Center has the potential to be the most important area of the City in terms of economic development including job creation, utility revenue, tax base and diversification of the local economy.

### 2. Development review and permitting process.

Amend the site plan review process to create an administrative review and approval process for projects that meet all code requirements

Remove the Planning and Zoning Commission from the plat review process to expedite review and approval.

Develop an administrative process to allow the simultaneous submittal and review of commercial building and site development permits.

The City Council and Planning and Zoning Commission should meet periodically to discuss either policy issues or a specific project to ensure that the direction given to the staff and the developer is consistent.

Reevaluate pond slope requirements to allow steeper side slopes to allow a more efficient use of the land.

### 3. Utility Issues

As part of the water plant design project, the City should design a collection and distribution system to serve the Employment Center and SR 46 industrial corridor. Additionally, a financing plan should be established to construct these lines to serve development as it occurs.

The City should evaluate the availability of utilities in the Highland Street corridor to determine the ability to serve development of greater intensity. If weaknesses in the system are found, propose a capital plan to improve the facilities.

### 4. Highland Street

The distance of 500 feet to a public parking area for a parking credit should be extended to 1000 feet.

The City Council should revisit the front setback requirements in the C-2A zoning district along Highland Street to provide additional flexibility. Standards to be considered include:

1. Establishing a minimum front setback at 5 feet.
2. Require adjacent buildings to be offset 3 feet to eliminate issues of massing.
3. Require differing architectural styles, colors and materials to further break up the mass of a building or group of buildings.
4. Require front setbacks to be utilized as pedestrian access or seating areas with landscaping used as accents versus buffering.

The City should allow greater intensity of land use along the Highland Street corridor to encourage redevelopment of the area. This could be allowed through additional building height or floor area ratios (see density and intensity standards below). It was suggested that in exchange for additional intensity the City could require an appropriate mix of uses and enhance pedestrian amenities or require environmentally conscious building design criteria such as LEED (Leadership in Energy and Environmental Design) certification.

An incentive program should be developed to encourage the aggregation of lots along Highland Street for the purposes of joint development or redevelopment. Due to the limited size and depth of many lots along Highland Street, development or redevelopment is problematic even with the most flexible of codes. Based upon this situation, the EDAC recommends the following incentives be applied to development or redevelopment projects that aggregate lots to create a greater development area:

1. Waive all development review fees;
2. Expedite the development review process through an off agenda review;
3. Reimburse impact and building permit fees through the CRA grant program;
4. Provide for priority building permit plan review and inspections.

These incentives could also be applied to development that provided a mix of uses (residential/commercial) or develops at an appropriate intensity (2-3 story buildings versus one story).

The City should evaluate the availability of utilities in the Highland Street corridor to determine the ability to serve development of greater intensity. If weaknesses in the system are found, propose a capital plan to improve the facilities.

5. Evaluate increasing density and intensity standards to encourage infill and redevelopment where infrastructure is currently available.

The City should increase intensity standards within the Highland Street Corridor that include, but are not limited to increases in building heights and intensity of land uses through increased floor area ratios and height requirements to encourage redevelopment of the area. These increases could include density/intensity bonuses for mixed use and multi-story projects.

The City Council should increase the intensity standards within the Golden Triangle Shopping Center area (Old 441/Eudora Road/CR19 area) to encourage a mixed use, transit oriented development pattern. Allowed uses should include commercial, office and residential uses with floor area ratios between 2 and 3.

The EDAC recommends that the density and intensity standards adjacent to the downtown commercial core be increased to allow for:

1. Residential densities of up to 40 units per acre.
  2. Allowances for mixed uses where the zoning currently allows commercial and office uses.
  3. A six story height restriction with an 80 foot height maximum if an architecturally appropriate roof is incorporated into the design.
6. Establish an incentive package for priority or desirable uses.

Continue the Downtown and Northeast Community Redevelopment district incentive programs.

Implement a fast track development policy to encourage new job creating development in the industrial and employment center districts of the City.

Develop a Utility Tax Reimbursement Program to enhance the competitiveness of the City for attracting new business

If direction is received to move forward on any of the above recommendations, there will be differing implementation strategies. If amendments to the comprehensive plan are required, they must be processed through the State mandated process. This can take as little as six months and as much as a year. If Land Development Code changes are required as a result of the Comprehensive Plan amendments, an additional two and one half months will be required. If the changes require only an amendment to the Land Development Code, approximately two and one half months will be required to process the amendments. If the changes result in a change of policy, these can be enacted immediately.

Attached to this report are the following:

Appendix A – Maps - Economic Development Target Areas

Appendix B – Background information provided to the EDAC

## **Background**

On May 6, 2008, the City Council approved the creation of an Economic Development Advisory Committee. As stated in Resolution 2008-05 the purpose of this Committee is:

To make recommendations on economic development issues that will sustain, enhance and diversify the community's local economy and quality of life as it relates to City Goals and Objectives.

The Council provided the Committee with a great deal of flexibility in how and what to pursue as you work through the process of making recommendations to the City Council. The Committee established priorities that are outlined in this report. These include changes in the development review process; utility issues; changes in density and intensity; and incentives for desirable development.

## Development Review Process

### 1. Land Development Processes

There are several land development processes outlined in the Land Development Code. Each process is described below and in Appendix B with a time frame associated with it. After reviewing all processes, the EDAC focused on those detailed below.

The three bodies involved with land development processes are:

A. Development Review Committee (DRC). The DRC is a staff committee that reviews applications to ensure that they are technically correct and consistent with applicable comprehensive plan and land development code requirements. The DRC is comprised of representatives from the Planning and Development, Public Works and Utilities, Police and Fire Departments.

B. Planning and Zoning Commission (P&Z) – The P&Z is a City Council appointed citizen board that will either make recommendations to the Council or grant final approvals of applications based upon the application type.

C. City Council – The City Council is required to act on certain zoning and land development issues as defined by statute.

In terms of timing, an application must be submitted by the first Monday on any month. The DRC meets the last Wednesday of the same month. The DRC provides the applicant with written comments and recommendations. DRC members discuss the comments and recommendations during the meeting. A letter is sent to the applicant following the meeting documenting the comments and recommendations and providing deadlines for the next submittals. Items requiring only DRC approval take 3 ½ weeks from submittal to final action. Staff strongly encourages pre-application meetings to take place. At these meetings staff and the applicant discuss submittal requirements and procedures to ensure that everyone in the process has a full understanding of the procedure.

All application packets contain required submittal checklists and a procedures page that outlines the process.

The Planning and Zoning Commission meets the third Wednesday of each month. Items from the DRC requiring P&Z review are scheduled for this meeting. The Commission will approve, deny, approve with recommendations. Cases may also be tabled if additional information is required. Items requiring P&Z approval take 6 ½ weeks from submittal to final action.

The City Council meets the first and third Tuesday of each month. Items requiring City Council approval following the P&Z meeting are scheduled for the first available meeting. If no advertising is required, the item is typically scheduled for the next meeting. If advertising is required, the item will be scheduled no later than the second meeting following P&Z review. Time frames vary based upon application type due to advertising requirements. Items requiring one hearing at City Council are in process approximately 8-10 weeks. Items requiring two hearings require 10-12 weeks from submittal to final action.

The EDAC took a dual track approach when assessing these processes. First, all processes related to non-residential development were examined to determine where additional streamlining could take place. Secondly, the processes were evaluated to determine whether they could be used as an incentive to attract desirable development or to encourage expansion or relocation to the City.

In terms of streamlining the development review process, the most effective and efficient measure would be to eliminate one of the required steps in the process. As outlined above, this would be a DRC meeting, a Planning and Zoning Commission hearing or a City Council hearing.

A. Site Plan Review Process - The process that garnered the most discussion was the site plan review process. All commercial and industrial development must submit a site plan for review and approval so this process effects economic development most directly. Currently the site plan review process entails a DRC review and a Planning and Zoning Commission hearing. Site plans that meet all code requirements are placed on a consent agenda for P&Z approval. Discussion focused on the question as to why the City would conduct a public hearing on a project that has been determined to meet all code requirements.

The problem that results is two fold. First by conducting a public hearing, it gives residents a sense that their input can effectively alter the plan or cause the plan to be denied. Unfortunately, unless competent and substantial evidence is provided to show that the plan does not meet code requirements, the City is obligated to grant the approval. Conversely, the hearing can also give the Planning and Zoning Commission the impression that they can change the plan without regard to the code requirements. Fortunately, based upon the experience of the current Commission, there is a significant level of sophistication that tends to curtail movement in this direction. However, if the Commission were to change, this issue could arise in the future.

There are several options that exist to address this issue. First would be to allow administrative approvals of site plans that meet all code requirements. Under this scenario a formal DRC meeting would take place to go over the technical aspects of the plan. If determined compliant, a development order would be issued. By eliminating the Planning and Zoning Commission hearing the review time frame would be shortened from 6 ½ weeks to 3 ½ weeks. A potential problem with the elimination of the hearing is that the public is left uninformed of a potential project until site development begins. This could be raised as an issue of transparency in government and open the City to criticism. Additionally, if competent and substantial evidence exists that the site should not be approved; there is no avenue to present that information. This would put a significant burden on staff reviewers, consulting engineering reviewers and legal staff to ensure that a project is code compliant.

***Recommendation:***

***The EDAC recommends that the site plan review process be amended to eliminate the Planning and Zoning Commission review for projects that meet all code requirements.***

B. Variances and Conditional Use Permits - Zoning variances and conditional use approvals were also addressed by the EDAC. As with site plan reviews, variances and conditional use permits are reviewed by the DRC and taken to the Planning and Zoning Commission for action. In this case, notice and a public hearing is required due to the nature of the request and the subjectivity of the criteria.

In this case, the option exists to require only the Planning and Development Department to review the request (as opposed to full DRC review) and forward the recommendation directly to the Planning and Zoning Commission. In circumstances where only Planning and Development Department review is necessary, this is a possibility. However there have been many occasions where input from DRC members has proven invaluable in reviewing zoning variances and conditional use permits. There have been instances where the Public Works, Police and Fire Departments have provided information regarding locations of utilities and existing storm water problems, applicable fire codes or police activity which affected the recommendations. If other departments are not included in the process, this information will not be available. The other issue is advertising. The City must have the legal ads for these hearings to the newspaper 10 days prior to the hearing date. This would give staff less than a week to make a determination regarding the disposition of the variance or conditional use permit.

***Recommendation:***

***The EDAC recommends that the variance and conditional use process remain as it is currently outlined in the Land Development Code.***

C. Subdivisions - Subdivisions are provided a three step process that can be combined at the request of the applicant. Each step provides more detailed information to review. Based upon the time frames of the applicant, the risk they are willing to take and the expense, the process can be adjusted to meet their needs. The steps are development plan review, preliminary plat and final plat. The development plan review is a basic sketch or bubble plan showing lot layout, road and right-of way widths, preliminary utility layout and general drainage plan. Preliminary plats add the requirement for a draft recordable plat for review, arbor information, draft covenants, etc. The final plat application requires a recordable plat and complete construction drawings. Typically the development plan and preliminary plat process are combined. This process requires DRC, Planning and Zoning Commission, and City Council approval. The final plat required DRC approval only. The plat is then presented to the Mayor for signature. If the plat has changed to the extent that the DRC and the developer cannot reach an agreement, the Mayor may call for a hearing to resolve the issues.

There is a great deal of flexibility built into the platting process. The potential for streamlining of this process is to eliminate the Planning and Zoning Commission from the review process. The Commission's role in this process is advisory and not mandated. However, on many occasions the Planning and Zoning Commission hearing has revealed issues associated with neighboring impacts that can be resolved prior to the City Council hearing. In most cases the P&Z hearing allows the Council hearing to progress more smoothly.

***Recommendation:***

***The EDAC recommends that the Planning and Zoning Commission be removed from the plat review process***

D. Planned Unit Developments - Similar to the platting process, the PUD is a two phase process that can be combined. Here again this is based upon the request of the applicant and the expense and risk they are willing to take. Both processes currently require DRC, Planning and Zoning Commission and City Council approval. The Final PUD requires two readings of an ordinance. Since there is a significant degree of negotiation that takes place within a PUD, this process allows a minimum of three and maximum of five levels of public input into the process.

In order to expedite this process the only realistic option is to eliminate the Planning and Zoning Commission review. This would shorten the process by approximately three weeks. As with the platting process, the Commission's role in this process is advisory and not mandated. However, the Planning and Zoning Commission hearing often reveals issues associated with neighboring impacts that can be resolved prior to the City Council hearing. This happens with much more frequency during the PUD process than the platting process. In most cases the P&Z hearing allows the Council hearing to progress more smoothly.

***Recommendation:***

***The EDAC recommends that the PUD process remain unchanged.***

**2. Building Permitting Process**

In terms of permit processing, a first in/first out process is utilized. That is, the first permits received will be reviewed first. Subsequent permits fall in line behind permits received earlier. Each type of permit has a maximum review time associated with it. This allows departmental staff to provide the applicant with a time line for when the permit will be reviewed. We have expanded the tracking of permits to provide for a five track system (The permitting process is detailed in Appendix A.) The first two tracks are residential and commercial; new construction, additions and alternations. First submittals are reviewed in one track. If corrections are required, resubmittals move into a resubmittal track so they do not fall in behind new submittals which typically take longer to review. The second two tracks are for minor permits such as window and door replacement, signs, fences, etc. Here again two tracks have been created to address new submittals and resubmittals. The same reasoning is applied to having two tracks. Resubmittals typically have a much shorter review time frame so they are not mixed with new submittals. The fifth track is an over the counter permit that is issued at the window. These include reroof, stucco, minor electrical, mechanical, plumbing, etc. If all information is provided as required by code, the permit is issued.

In addition to streamlining the review process we have also required key members of departmental staff to obtain plan review certification to assist in plan review when inspection loads are light. Currently we have four plan review license holders in the department. This allows the City to have a plan reviewer almost always available to answer questions.

One issue that has been somewhat problematic is the relationship between commercial site development permits and commercial building permits. The current policy of the City is to not accept commercial building permits for review that are associated with a new site until the site development permit is issued. This is due to the fact that the City requires all other associated permits with the site development permit (i.e. DOT access and storm water when developing on state roads; DEP water and sewer; SJRWMD environmental and storm water permits; FGFWFC permits for wildlife disturbances or relocations; Lake County right-of-way utilization permits; etc.)

If a building permit were issued and the applicant were unable to be issued a site development permit because of an outside agency permitting issue, the City may be liable for any damages incurred for the issuance of the permit. Additionally, if an outside agency requires changes to the site plan in order to issue their permit a situation could arise where the site does not match the building. This could result in the building, water, storm water, sewer, etc. to be relocated on site. This in turn could require the mechanical, plumbing, electrical systems in the building to be relocated. Unfortunately, since the building permit will have been issued, it may be difficult and expensive to reconfigure these systems.

An alternative would be to allow the simultaneous submittal of both permits so they could be reviewed concurrently. The result would be the issuance of both permits at one time. The risk with adopting this system is that if a building permit meets all code requirements, the City is required to issue it within 30 days of submittal. If there are issues with the site development permit, a situation could arise where we are forced to issue the building permit prior to the site development permit.

***Recommendation:***

***The EDAC recommended that the City develop an administrative process to allow the simultaneous submittal and review of commercial building and site development permits.***

**3. City Council Workshops**

Approximately four years ago, the Council began having workshops primarily dealing with PUD applications. The purpose of these workshops was to allow the applicant and the Council to discuss major issues dealing with the development prior to, or in conjunction with, an application.

These were somewhat successful in the fact that staff and the applicant had knowledge of the Council's general approach to the application and many major questions were answered. However, some applicants expressed frustration when an application that had a workshop was formally reviewed by the Council and issues other than those discussed at the workshop were addressed as problems. Additionally, following a Council workshop, many applicants were reluctant or unwilling to make changes to an application based upon comments from staff, the Planning and Zoning Commission or the public. Because they had a workshop, the developer felt that the Council had already granted preliminary approval and they were not required to address additional comments. The Planning and Zoning Commission felt that by inserting the workshop into the process, the authority of the Commission to make recommendations to the Council was being undermined.

Based upon comments made at Planning and Zoning Commission meetings by applicants, the Planning and Zoning Commission requested a workshop with the Council to discuss the matter. The result of this workshop was to revert to the process outlined in the code for PUD review, thus eliminating workshops.

***Recommendation:***

***The EDAC recommends that the City Council and Planning and Zoning Commission meet periodically to discuss either policy issues or a specific project to ensure that the direction given to the staff and the developer is consistent.***

## Land Use

### 1. Employment Center

Perhaps the single most important issue to the City of Mount Dora since the relocation of U.S. 441 is the development of the Wekiva Parkway. Just as the relocation of U.S. 441 out of the downtown area preserved what is now a nationally recognized downtown area unique in Florida and created development opportunities adjacent to its current route, the Wekiva Parkway will be a critical economic development driver in the City for years to come. The construction of this facility has the opportunity to facilitate the creation of an environment that will create high paying jobs, provide customers to Mount Dora businesses, and create a tax and utility base that will allow the City to maintain the high levels of service that residents have grown to expect. Cities have few opportunities to take advantage of favorable circumstances such as this and turn those events into a means to drive economic development well into the future. Examples of failure to capitalize on opportunities similar to this are evident on either end of S.R. 408 (The East-West Expressway). The Wekiva Parkway has presented the City with that same opportunity.

The history of the Wekiva Parkway goes back many years. The current situation is that the Orlando/Orange County Expressway Authority, county and city governments, State agencies including the DOT and the environmental community have come together to agree on a plan to complete the beltway around Orlando. The Wekiva Parkway will connect S.R. 429 in Apopka to S.R. 417 in Sanford. The road is to be designed as a limited access facility to accomplish two tasks. One is to relieve traffic on Interstate 4. The other is to provide relief to U.S. 441. Although the intent of providing relief to U.S. 441 is to facilitate commuter movement into the Orlando metropolitan area, the City's challenge is to take advantage of the situation and create an environment that will provide for the creation of an employment center that will balance or reverse the existing commuting pattern.

A key component of this road is what is termed as the spur road that will leave the Parkway in northern Orange County and connect to S.R. 46 near Round Lake Road. S.R. 46 is proposed to be widened from the intersection at Round Lake Road to U.S. 441 from its current two lanes to six lanes. This spur and the widening of S.R. 46 will provide the transportation connection that will provide the opportunities for development east of town. During the Task Force meetings that resulted in the legislation paving the way for the parkway, two local economists were consulted to advise the committee on the potential growth impacts of a project of this nature. Both concurred that unless growth controls were in place, the resulting development pattern would be sprawling residential development. This is due to the fact that residential development will always precede non-residential development. Unless the land is preserved for land use patterns that will follow the initial residential wave, the opportunity for meaningful economic development will be lost. For these reasons, we have worked with Lake County to develop land use patterns within the JPA to preserve the land for future employment based development.

A Joint Planning Agreement was adopted with Lake County in 2004 after several years of off and on negotiations. This agreement addresses density, intensity and location of uses within the planning area. Additionally, the agreement requires a joint review of all development to ensure compatibility with the most stringent of City and County regulations.

One weakness of this agreement is that, at the time of adoption, the County was reluctant to adopt a land use map outlining the specific uses allowed within the JPA. It was the County's preference to have the City participate in the process of revising the County Comprehensive Plan to avoid additional hearings. The City has been working with the County for the last four years to accomplish this task. Significant headway has been made. The City has proposed a land use map that incorporates industrial corridors along S.R. 46 and Robie Avenue east of U.S. 441 to promote clean light industry. Additionally, the City has proposed an Employment Center east of Round Lake Road. Although these land use patterns are reflected in the proposed County Comprehensive Plan, The County has yet to transmit their Comprehensive Plan to the State for review.

The intent of the EC (Employment Center) District is to promote orderly and logical development of land for major office complexes and light, clean industrial development in attractively designed, park-type settings, and to assure adequate design in order to maintain the integrity of existing or future nearby residential areas. The ultimate site must be large enough to meet the standards in the Land Development Code while retaining a well-landscaped image so as to readily blend with nearby residential areas. It is intended that a minimum number of points of ingress and egress be utilized in order to reduce the traffic impact on adjacent streets and thus enhance traffic movement. The district is most generally located on, or having access to, arterial or collector roadways. Areas of the City appropriate for this district are included in the "office" designations on the future land use map of the comprehensive plan and within the "employment center" of the Lake County/Mount Dora Joint Planning Area. This district is intended to be a high intensity office district. Floor area ratios are limited to 3.0. This will allow mid and high rise development. The district is intended to be primarily corporate office type development but the code allows for light manufacturing if there is an associated corporate office type use. Retail commercial uses are allowed in this district but are limited to serve the office or manufacturing uses.

The primary issue in terms of economic development of this area is the provision of central utility services. In order to allow development to take place, water and sewer must be provided in this area. The City has a sewage treatment plant at the S.E. corner of U.S. 441 and S.R. 46 that currently has excess capacity. The plant was designed to accommodate 1.25 million gallons per day of sewage. There is currently approximately 300,000 gallons per day of flow through the plant. Additionally the site can accommodate an expansion to create an additional 1.25 million gallon per day of capacity. The most pressing issue is line extension. In order to encourage development in the employment center and industrial corridor, lines must be extended to the east.

In addition to sewer service, central water service must be extended to the area. The City has taken steps to construct an eastern water plant to serve this area. Property has been acquired on Niles Road and the plant design is currently underway. The design, permitting and construction will take approximately two years. As with sewer, the issue regarding water service is the extension of the lines to serve the industrial corridor and employment center.

***Recommendation:***

***The EDAC recommends that as part of the water plant design project, the City design a collection and distribution system to serve these areas. Additionally, a financing plan should be established to construct these lines to serve development as it occurs.***

The EDAC also looked into the development standards within the Employment Center to ensure, to the greatest extent possible, that the standards were flexible enough to minimize the potential for variance requests.

The following are the development standards for the Employment Center (EC) district.

*EC Employment Center:*

1. *Description of district.* The intent of the EC Employment Center District is to promote orderly and logical development of land for major office complexes and light, clean industrial development in attractively designed, park-type settings, and to assure adequate design in order to maintain the integrity of existing or future nearby residential areas. The ultimate site must be large enough to meet the standards set forth herein while retaining a well-landscaped image so as to readily blend with nearby residential areas. It is intended that a minimum number of points of ingress and egress be utilized in order to reduce the traffic impact on adjacent streets and thus enhance traffic movement. The district is most generally located on, or having access to, arterial or collector roadways. Areas of the city appropriate for this district are included in the "office" designations on the future land use map of the comprehensive plan and within the "employment center" of the Lake County/Mount Dora Joint Planning Area.

2. *Permitted uses:*

- a. Medical and pharmaceutical research complexes.
- b. General office buildings.
- c. Professional offices.
- d. Financial offices.
- e. Telephone and utility business offices.
- f. Public uses.
- g. Banking centers.
- h. Technology based research and development

3. *Conditional uses* (See section 2.5):

- a. Commercial parking facilities.
- b. Public and private schools, colleges and universities.
- c. Hospitals and nursing homes.
- d. Day care centers associated with another use.
- e. Telecommunication towers (subject to subsection 3.5.21).
- f. Manufacturing, warehousing and distribution centers associated with corporate headquarters or research and development facilities.
- g. Retail uses associated with another use so long as such use occupies no more than ten percent of the space available for use
- h. Other similar uses if determined to be compatible by the planning and zoning commission.

4. *Other requirements.* In addition to the requirements of section 2.5 for the conditional uses set forth above, the planning and zoning commission shall determine that there are adequate systems to prevent ground, air or noise pollution, that the required setback requirements of the EC district are adequate for the proposed conditional use, and that the facility shall conform to the standards set in the description of the EC district in subsection 3.4.15.1 above.

5. Site development standards:

		Adjacent to Residential	Standard
a.	Minimum building setbacks (ft.)		
	Front yard	100	50
	Side yard	100	50
	Rear yard	100	50
	From any street	100	50
b.	Minimum lot size (sq. ft.)	100,000	
c.	Minimum lot width (ft.)	200	
d.	Maximum building height (ft.)	Maximum FAR 3.0	
e.	Parking	See section 6.5	
f.	Landscaping/buffers	See section 6.6*	
g.	Signs	See section 6.7*	
h.	Access	See subsection 6.3.7	
*C-3 standard shall apply			

A review of these standards shows that there is a larger lot area requirement for this district. The minimum lot size is 100,000 square feet. However based upon the uses allowed and the intensity of uses it is unlikely that lot sizes under 100,000 square feet would be anticipated to accommodate the use. Setbacks are also increased based upon the potential intensity of the use. Setbacks from residential areas are 100 feet from residential property and 50 feet from non-residential property. This is consistent with the Workplace district which allows light industrial and manufacturing uses but does not allow the intensity that the EC district allows. Landscaping signage and parking requirements are consistent with current code requirements.

Both City and County staff have met with property owners in this area to discuss the level of interest in this district. To date it has been received positively. However, as with any new district, there could be unanticipated issues that will arise as a development proposal moves forward. If these arise, actions will be taken quickly to address the situation so that it may be avoided in the future.

2. Highland Street

Over the last several months, the Downtown CRA and City Council have been focused on Highland Street as an area in need of assistance. Based upon this direction, the Downtown CRA Advisory Committee held public meetings to receive input from Highland Street business and property owners regarding their issues in terms of business development on Highland Street. The focus of these meetings turned to the restrictions contained in the C-2A zoning District.

Almost the entire length of Highland Street within the CRA (5<sup>th</sup> Avenue to the City limits) is zoned C-2A. This is a zoning district that provides some degree of flexibility in terms of parking, landscaping and setbacks.

A. Parking is required on site but as opposed to the City's traditional zoning districts, up to 10 parking spaces can be constructed of impervious surfaces (mulch or stone). This was increased from the previous allowance of six spaces as an amendment to the district requirements in 2000. The allowance of pervious parking reduces the volume of storm water required to be treated.

B. Front and side yard setbacks can be averaged based upon existing nearby and surrounding buildings. Under this provision, if adjacent or nearby buildings are set closer to the property line than the code allows, these setbacks are averaged and applied to the site in question. This provided some flexibility but based upon the size of the lots and location of existing buildings, average setbacks remained approximately 12 feet on the fronts.

C. Landscape buffers can also be averaged; however there was a minimum planting requirement for the buffers.

D. In addition to these requirements, the code allows for parking and landscaping to be placed on adjacent residential property as a conditional use. This has been done three times on Highland Street, Fifth Avenue and Donnelly Street. This allowance provides a greater building footprint on the commercially zoned property adjacent to Highland Street.

Based upon this input, in 2007 the Council directed staff to amend the requirements of the zoning district to provide more flexibility, making it easier to develop. Based upon this input, staff and the P&Z recommended the following:

A. On-site Parking – Allow proposed commercial building expansions to count a certain amount of public parking spaces within 500 feet of their property (approximately 1 ½ blocks) towards their on-site parking requirement.

B. Landscaping – Revise the landscape requirements for C-2A to make them more similar to the C-2 requirements. In addition allow required landscaping and retention areas to be combined under certain conditions.

At the City Council hearing regarding the changes, staff was directed to also address the setback issues and to provide maximum flexibility. Staff recommended that providing maximum flexibility would entail reducing the front setback to zero, allowing buildings to be located adjacent to the sidewalks. This would also improve the pedestrian interaction with the businesses as they redevelop on Highland Street. The Council directed staff to allow flexibility but to limit setback variation in a graduated manner. Based upon this direction, staff revised the district setback requirements as follows:

A. One story buildings are allowed a minimum front yard setback of 5 feet and a

maximum setback of 10 feet.

B. Two story buildings are allowed a minimum front yard setback of 7 feet and a maximum setback of 15 feet.

C. Three story buildings are allowed a minimum front yard setback of 10 feet and a maximum setback of 20 feet.

Based upon the discussion by the EDAC, further flexibility was requested within the district to make it more economically viable.

***Recommendation:***

***The EDAC recommended that the distance of 500 feet to a public parking area be extended to 1000 feet. This was based upon information provided at a meeting that the average distance people are typically willing to walk to get to a destination is 1350 feet or one quarter mile. The EDAC felt that this distance was too far but conceded that people were willing to walk up to 3 blocks (900 feet) to a destination. Based upon this assessment, the EDAC recommended 1000 feet for the distance to a parking lot.***

***Recommendation:***

***The EDAC recommended that the City Council revisit the front setback requirements to provide additional flexibility. Issues to consider include:***

- 1. Establish a minimum front setback at 5 feet.***
- 2. Require adjacent buildings to be offset 3 feet to eliminate issues of massing.***
- 3. Require differing architectural styles, colors and materials to further break up the mass of a building or group of buildings.***
- 4. Require front setbacks to be utilized as pedestrian access or seating areas with landscaping used as accents versus buffering.***

***Recommendation:***

***The EDAC recommends that the City allow greater intensity of land use along the Highland Street corridor to encourage redevelopment of the area. This could be allowed through additional building height or floor area ratios. It was suggested that in exchange for additional intensity the City could require an appropriate mix of uses and enhance, environmentally conscious building design criteria such as LEED (Leadership in Energy and Environmental Design) certification. (This recommendation is also addressed in the following section)***

***Recommendation:***

***The EDAC recommends that an incentive program be developed to encourage the aggregation of lots along Highland Street for the purposes of joint development or redevelopment. Due to the limited size and depth of many lots along Highland Street, development or redevelopment is problematic even with the most flexible of codes. Based upon this situation, the EDAC recommends the following incentives be applied to development or redevelopment projects that aggregate lots to create a greater development area:***

- 1. Waive all development review fees;***

- 2. Expedite the development review process through an off agenda review;**
- 3. Reimburse impact and building permit fees through the CRA grant program;**
- 4. Provide for priority building permit plan review and inspections.**

*These incentives could also be applied to development that provided a mix of uses (residential/commercial) or develops at an appropriate intensity (2-3 story buildings versus one story).*

***Recommendation:***

***The EDAC recommends that the City evaluate the availability of utilities in the Highland Street corridor to determine the ability to serve development of greater intensity. If weaknesses in the system are found, propose a capital plan to improve the facilities.***

**3. Density and Intensity Standards**

One issue that comes up fairly frequently in the development review process is the City's maximum building height requirements. In all but the Employment Center zoning district, building height is limited to 35 feet. Development interests have raised concerns that this limitation precludes a more intense development in areas where utilities are available like our downtown and peripheral commercial areas. Based upon land costs in Mount Dora, if redevelopment is to occur in a meaningful manner additional density, intensity and building height may be a viable option to promote redevelopment in select areas of the city.

From purely a planning perspective allowances for increased density and intensity within urban cores will promote a more compact and easily serviceable population. This includes police, fire, public works, and parks and recreation. Arguments can be made that provision of additional intensity and density where urban services exist is more affordable to developers because infrastructure extensions are typically not required. Additionally, provision of compact urban growth and redevelopment reduces sprawl because opportunities that are taken advantage of within an urban setting reduce the need for a suburban sprawling or leapfrogging development pattern.

Additionally, the legislature has amended Chapter 163 of the Florida Statutes, the States Growth Management laws, twice in the last two years to require local governments to reexamine their growth patterns. The first was to require local government to amend comprehensive plans to reduce green house gasses through identifying and eliminating land use patterns that encourage the production of these gasses. For small cities, the Department of Community Affairs has determined that policies that encourage infill development and shorten trip length (distances people travel from home to work and shopping), would meet these requirements. Increasing density and locating these uses near commercial areas would meet this requirement.

The second change is the legislation adopted in Senate Bill 360 that created transportation concurrency exception areas in cities and counties meeting minimum density requirements. The City of Mount Dora has been designated an exception area. This designation allows development to take place without the encumbrance of transportation concurrency or proportionate share requirements. However, there was an additional requirement. In order to maintain the exception, within two years the City must adopt land use policies and strategies to support and fund mobility including alternate modes of transportation within the City. This can

be an especially problematic issue for small cities with limited budgets. From the City perspective we are heavily promoting and funding one alternate mode of transportation through the implementation of the Trails Master Plan. However, the DCA has made it clear that they will be looking very critically at how local governments address this requirement and that the bar will be set quite high. However, decreasing trip lengths through increased density and intensity will help these arguments.

However, increases in density and intensity in Mount Dora have been considered a matter of character. Density and intensity issues have been hotly debated in the City. The result is the current policy that density and intensity will be controlled with a number of code provisions, one of which is building height limitations.

As density and intensity standards are being evaluated, it should be recognized that all areas of the City should not be subject to increased intensity standards. Density and intensity standard adjustments should be considered in cases where areas are in need of redevelopment and have shown signs of economic stagnation or degradation. Additionally areas of compact commercial development that could benefit from additional development to enhance pedestrian traffic and customer base should be considered.

Specifically, three Economic Development Target areas were considered (see Map 1):

- A. The Highland Street corridor;
- B. The commercial area at the intersection of CR 19, Eudora Road and Old 441.
- C. Areas adjacent to the downtown commercial core of the City.

1. Highland Street Economic Development Target Area (see Map 2)

As discussed earlier in this report, the Highland Street corridor between 5<sup>th</sup> Avenue and the City limit has been a primary focus of the City's redevelopment efforts over the last few years. Issues discussed previously in this report have been obstacles to development in the corridor. The EDAC has recommended several options in the previous section to remove some of these obstacles. These recommendations in conjunction with increasing development potential in the area could assist in encouraging further redevelopment of the area. The recommendation below intended to be considered in conjunction with the Highland Street recommendations discussed earlier in this report.

***Recommendation:***

***The EDAC recommends that the City increase intensity standards within the Highland Street Corridor that include, but are not limited to increases in building heights and intensity of land uses through increased floor area ratios to encourage redevelopment of the area. These increases could include density/intensity bonuses for mixed use and multi-story projects.***

2. Golden Triangle Economic Development Target Area (see Map 3)

The commercial area at the intersection of CR 19, Eudora Road and Old 441 commonly known as the Golden Triangle shopping area consists of two major shopping centers, outparcels and strip commercial areas. The area is architecturally nondescript and has no defining theme, style or unique uses. Due to the large parcel sizes, there is potential for redevelopment in this area. Additionally, the County's transportation planning

organization has designated this area for a potential future commuter rail stop. Currently the area is served by Lake Express bus service. The potential combination of mass transit stops and proximity to the downtown makes this area prime for redevelopment.

In this area, development intensities similar to the Employment Center could be considered with floor area ratios between 2 and 3. However the uses allowed should be similar to the C-3 zoning district with ample provision for residential uses. An ideal mix of uses would be first and second floor commercial and office uses with residences above. This could create a transit oriented activity center that would be unique to the city, while providing jobs, tax base and a variety of housing types.

***Recommendation:***

***Based upon this analysis the EDAC recommends that the City Council increase the intensity standards within the Golden Triangle Shopping Center area to encourage a mixed use, transit oriented development pattern. Allowed uses should include commercial, office and residential uses with floor area ratios between 2 and 3.***

**3. Downtown Economic Development Target Area**

The downtown core is a well established commercial district with an interesting and eclectic mix of architectural styles and uses. The area serves local residents and visitors to the City with an emphasis on catering to the tourist population. Over the last few years the City, local merchants and Chamber of Commerce have worked to market the downtown to local residents. With the cyclical nature of the economy, basing the long term economic well being of your downtown on tourism is not a prudent course of action.

One key to creating a sustainably revitalized downtown area is to ensure that customers are conveniently located in close proximity to their shopping destination. Encouraging the development of higher density housing on key locations adjacent to the downtown area will build a local customer base that will be more able to sustain the downtown through downturns in the tourist economy. If a core customer population is established, the business mix in the downtown will react to the customer base to provide the goods and services required by residential uses. This in turn will provide these goods and services to the greater Mount Dora residential area, attracting more local shoppers to the downtown area for more commonly used items. More shoppers equates to more business which reduces the vacant retail spaces. This also will tend to keep local dollars at home, thus strengthening the local economy.

The EDAC researched what our neighboring communities were implementing to revitalize their downtown areas in terms of residential development. In general, the cities of Eustis, Tavares and Leesburg had increased densities in the range of 20-40 units per acre. To give some perspective on how higher densities look in an urban setting, the following are densities for existing development in and near the downtown:

- a. Regency Villas – 525 N. Tremain Street – 34.3 units per acre (12 units/0.35 acres)
- b. Villa Dora – 601 Mc Donald Street – 33.5 units per acre (62 units/1.85 acres)
- c. Southern Oaks – 101 N. Grandview Street – 23.7 units per acre (48 units/2.02 acres)

d. Vista Del Parque – 145 E. 6<sup>th</sup> Avenue – 22.2 units per acre (12 units/0.5 acres)

Candidate areas for redevelopment at higher densities include, but are not limited to:

- a. The block bounded by 3<sup>rd</sup> Avenue on the north; Tremain Street on the west; Baker Street on the East and the public parking lot on the south;
- b. The block bounded by 3<sup>rd</sup> Avenue on the south; Baker Street on the west; Tremain Street on the east and 4<sup>th</sup> Avenue on the north;
- c. The residential professional (RP) zoned property fronting on and east of Tremain Street;
- d. The block bounded by 4<sup>th</sup> Avenue on the south; Baker Street on the west; Tremain Street on the east and 5<sup>th</sup> Avenue on the north.

These areas are directly adjacent to the downtown core. They have relatively low intensity uses (i.e. single story commercial and office and one and two story single and multi-family residential). These blocks also contain some of the older structures in the City. This area contains 17 sites that have a historic site file, three of which are designated historic sites (see map 4). This is often an issue when redeveloping a historic downtown area.

Following a review of the area described above, an additional area adjacent to and north of the downtown area was evaluated. This area is bounded on the west by McDonald Street; on the north by 7<sup>th</sup> Avenue; on the east by Tremain Street; and on the south by 6<sup>th</sup> Avenue (see map 6). There are 17 structures with historic site files in this district, one of which is a marker site (see map 5). This area contains a mix of downtown commercial, office, public, high density R-3 zoning and medium density R-2 zoning districts.

There are approximately 14 acres contained in this area. If all properties were developed as described below, the result would be a maximum of 560 units within the area described above. Using an average household size of 2.6 would result in 1456 people living within 1 block of the downtown district.

***Recommendation:***

***The EDAC recommends that the density and intensity standards within the above referenced areas be increased to allow for:***

- 1. Residential densities of up to 40 units per acre.***
- 2. Allowances for mixed uses where the zoning currently allows commercial and office uses.***
- 3. A six story height restriction with an 80 foot height maximum if an architecturally appropriate roof is incorporated into the design.***

## **Business Incentives**

### 1. Northeast CRA

The Mount Dora Northeast Community Redevelopment Agency (NECRA) has established an Incentive Program for the redevelopment of commercial property in the Grandview Business District. The program was created to stimulate investment into the business area and bring businesses and employment opportunities into the neighborhood.

The objectives of the Development Incentive Program include:

- A. Adding commercial space, renovating/improving existing commercial space;
- B. Attracting targeted businesses identified by the resident preference survey; and,
- C. Improving the appearance of properties.

Eligible applicants include property owners and business operators. The NECRA provides grants of up to \$15,000.00 per business to reimburse business or property owners for the cost of permitting, impact fees and certain site improvements associated with a project.

### 2. Downtown CRA

One of the statutory functions of a Community Redevelopment Agency (CRA) is to undertake activities that encourage the redevelopment of property. In order to facilitate this, the city has created a Development Incentive Programs to encourage investment by property owners. Although there has been investment into many properties in the CRA district, there are a number of properties where this has not occurred. In fact, a few properties exhibit evidence of a long-term lack of investment.

The downtown CRA program is modeled after the Northeast CRA program with the primary difference being the maximum amount of the grant which is \$25,000.00

### 3. Proposed Incentives

The EDAC examined incentives offered by other local governments in order to provide insight regarding incentives that work and are common in the Central Florida market. Many of the incentives that were discussed are available to all local governments. Representatives of the Orlando EDC and County Department of Economic Growth and Redevelopment suggested that the City evaluate incentives that would be unique to Mount Dora that would give us a potential advantage over surrounding local governments.

The EDAC reviewed local area incentives and shortlisted those incentives (or variations on other incentives) that may work best in the Mount Dora market. The list includes:

- A. Fast-Track Development Approval –As discussed in previous EDAC recommendations, fast tracking development proposals that meet certain economic development criteria would be appropriate. The Fast-Track Development Approval incentive is a process designed to expedite the review of development projects and facilitate the development of those projects in Mount Dora. A fast-track development process implemented in Mount Dora would bring

an efficient, effective and user-friendly process for qualifying non-residential development. Goals of implementing such a program include:

1. To attract new businesses, improve the tax base and expand job opportunities
2. To attract new developers to Mount Dora;
3. To eliminate development slowdowns;
4. Ease for developers to build in Mount Dora.

The Fast-Track Development Approval process would be implemented on a case-by-case basis for qualified projects. As discussed in previous recommendations this could include: Elimination of public hearings for site plans; expedited DRC review; priority construction plan review by the building department; priority inspections by the building department; etc.

***Recommendation:***

***The EDAC recommends that a fast track development policy be implemented to encourage new job creating development in the industrial and employment center districts of the City.***

B. Property Tax Abatements –As provided for in Chapter 196.1995 F.S., after being approved by a voter referendum, the City may refund a property owner a portion or full amount of property taxes if the Council determines that the associated development meets the economic development goals of the City. For example, any property constructed or altered may receive an exemption on any increase in taxes or “percentage off” as a result of the change/improvement to the property.

Typically these types of abatements are reserved for significant industries that will create jobs of certain values. This value is typically related to the median income in the area. Therefore, if a certain number of jobs are created meeting the income requirements, tax abatements could be considered. These abatements are typically limited to a predetermined amount of time to allow for the business to get established.

The City has focused efforts on providing opportunity for employment based uses such as light manufacturing and corporate offices. The industrial zoning districts of the City have been modified to reflect the change in permitted uses to eliminate uses that do not create jobs such as warehousing to emphasize uses that create jobs such as:

1. Manufacture or assembly of computer or electronic parts or components.
2. Manufacture or assembly of furniture or fixtures.
3. Commercial bakeries.
4. Manufacture or assembly of pharmaceutical products.
5. Medical laboratories.
6. Manufacture or assembly of leather goods without processing facilities.
7. Data processing services.
8. Industrial trade schools.
9. Manufacture or assembly of optical equipment.
10. Research and development laboratories and facilities.

Other uses included in the Employment Center zoning district include:

1. Medical and pharmaceutical research complexes.
2. General office buildings.
3. Professional offices.
4. Financial offices.
5. Telephone and utility business offices.
6. Public uses.
7. Banking centers.
8. Technology based research and development.

Abatements can also be used to encourage redevelopment in struggling commercial areas of the City. The criteria established would likely be different than that established for industrial and employment center areas of the City as retail sector jobs often pay less than median income. However, if a property owner is willing to invest in a transitional commercial district, tax abatements are an option. As has been discussed on several occasions, the primary area of focus for redevelopment has been the Highland and Grandview Street commercial districts. However, these incentives can be applied in other areas.

The primary concern with property tax abatements is the potential loss of revenue to provide services to the new development and community as a whole. As each proposal is evaluated on a case by case basis, this would be considered by the Council at the time of the request.

***Recommendation:***

***The EDAC recommends that the City attempt to take advantage of the property tax abatement allowances within the Florida Statutes to allow abatements for target industries and areas of the City.***

C. Reimbursement of Utility Taxes – This incentive may be implemented to provide relief from the City utility taxes for those new businesses locating in Mount Dora who meet certain performance measures and qualifications. These performance standards would likely be identical to those discussed above. The difference with a utility tax reimbursement is that no voter referendum is required. The City can establish a policy to reimburse utility taxes to the users who meet the established criteria.

***Recommendation:***

***The EDAC recommends that the City develop a Utility Tax Reimbursement Program to enhance the competitiveness of the City for attracting new business.***

## **Conclusion**

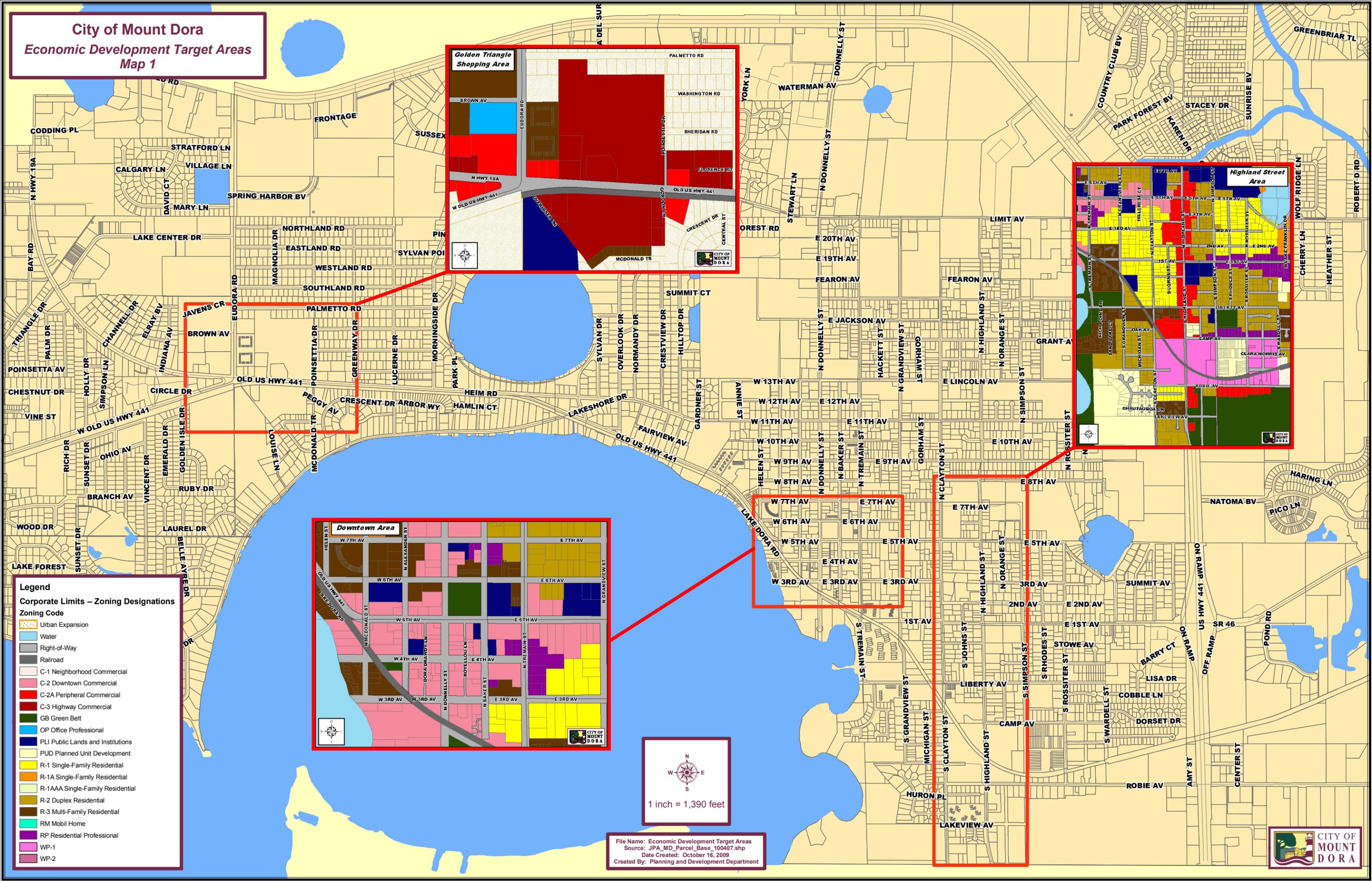
The members of the EDAC have brought their diversified perspectives together to assist the City in enumerating economic Development priorities that they believe will help move the City forward in what is becoming a more competitive economic environment in the region. Fortunately, the City of Mount Dora has positioned itself as a progressive City with high standards and a quality of life unmatched in the region. This in itself gives Mount Dora an advantage over other cities in the area.

Although much work has been done, there is still progress that can be made. Many of the recommendations contained in this report are not without controversial elements. The EDAC is aware of this fact and it is the hope that the recommendations will be taken in the spirit in which they were intended. The EDAC, with backgrounds ranging from downtown merchants and business owners, hospitality interests, the professional planning field, industrialists as well as commercial, industrial and residential development interests have brought their unique points of view to the table to assist the City. It is clear that this group of people has an investment in the City and concern over the long term best interests of the community as we grow and develop.

# Appendix 1

## Maps

**City of Mount Dora**  
**Economic Development Target Areas**  
**Map 1**



**Legend**

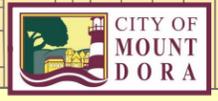
**Corporate Limits -- Zoning Designations**

**Zoning Code**

- Urban Expansion
- Water
- Right-of-Way
- Railroad
- C-1 Neighborhood Commercial
- C-2 Downtown Commercial
- C-2A Peripheral Commercial
- C-3 Highway Commercial
- GB Green Belt
- OP Office Professional
- PLI Public Lands and Institutions
- PUD Planned Unit Development
- R-1 Single-Family Residential
- R-1A Single-Family Residential
- R-1AAA Single-Family Residential
- R-2 Duplex Residential
- R-3 Multi-Family Residential
- RM Mobil Home
- RP Residential Professional
- WP-1
- WP-2



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 Date Created: October 16, 2009  
 Created By: Planning and Development Department



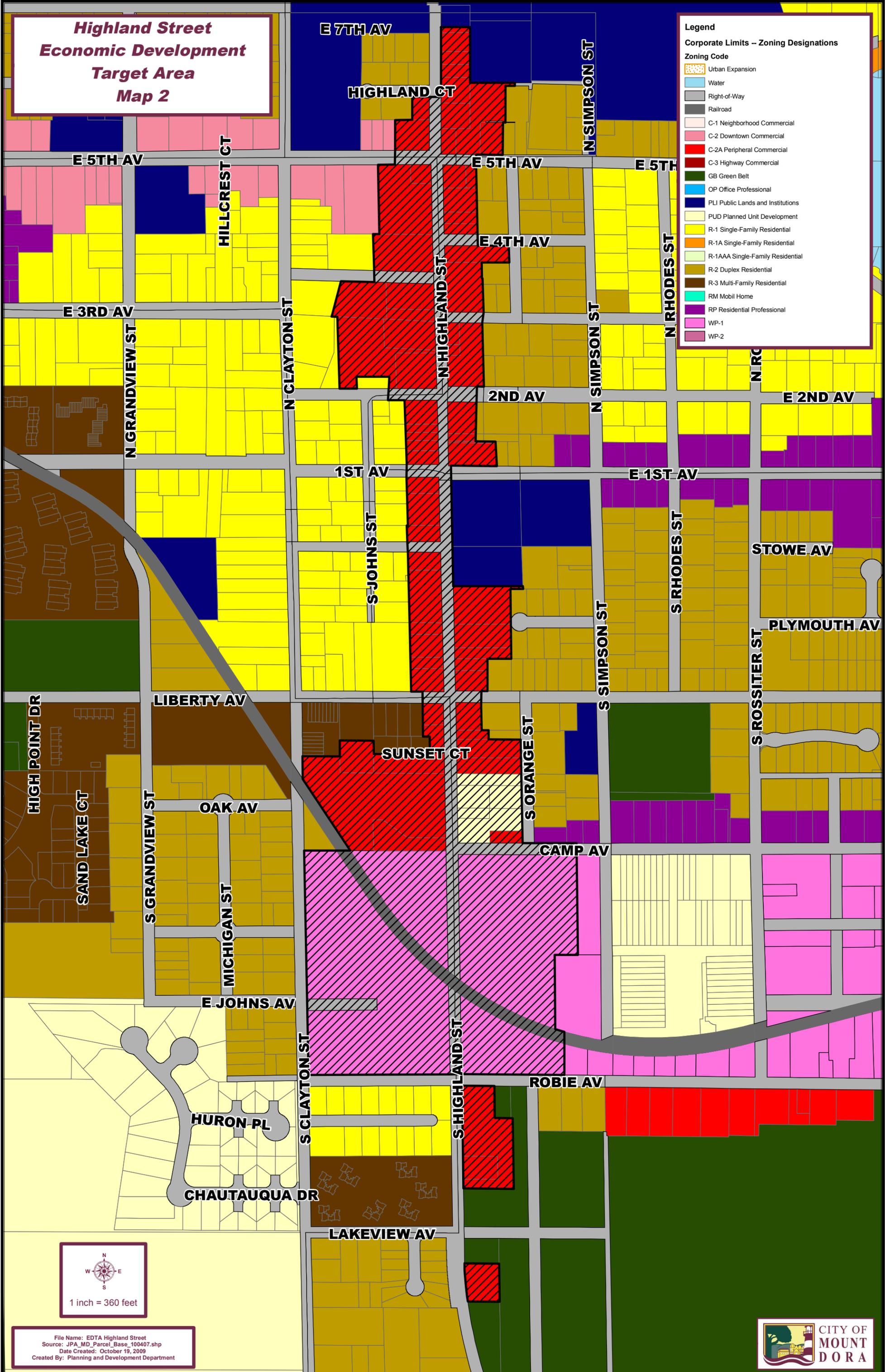
**Highland Street  
Economic Development  
Target Area  
Map 2**

**Legend**

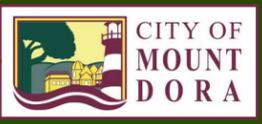
**Corporate Limits -- Zoning Designations**

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- WP-2



File Name: EDTA Highland Street  
 Source: JPA\_MD\_Parcel\_Base\_100407.shp  
 Date Created: October 19, 2009  
 Created By: Planning and Development Department



**Golden Triangle  
Economic Development  
Target Area  
Map 3**

UNNAMED

BROWN AV

EUDORA RD

PALMETTO RD

WASHINGTON RD

SHERIDAN RD

FLORENCE RD

N HWY 19A

OLD US HWY 441

CIRCLE DR

W OLD US HWY 441

OVERHISER LN

GORDON LN

PEGGY AV

CENTRAL ST

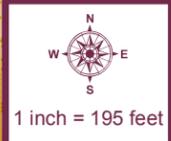
CRESCENT DR

GOLDEN ISLE DR

MCDONALD TR

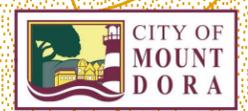
**Legend**  
Corporate Limits -- Zoning Designations  
Zoning Code

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1 inch = 195 feet

File Name: EDTA Golden Triangle  
Source: JPA\_MD\_Parcel\_Base\_100407.shp  
Date Created: October 19, 2009  
Created By: Planning and Development Department



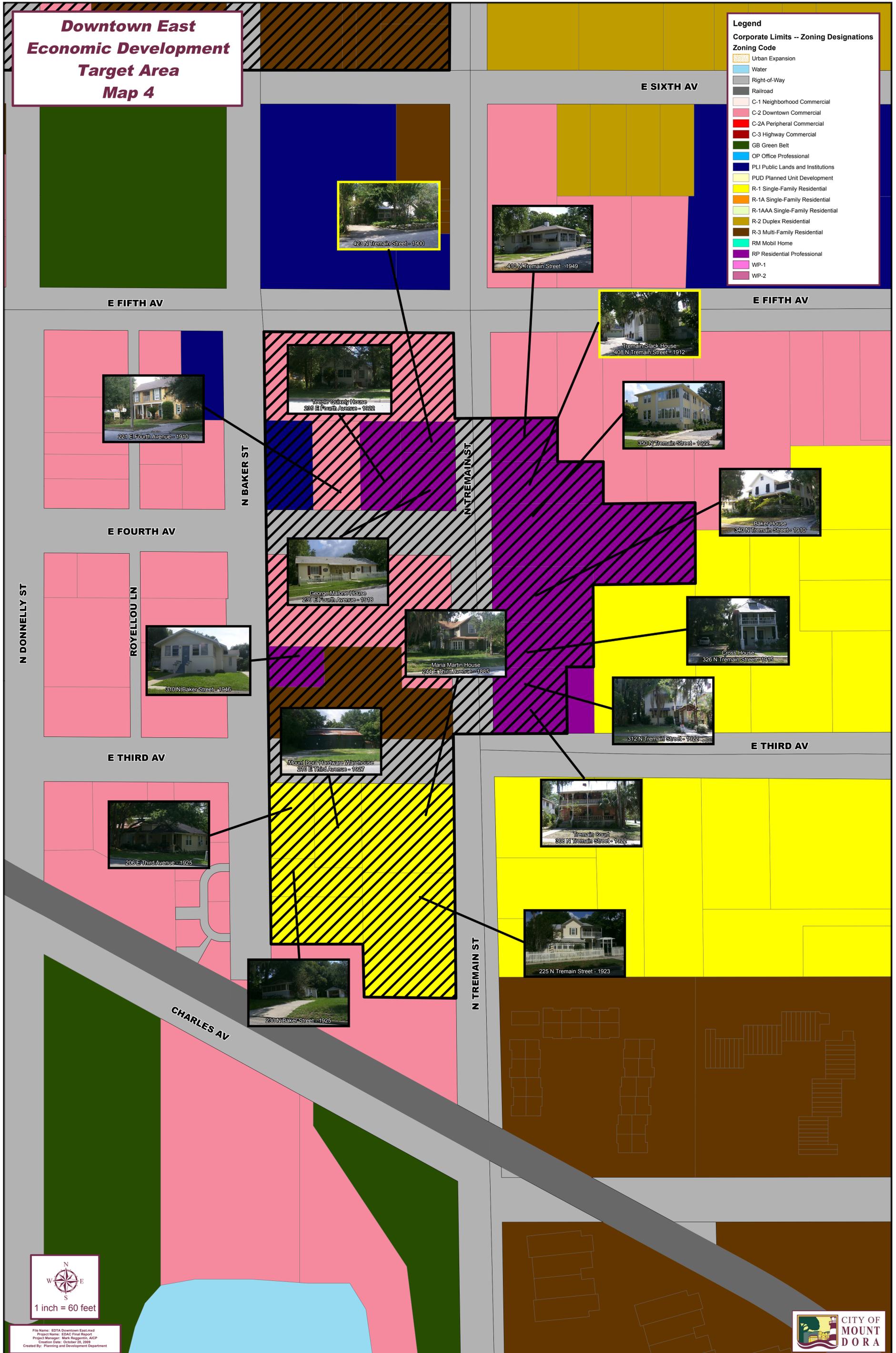
**Downtown East  
Economic Development  
Target Area  
Map 4**

**Legend**

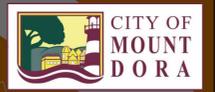
**Corporate Limits -- Zoning Designations**

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File Name: EDTA Downtown East.mxd  
 Project Name: EDAC Final Report  
 Project Manager: Mark Roggenin, AICP  
 Creation Date: October 28, 2009  
 Created By: Planning and Development Department



**Downtown North  
Economic Development  
Target Area  
Map 5**

**Legend**

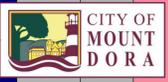
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File Name: EDTA Downtown North.mxd  
Project Name: EDAC Final Report  
Project Manager: Mark Reggentin, AICP  
Creation Date: October 28, 2009  
Created By: Planning and Development Department



# Appendix 2

## Backup

## Report

# Growth Issues

## 1. Long Range Growth Plans

### A. Comprehensive Plan

The City has several long range growth plans that help guide the City's growth. The principal guide to growth in the city is the comprehensive plan. The State mandates that every local government complete a long range plan of at least 10 years to address nine specific areas of growth and development. These are Future Land Use, Transportation, Housing, Infrastructure (Potable Water, Sanitary Sewer, Solid Waste, Storm Water Management, and Aquifer Recharge); Conservation, Recreation and Open Space; Intergovernmental Coordination; Capital Improvements and Public Schools.

These plans are the foundation of long term growth planning for all local governments in Florida. These plans contain two sections for each element. The first is background data and analysis. In these sections, base information is collected and analyzed for each topic area to ensure that growth needs are being addressed. Information provided in these sections include inventories of land by use category; population projections; housing inventories; levels of service and capacities for various public facilities including water, sewer, storm water and parks systems; inventories of interlocal agreements; outlines of capital plans for infrastructure improvements, etc.

The second section of the comprehensive plan is the goals, objectives and policies. This section outlines what the City will do to address long range growth issues and how we will accomplish these goals.

The most important element of the comprehensive plan is the Future Land Use Element. This element outlines where and how the City will grow over the planning time frame. The Future Land Use goals, objectives and policies are included for your review. The key to this element is the Future Land Use Map (attached for your review). This map graphically describes how land uses within the city limits are distributed.

Mount Dora is fortunate that we have a well established existing land use pattern. The City was laid out in a traditional grid pattern with a downtown commercial core and surrounding residential and commercial areas. Areas of interest to the EDAC will primarily be the downtown commercial area, Donnelly Street, Highland Street and potentially First Avenue. These are the main commercial areas of the traditional city. Commercial development is also allowed on U.S. 441 at selected intersections of arterial and collector roads. The City also has an industrial area in the southern portion of the City, adjacent to Camp and Robie Avenues. These areas are described as follows:

US 441 – This is the major road for moving traffic around and through the existing city. Its traffic moving capabilities must be protected through access and land use controls. This is the most important road in the planning area due to its

traffic moving capabilities and its potential for being an attractive parkway representative of the character of Mount Dora.

Current land uses are mostly agricultural with some commercial. Pressure will continue to grow for more commercial development. Commercial development will be allowed along with other high-intensity uses, as long as LOS standards are met and as long as proper service roads and other controls are provided to limit access points to US 441 and to ensure smooth traffic flow. Design standards must produce a well landscaped, attractive parkway.

Setbacks must be adequate to allow for future widening of the highway and the development of a frontage road system. The purpose of the service road system is to restrict direct access to US 441 while still accommodating access to property for intensive use. The objective is to develop US 441 as a safe, efficient and attractive parkway.

Old 441 – This road currently moves traffic through the city. It is cluttered with numerous land uses and curb cuts. It cannot be widened easily due to various barriers, such as the railroad, walls, utility lines and topography. Attention will be directed along the entire corridor to reducing curb cuts by eliminating and combining existing cuts, and by requiring indirect or joint access for future cuts.

The segment from the western end of the city to Morningside Drive will concentrate on new residential land use, with new commercial being allowed only where it can improve, consolidate and clean up existing commercial conditions.

From Morningside Drive to McDonald Street, efforts will be directed toward preserving the established residential areas.

From McDonald Street to Highland Street, a mix of residential, commercial, office and institutional uses currently exists. This mix has worked well and should be allowed to continue, with emphasis on residential and professional office uses, strong access and design controls. Signs, setbacks and driveway cuts will be regulated. Sidewalks, street lights and street trees will be provided. Parking lots will be upgraded to comply with the design standards of the land development regulations.

Highland Street from Fifth Avenue to the city limit line currently has a mix of land uses, some of which are unattractive. The city may consider providing cleanup and beautification assistance as an incentive for the owners to improve appearances. The mix of uses is acceptable as design standards have been strengthened.

SR 19A – This corridor from US 441 to Old 441 is the primary route between Eustis and Mount Dora. Its ability to move traffic is hampered by numerous curb cuts from primarily commercial uses and a lack of any service roads. Commercial development is the logical trend along much of the corridor, and will be allowed to continue if strong design and access controls are enforced.

Donnelly Street – This corridor currently has a mix of residential, office and limited commercial uses.

The future use of the frontage on Donnelly Street from US 441 to Limit Avenue is critical. Particular attention will be paid to the parcels at the intersection with Limit Avenue and Old Eustis Road to ensure an appropriate transition to less intense uses than approved north of this intersection.

From that intersection south to downtown, a transitional mix of residential and professional office will be allowed. Professional office use will be allowed when access points can be maintained, reduced, eliminated or combined through service roads or cross-access easements, and only when good buffers can be provided for residential uses and an attractive appearance can be presented along Donnelly Street. Commercial uses will be allowed downtown (south of 10<sup>th</sup> Avenue), consistent with the existing character.

Limit Avenue – The road currently has primarily agricultural uses along it, with some residential uses. Appropriate future land uses west of US 441 and east of Donnelly Street are medium-density residential and office/commercial parks located near US 441, with limited access to the road provided by new roads.

SR 46 – This road, from Highland Street to US 441, currently has a mix of commercial, institutional and residential uses. Efforts will be made to promote and protect residential uses.

East of US 441, SR 46 is mostly agricultural or undeveloped. Clean light industrial and office uses will be encouraged. Access to this segment will be limited to preserve traffic-moving functions.

Attached for your review are the goals objectives and policies for the Future Land Use Element.

## GOALS, OBJECTIVES AND POLICIES

### FUTURE LAND USE ELEMENT

**GOAL:** To promote, protect and improve the public health safety, general welfare and retain the quaint character of Mount Dora in a controlled growth environment while protecting the welfare and aesthetics of the community through the provision of appropriate land uses. These uses are designed to preserve the natural and cultural resources of the community, to ensure that public facilities and services are provided concurrent with the impacts of development so that level-of-service standards are maintained.

#### OBJECTIVES:

1. To coordinate future land uses with adjacent uses and natural features, including topography and soil conditions.

##### Policies:

- a. Enforce and update as needed, development regulations that promote quality development and ensure compatible land uses.
  - (1) Impacts to be regulated include noise, traffic, light, drainage, water quality, toxic and hazardous materials, litter, dust, visual, and other impacts. Regulations shall include zoning, subdivision, site plan, parking, signage and design standards.
  - (2) Techniques to be used to mitigate impacts include buffers, landscaping, setbacks, walls/fences, on-site parking, on-site traffic flow, lighting, sign control, pedestrian access and other factors which enhance the appearance of the built environment while providing an effective buffer between uses.
  - (3) These standards and techniques will also be applied to public projects.
  - (4) City shall include an adopted finding of compatibility for land use decisions.
2. To provide, or cause to be provided services and facilities adequate to meet adopted levels of service.

##### Policies:

- a. Adopt within this Comprehensive Plan, level-of-service standards that define adequate public services and facilities.
- b. Adopt a Capital Improvements Element within this plan to schedule the provision of the future public services and facilities, including acquisition of needed lands that will be provided by the city, county and other agencies.

- c. Adopt regulations and implement a concurrency management system to ensure that development be permitted only when adequate services and facilities are available, and when level-of-service standards are met consistent with 9J-5.055.
  - d. Control impacts on facilities and services through control of development intensities as shown on the Future Land Use Map herein.
3. To encourage the redevelopment and renewal of blighted areas.

Policies:

- a. Encourage public and private programs and investments designed to improve the quality of housing through the continued implementation of a redevelopment district and agency for the “northeast” section of the city.
  - b. Enforce development regulations and codes equally in all neighborhoods. Provide annual reporting and review of code enforcement activity.
  - c. Provide public services and facilities to all neighborhoods in an efficient and cost effective manner through the Capital Improvements Element and the annual budget process.
  - d. Pursue funding options and coordinate public/private efforts targeted toward redevelopment and renewal of blighted areas.
4. To encourage the prevention and elimination of uses inconsistent with the community’s character and future land uses through the implementation of land development regulations.

Policies:

- a. Provide for the revocation of permission for uses inconsistent with the Future Land Use Plan when such uses are not active for a certain length of time.
- b. Enforce upgraded code requirements and provide compliance schedules. Emphasize the improvement or removal of dilapidated structures and other substandard conditions.
- c. Develop and maintain consistent and compatible zoning along Highland Street and SR 19A to improve the uses and appearance along these major entrance corridors.
- d. Require all zoning to be consistent with land use designations shown in the Future Land Use Plan; rezone property as needed.
- e. Allow non-residential uses in residential areas only when the uses are appropriate for the area and adequate buffers are provided and will not harm the residential character of the neighborhood.

- f. Prohibit any proposed plan amendment or development order which would allow the development to exceed the intensities listed on page II-1 except for:
- (1) Development orders for the development of lots already existing but which do not meet the above standard density requirements, and for which approval was granted prior to the adoption of this comprehensive plan, and where such lots are developed consistent with the applicable land development codes, or other developers agreements.
  - (2) Plan amendments resulting from or proposed as part of a change in current policy or a change in the adopted future land use map and any subsequent development orders.
- g. The following density and intensity standards are established for each land use category depicted on the Future Land Use Map:
- (1) **Low Density Residential:** 0.0 to 2.5 dwelling units/acre. Primarily for single family residential and customary accessory uses and elementary schools. Boathouses, churches, schools, group homes (consistent with policy 4a of the Housing Element) home occupations and recreational facilities are also allowed in this district. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora). Impervious surface ratio is 0.65. Public utility facilities may also be located in this category provided they can meet criteria for development established in the land development regulations.
  - (2) **Low/Medium Density Residential:** Maximum of 4.00 dwelling units/acre. Primarily for single family residential and customary accessory uses and elementary schools. Boathouses, churches, schools, group homes (consistent with policy 4a of the Housing Element) home occupations and recreational facilities are also allowed in this district. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora). Impervious surface ratio is 0.65. Public utility facilities may also be located in this category provided they can meet criteria for development established in the land development regulations.
  - (3) **Medium Density Residential:** Maximum of 6.0 units per acre. Uses allowed include single family, customary accessory uses, duplex residences, elementary and middle schools. This category provides a buffer between low density and high density uses. Boathouses, churches, schools, group homes (consistent with policy 4a of the Housing Element) home occupations and recreational facilities are also allowed in this district. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora). Impervious surface ratio is 0.65. Public utility facilities may also

be located in this category provided they can meet criteria for development established in the land development regulations.

- (3) **High Density Residential:** Maximum of 12.0 units per acre. Uses allowed include single family, customary accessory uses, duplex, multi-family residences, elementary, middle, and high schools. Boathouses, churches, schools, hospitals, nursery schools, group homes (consistent with policy 4a of the Housing Element), nursing homes home occupations and recreational facilities are also allowed in this district. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora). Impervious surface ratio is 0.65. Public utility facilities may also be located in this category provided they can meet criteria for development established in the land development regulations.
- (4) **Office:** This category is intended to provide a transition between residential areas and other higher intensity uses. Permitted uses include single family residential uses, multi-family residential uses (not to exceed 12 units/acre), insurance, real estate, attorney, medical, dental, financial and other business and professional offices, and public utilities. Educational facilities shall not be allowed in this district. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora). Impervious surface ratio is 0.65.
- (5) **Commercial:** This category is limited to retail businesses. The city desires to maintain its traditional downtown setting, within the downtown and contiguous areas along Highland Street, 5th Avenue, Donnelly Street and Old U.S. 441. Residential uses are permitted in C-1, C-2, and C-2A zoning districts in association with commercial uses at a maximum density of 12 units per acre. With the exception of the downtown commercial area, all other commercial uses are limited to nodes along intersections of arterial and non-residential collectors, and along U.S. 441/S.R. 19A or in planned commercial centers. Educational facilities shall not be allowed in this district Height is limited to 35 feet (25 feet within 100 feet of Lake Dora). Impervious surface ratio shall be as follows based upon the zoning district and location:
  - C-1 - 0.80
  - C-2 within downtown exempt district - 1.00
  - C-2 outside downtown exempt district - 0.80
  - C-3 - 0.65
- (6) **Industrial:** This category is intended for light manufacturing, warehousing and storage associated with a business or Industrial use, wholesaling, distribution, office and other related activities. Educational facilities shall not be allowed in this district. Industrial parks with good internal circulation and attractive appearance from adjacent roads are encouraged. Height is limited to three stories. Maximum impervious surface ratio is 0.65.

- (7) **Recreation:** Under this category uses are limited to active and passive recreation uses. Educational facilities shall not be allowed in this district. Maximum impervious surface ratio is 0.25. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora).

Active - includes the City's golf course, ball fields, courts and swimming pool.

Passive - includes nature trails, park benches and open space.

- (8) **Conservation:** This category includes natural forest, natural communities, and environmentally sensitive areas. This land use category is intended for passive recreation activities and nature trails. Educational facilities shall not be allowed in this district. No building is permitted except for elevated boardwalks, equipment storage and restrooms. Maximum impervious surface ratio is 0.10.

- (9) **Public Lands and Institutions** - This category may include public lands owned by the city, county, state, federal government or school board. Also included in this category may be churches, cemeteries, and other public or quasi-public lands including elementary, middle, and high schools. Maximum impervious surface ratio is 0.70. Height is limited to 35 feet (25 feet within 100 feet of Lake Dora).

5. To ensure the protection of natural resources.

Policies:

- a. Identify areas of environmental concern on the Future Land Use map as "Conservation" areas consistent with the Conservation Element. This will include mapping of flood prone areas, potable water wellfields and environmentally sensitive lands if they are identified within the planning area; the mapping may occur on the FLU map or within another appropriate element.
- b. Enforce appropriate development regulations to protect conservation areas and potable water wellfields.
- c. Monitor results through the development review and approval process and provide updates to the Comprehensive Plan and land development regulations every five years.
- d. Coordinate local efforts with any appropriate resource planning and management plan prepared pursuant to Chapter 380, Florida Statutes, and approved by the Governor and Cabinet.
- e. The City recognizes the need to protect specific rare natural communities within the Wekiva Study Area. These include the longleaf pine, sand hill, sand pine and xeric oak communities.

The city shall require that a site assessment produced by an environmental professional verify the existence or lack thereof of these natural communities on all sites over 30 acres in size. If portions of these communities (less than or equal to 50%) exist on potential development sites, they shall be protected. The development potential lost through this protection shall be allowed to be transferred to more appropriate areas of the site. If more than 50% of the site is encompassed by one of these communities, 50% of the natural community shall be protected with the density transferred from the protected portion of the site to the developed portion.

For sites greater than 100 acres which have more than 50% of the site containing sensitive upland habitats, at least 50% of the site must be maintained as open space and that portion must contain the sensitive habitat.

As part of this assessment the developer shall identify any Karst features located on the site. These shall include but not be limited to sinkholes and limestone outcroppings. All development shall maintain a 50 foot buffer from these karst features.

6. The City shall implement acceptable planning programs and techniques to ensure compact growth and development to discourage the proliferation of urban sprawl.

Policies:

- a. Through the adoption of this plan, the concurrency management system will ensure that facilities and services needed to support development are available only in areas that are delineated on the service area maps.
  - b. Development standards that create functional open spaces will be implemented. These standards shall include, but are not limited to clustering of development with a minimum standard of 35% open space in mixed use single and multi-family developments.
  - c. Within the City of Mount Dora, commercial uses shall be restricted to commercial nodes adjacent to the intersections of arterial and major collector roads. All new development is required to provide frontage/access roads and where appropriate, shared access agreements.
  - d. Eliminate enclaves through coordination with Lake County and provision of needed services to encourage annexation into the city as development approvals are requested.
7. To ensure the availability of suitable land for utility facilities necessary to support proposed development.

Policies:

- a. Identify necessary lands through the completion of long-range planning for public facilities as part of this Comprehensive Plan.
- b. Identify costs and schedules for acquisition of needed sites, and include the costs in the Capital Improvements Element.
- c. Use equitable funding mechanisms for existing and new development to pay a fair-share cost for lands necessary to support growth. Such mechanisms shall be included in adopted land development regulations and implemented through the annual budget process and through impact fees to be implemented as appropriate.
- d. The city shall develop a wastewater facility plan for our utility service area where central wastewater systems are not currently available. The facility plan shall include: the delineation of areas within the utility service area that are to be served by central facilities within 5 years; a financially feasible schedule of improvements; an infrastructure work plan to build the facilities needed to implement the facility plan, including those needed to meet enhanced treatment standards adopted by the Department of Environmental Protection; and a phase-out of existing onsite septic tank systems where central facilities are available.

The term available shall be interpreted consistent with the definition of s. 381.0065(2)(a). The facility plan shall also include a long-range component addressing service utility service area outside of the 5 year horizon. In addition, the city shall establish a water reuse program that allows for reuse of reclaimed water on a site-by-site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for nonpotable usage.

The city shall update the wastewater facility plan where the Total Maximum Daily Loads Program requires reductions in point source pollutants for a basin or as required by legislation for enhanced treatment standards.

- e. The city shall develop a master stormwater management plan that: assesses existing problems and deficiencies in the community; identifies projects to meet long-range needs; establishes priorities to address existing deficiencies; establishes measures to address redevelopment; establishes a schedule to complete needed improvements; evaluates the feasibility of stormwater reuse; and includes requirements for inspection and maintenance of facilities.

The plan shall also identify a funding source, such as a stormwater utility fee, to fund implementation of the plan and maintenance program. In addition, the local government shall establish a water reuse and irrigation program that allows for reuse of stormwater on a site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for nonpotable usage.

8. To continue to adopt and enforce, innovative land development regulations where a public benefit can be realized, and where the impact on public facilities can be offset by the development.

Policies:

- a. Allow for mixed uses and unconventional development designs in those cases where the developer can demonstrate improved living environments, protection of natural resources, or increased efficiency of services. This should be facilitated through regulations found in the Land Development Code. The minimum size of a Planned Unit Development is five (5) acres outside Community Redevelopment Districts and one (1) acre within Community Redevelopment Districts. Permitted uses are as follows:

- Planned residential communities may also contain complimentary office and/or commercial uses at a maximum of 25% of the site provided it is harmoniously designed and buffered from the residential uses. These developments must provide a minimum of 30% open space exclusive of building lots unless the property is located within a redevelopment district in which case there will be no minimum requirement.

- Planned commercial/office centers may include complimentary residential uses at a maximum of 25% of the site, provided it is harmoniously designed, functionally developed, provide adequate internal circulation, and are buffered from each other. These centers must provide a minimum of 35% open space (unless the property is located within a redevelopment district in which case there will be no minimum requirement) and are most appropriately located adjacent to other office or commercial centers. Planned commercial/office centers may be located in the commercial or office land use categories.

- Planned industrial parks may include commercial uses at a maximum of 30% of the site, provided it is harmoniously designed, functionally developed, provide adequate internal circulation, and are buffered from each

other. These centers must provide a minimum of 35% open space unless the property is located within a redevelopment district in which case there will be no minimum requirement. Planned industrial centers shall only be located in the City's Industrial Land Use Category.

- b. Require new developments to provide necessary services and facilities, or to pay a fair share of the cost of those services and facilities.
  - c. Require adequate services and facilities to be available at the time buildings are occupied.
9. To protect historic resources.

Policy:

Continue to enforce the adopted Historic Preservation Ordinance requirement to establish a district, a review board, standards procedures and incentives to preserve historic resources, and to promote quality architecture compatible with those historic resources.

10. To preserve existing desirable neighborhoods.

Policies:

- a. Discourage through-traffic in residential neighborhoods through appropriate signage, law enforcement and annual monitoring reports.
  - b. Through adoption and enforcement of land development regulations and application of the development review process prohibit commercial intrusion into residential areas.
  - c. Enforce adopted buffer standards in the land development regulations to protect new and established residential areas adjacent to new and established non-residential uses.
  - d. Adopt and implement land development regulations that promote Residential Professional uses along portions of 5<sup>th</sup> Avenue, on Highland Street and Donnelly Street as shown on the Future Land Use Map in order to encourage the use of existing structures, provide access control, and provide buffering.
11. Adopt and implement land development regulations that encourage and guide the development of US 441 as a scenic parkway that efficiently moves traffic and presents an attractive, aesthetically pleasing appearance.

Policies:

- a. Allow high-intensity uses (such as commercial, office, hotels) and high-density residential within areas along the US 441 Parkway, as identified on the Future Land Use Map.
  - b. Require new development to provide necessary service roads.
  - c. Require new development to provide buffering and reasonable transitions to lower density residential areas.
  - d. Require new development to provide landscaping, architectural treatments and other improvements, in order to present an appearance along the US 441 Parkway consistent with the charm of Mount Dora.
12. Through the adoption of the Capital Improvements Element of this plan and through the annual budget process, provide focal points for government services to ensure reasonable availability of services to all areas. The policies listed below are to serve as guidelines and will be reviewed annually to ensure appropriate timing.

Policies:

- a. Downtown - The Downtown area, near the intersection of Donnelly Street and Fifth Avenue, and extending north along Donnelly, will continue to serve as the citywide service center, housing the city hall, fire and police headquarters and station, the main library, community building, parks, and beautification projects.
  - b. West - A focal point will be established near the intersection of SR 19A and Old 441 to serve the western end of the planning area. Recreation and open space will be provided along with stations for police and/or fire, as may be needed (possibly as a joint effort with other jurisdictions). Landscaping improvements will also be made in order to provide an attractive appearance at this major entry point.
  - c. East - The eastern third of the planning area (i.e., east of the US 441 Parkway) will eventually need a point near the center of that area to provide services similar to those provided in the western area. Landscaping should be consistent with the theme established throughout the city to promote continuation of that theme elsewhere.
13. The City of Mount Dora, recognizing the environmental significance of property annexed through the adoption of Ordinance No. 822 (the "Property"), has adopted and will enforce development standards on the property to ensure the discouragement of urban sprawl, coordination with public facilities and the protection of the environmental function of this area. The policies adopted below specifically outline these requirements.

The Property is anticipated to be developed as an adult/retirement community. The building intensities of the Property shall be limited to 80,000 square feet of commercial and 950 residential units at the maximum rate of 1.67 units per acre. No building height shall exceed thirty-five feet.

The Property shall be developed in accordance with the standards of R-1 (Single Family Residential) as it exists at the time of this comprehensive plan amendment except as modified in the policies set forth below.

Policies:

- a. There shall be a maximum 950 dwelling units.
- b. Commercial Acreage. Eight acres more or less may be designated as commercial. A total maximum of 80,000 square feet of commercial space may be constructed within this area.
- c. The site will maintain a minimum of 60% open space on site, consisting of a maximum of 10% open space on individual lots and the balance of the open space on other portions of the Property. Open space shall be defined for this purpose as any portion of the Property which is open to the sky, including those portions of the property containing landscape materials, and which contains no impervious surfaces. Recreational uses may be allowed within the open space area. Pervious surfaces within individual residential or commercial lots do not qualify as open space. Open space shall be clearly established as a part of any subdivision or plat approval of the Property.
- d. Based upon geotechnical analysis prepared a by a professional geologist or hydrologist licensed to practice in the State of Florida, the post development recharge volumes will meet or exceed the predevelopment recharge volumes. The final design must demonstrate a water balance that is sensitive to the groundwater recharge area. Specific data on the recharge nature of the soils and the differential heads between the surficial and Upper Floridian aquifers must be demonstrated. Such demonstration shall be a prerequisite to any plat approval. Mount Dora will coordinate the review of the geotechnical analysis with the Department of Environmental Protection and St. Johns River Water Management District.
- e. There is the potential for construction of a golf course on this site. If a golf course is developed, the developer shall develop and maintain the course under the auspices of the Audubon International Signature Program at least a silver level.
- f. The City shall require that individual building lots be required to landscape consistent with the Florida Friendly Landscape

requirements developed by the University of Florida. These standards provide that little or no additional water is used for irrigation purposes and rely heavily on native and drought tolerant plantings.

- g. In order to further protect water quality as a part of subdivision or plat approval the City shall require a stormwater management plan for the Property which meets City requirements and which utilizes treatment train techniques including use of grassy swales. The stormwater management plan shall include commitments for Property Owner Association maintenance of the stormwater management system.
  - h. As part of the development, the City shall require Traffic Impact Analyses. These studies will meet all requirements of the City of Mount Dora, Lake County, and DOT including any potential roadway improvements not originally anticipated.
14. The city shall adopt an update to its comprehensive plan pursuant to Section 163.3181, Florida Statutes, Evaluation and Appraisal Reports, within one year of the effective date hereof (December 4, 2003) to ensure that the City's Comprehensive Plan is in compliance with all applicable State Statutes and Administrative Rules. In addition the City shall consider further updates to its comprehensive plan based upon the recommendations of the Wekiva River Basin Coordinating Committee.

Policies:

- a. The comprehensive plan update shall be adopted no later than December 4, 2004.

## B. Joint Planning Agreements

The City has been very active in pursuing planning agreements that address areas outside of our City Limits. We are unique in the fact that we have Joint Planning agreements with Lake and Orange Counties and the City of Eustis.

### 1. Orange County Joint Planning Agreement

In 1996, following several months of negotiations, the City and County agreed on what all feel is a unique approach to the issues faced in this process. The JPA encompasses nearly 1200 acres just south of the city limits primarily on the In terms of joint planning, the jurisdictions adopted a 50 year agreement which requires the County to enforce the city's design and density standards within the JPA. Additionally, the county will allow a city representative to participate in the county's development review process to ensure that city standards are met. In terms of utilities, the city agreed to provide water and sewer service to the area for a 50-year term. At the end of the 50 years, if the county is prepared to serve the JPA with these services, the City will retain all customers being served at that time. This agreement allows the City to control the appearance of the development, which will act as a southern entrance to the City. Additionally, it provides the City with a reliable revenue stream to bond water and sewer improvements to serve the development.

2. A Joint Planning Agreement was adopted with Lake County in 2004 after several years of off and on negotiations. This agreement addresses density, intensity and location of uses within the planning area. Additionally, the agreement requires a joint review of all development to ensure compatibility with the most stringent of City and County regulations.

One weakness of this agreement is that at the time of adoption the County was reluctant to adopt a land use map outlining the specific uses allowed within the JPA. It was their preference to have the City participate in the process of revising the County comprehensive plan to avoid additional hearings. The City has been working with the County for the last four years to accomplish this task. Significant headway has been made. The City has proposed a land use map that incorporates industrial corridors along S.R. 46 east of U.S. 441 to promote clean light industry. Additionally, the City has proposed an Employment Center east of Round Lake Road. The County has yet to transmit their comprehensive plan to the State for review.

The intent of the EC Employment Center District is to promote orderly and logical development of land for major office complexes and light, clean industrial development in attractively designed, park-type settings, and to assure adequate design in order to maintain the integrity of existing or future nearby residential areas. The ultimate site must be large enough to

meet the standards in the Land Development Code while retaining a well-landscaped image so as to readily blend with nearby residential areas. It is intended that a minimum number of points of ingress and egress be utilized in order to reduce the traffic impact on adjacent streets and thus enhance traffic movement. The district is most generally located on, or having access to, arterial or collector roadways. Areas of the city appropriate for this district are included in the "office" designations on the future land use map of the comprehensive plan and within the "employment center" of the Lake County/Mount Dora Joint Planning Area. This district is intended to be a high intensity office district. Floor area ratios are limited to 3.0. This will allow mid and high rise development. The district is intended to be primarily office type development but the code allows for light manufacturing if there is an associated corporate office type use. Retail commercial uses are allowed in this district but are limited to serve the office or manufacturing uses.

The City has also adopted a water and sewer territorial agreement with the City of Eustis. This agreement establishes a joint boundary for water and sewer services to ensure efficient delivery of these services. The agreement prohibits either jurisdiction from providing service or annexing across the service line without mutual consent. This agreement has cleared up territorial issues with Eustis and has allowed us to plan for our future growth areas.

## 2. Short Term Growth Planning

Where the City's long term growth and development is guided by the comprehensive plan and joint planning agreements, the shorter range planning is governed by the zoning of property. Where the comprehensive plan and land use outlines the general direction of development, the zoning on a piece of property tells how the property can develop. Within each zoning district are minimum lot sizes, setbacks, parking and landscape requirements, etc.

There are eight non-residential zoning categories in the City. These range from the low intensity office districts to the more intense light industrial and employment center districts. Each district has different requirements. For example the Residential Professional district is designed to allow the alteration of residential homes to offices. The standards in this district are designed to be more flexible because in most cases there is an existing structure designed to a residential standard. These structure and sites do not typically allow for conformance to rigid standards. This is also true of the Downtown Commercial zoning district. Due to the historical development patterns in this area, flexibility is required to allow redevelopment to occur. As you move to the more intense zoning districts, standards become less flexible with the increased intensity of the development. This is due to the fact that more intense commercial and industrial uses require certain amounts of parking to make them functional and not adversely affect the surrounding roadway systems. They require landscaping to ensure that the site is adequately buffered from adjacent uses. Architectural standards are in place to ensure that nondescript unattractive buildings

are not constructed in the City. Attached on the following pages are descriptions of the various non-residential zoning districts for your reference. The entire Land development code can be found on the City's web site ([www.cityofmoundora.com](http://www.cityofmoundora.com)) and at [www.municode.com](http://www.municode.com) .

# NON-RESIDENTIAL ZONING DISTRICTS

## 3.4.6. C-1 Neighborhood Commercial:

1. *Description of district.* This district is established to provide commercial areas that serve neighborhood needs without damaging the residential character of the neighborhood and without attracting traffic from outside the neighborhood. The architecture of the proposed development shall be compatible with the established neighborhood. Areas of the city in which this district is appropriate are designated as "commercial" on the future land use map of the comprehensive plan and are generally located adjacent to the Grandview Street between Grant Avenue and Lincoln Avenue. Proposed sites must be of sufficient size to allow for required buffers.

### 2. *Permitted uses.*

a. Any small convenience retail business or service customarily serving residential neighborhoods as opposed to businesses that serve regional areas, including drug stores, shoe repair, hardware stores jewelry stores, banks, florists, camera stores, luggage stores, tailor shops, photographic studios, restaurants, office supplies, paint stores, antique shops, specialty shops, convenience stores, commercial recreation, and other similar retail and office uses as those shown above.

b. Residential associated with the permitted uses set forth in subparagraph a. above.

### 3. *Conditional uses* (See section 2.6):

a. Churches.

b. Funeral homes.

c. Day care centers.

d. Public service and utility facilities.

e. Gas stations.

f. ALF's.

g. Nursing homes.

### 4. *Prohibited uses:*

a. Bars and cocktail lounges.

b. Liquor stores.

c. Massage parlors.

5. *Site development standards:* Within this district, development will generally be required to be compatible with the existing character of the Northeast District.

a. Minimum building setbacks: Buildings shall be set back consistent from property lines with existing, adjacent or nearby buildings so as to provide uniform frontage and spacing without blocking reasonable visibility of existing buildings.

b. Maximum building height: 35 feet.

Within 100 feet of Lake Dora: 25 feet.

c. Minimum street frontage (ft.): No minimum street frontage is required, provided that building and fire codes can be met and necessary services are provided.

d. Parking: The C-1 district as described above is recognized as a pedestrian oriented commercial district. Based on the level of pedestrian activity in the district, parking shall be provided based upon availability of land outside the applicable buffer.

e. Landscaping/buffers: Building shall be buffered from property lines consistent with existing adjacent, or nearby buildings as to provide uniform landscaping and buffering. Landscape planting requirements shall meet the requirements of a type "a" buffer as described in section 6.6.

#### 3.4.7. C-2 Downtown Commercial.

1. *Description of district.* This district is established to provide the primary commercial area to meet the retail and service needs of the city and to provide a unique and enjoyable shopping and activity center for the region. This district is most appropriate downtown, with "downtown" generally being considered to be that area of compact and continuous commercial uses radiating from the intersection of Donnelly Street and Fifth Avenue. This district may be allowed in areas designated as "commercial" on the future land use map of the comprehensive plan.

##### 2. *Permitted uses:*

- a. Drug stores, shoe repair, hardware stores, jewelry stores, banks, florists, camera stores, luggage stores, tailor shops, photographic studios, liquor stores selling liquor for consumption off premises, restaurants, bars and cocktail lounges associated with restaurant uses, newsstands, office supplies, paint stores, antique shops, similar retail sales activities to those listed above.
- b. Motels and hotels.
- c. Offices.
- d. Specialty shops.
- e. Theaters.
- f. Variety stores.
- g. Parking garages.
- h. Department stores.
- i. Convenience stores.
- j. Museums.
- k. Art galleries.
- l. Photographic and fine arts studios.
- m. Real estate offices.
- n. Bakeries.
- o. Dwellings consistent with the comprehensive plan.
- p. Neighborhood retail.
- q. Personal service establishments.
- r. Residential associated with the permitted uses set forth above.

3. *Conditional uses:* Any building or structure that is, in the opinion of the development review coordinator, not clearly permitted in the C-2 district may be required to obtain a conditional use permit.

4. *Prohibited uses:* The following uses are specifically excluded from the C-2 district:
- a. Gas and oil service centers.
  - b. Shopping centers and discount houses.

- c. Any commercial establishment involving manufacturing, warehousing, excessive traffic generating activity, or any activity likely to cause objectionable noise, fumes, vibrations, dust, odor or fire hazard.
- d. Drive-in facilities.

5. *Site development standards:* Within the downtown area, development will generally be required to be compatible with the existing downtown character.

a. Minimum building setbacks: At a minimum, buildings shall be set back from property lines consistent with existing adjacent or nearby buildings so as to provide a uniform frontage and spacing without blocking reasonable visibility of existing buildings.

b. Maximum building heights: 35 feet.

Within 100 feet of Lake Dora: 25 feet.

c. Minimum street frontage: No minimum; provided, that building and fire codes can be met and necessary service areas can be provided.

d. Loading areas: Loading areas as required in section 6.5 will be provided except where such areas are determined to be infeasible for existing buildings.

e. Landscaping/buffers: Buildings shall be buffered from property lines consistent with existing, adjacent or nearby buildings as to provide uniform landscaping and buffering.

f. Signs: The requirements of section 6.7 shall apply.

g. Access: Pedestrian access is of primary importance in the downtown area. Sidewalks shall be provided as needed to provide pedestrian access to the proposed project, to adjacent properties as appropriate and to maintain the overall sidewalk system downtown. Vehicular access will in most cases be limited to rear service areas and parking lots. Front or side yard parking may be permitted when it is demonstrated that the character of the downtown area will not be adversely affected.

h. Canopies, awnings and arcades: Notwithstanding any other city ordinance or codes to the contrary, canopies, awnings and arcades may be utilized. Projection onto or over the public streets, sidewalks or right-of-way will be permitted. However, in order to be approved, the following minimum standards shall be met: the minimum height of the bottom of the canopy, awning or arcade structure shall be seven feet; and, the canopy awning or arcade structure shall be constructed so that the bottom thereof is horizontal.

i. Building design:

1. Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.

2. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.

a. Materials shall have good architectural character and be selected for harmony of the building with adjoining buildings.

b. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those that are architecturally harmonious, used for all building walls and other exterior building components wholly or partially visible from public ways.

c. Materials shall be of durable quality.

- d. In any design in which the structural frame is exposed to view, the structural materials shall be compatible within themselves and harmonious with their surroundings.
3. Building components, such as windows, doors, eaves, and parapets, shall have appropriate proportions and relationships to one another.
4. Colors shall be harmonious and shall use only compatible accents. Fluorescent colors shall be prohibited.
5. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located as not to be visible from any public ways.
6. Exterior lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
7. Refuse and waste removal areas, service yards, storage yards, recycling areas and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.
8. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple building projects, variable siting or individual buildings may be used to prevent monotonous appearance.
9. See section 6.11 (architectural guidelines) for additional standards.

3.4.7-A. *C-2-A Peripheral Commercial Zoning District.*

1. *Description of district.* This district is established to provide a commercial area for the retail and service needs of the overall community in addition to those uses permitted in the C-2 Downtown Commercial District. This district is most appropriate along Highland Street, three hundred feet along Fifth Avenue going west from Highland Street and designated "commercial" on the future land use map.

2. *Permitted uses:*

a. Those uses permitted in the C-2 district.

3. *Conditional uses* (See section 2.5):

a. Gas and oil service stations may be permitted as conditional uses at the northwest and southwest corners of the intersection of Highland Street and Fifth Avenue and at the northeast corner of the intersection of First Avenue and Highland Street.

b. Bus passenger terminals; provided, however, that no vehicle repair or related maintenance operation shall be conducted on the premises.

c. Any building, structure or use that is, in the opinion of the development review coordinator, not clearly permitted in the C-2-A district and which is not prohibited, may be allowed upon the grant of a conditional use permit.

d. Single paint bay auto body shops.

In addition to the requirements of section 2.6, the planning and zoning commission may require additional adequate systems to prevent ground, air or noise pollution, and may require setback and landscaping which are adequate for any conditional use.

4. *Prohibited uses.* Any commercial establishment involving manufacturing, warehousing, excessive traffic or any activity which may cause objectionable noise, fumes, vibrations, dust, odor or fire hazard.

5. *Site development standards:*

		Adjacent to Residential	Standard
a.	Minimum building setbacks (ft.)		
	Front yard	25	0*
	Side yard	25	0*
	Rear yard	25	10
b.	Maximum building height (ft.)	35	35
	Within 100 ft. of Lake Dora	25	25
c.	Minimum street, frontage	Same as C-2	
d.	Parking	See section 6.5***	
e.	Landscaping/buffers	Same as C-2**	
f.	Signs	See section 6.7	
g.	Access	See subsection 6.3.7	

\* Side and front yard setbacks shall be determined by averaging the side or front yard setbacks on all structures within 100 feet of the proposed site along the same right-of-way.

\*\* Minimum planting standards shall be those of a type "A" buffer. However, rear buffer requirements may be waived on single street frontage interior parcels adjacent to residential zoning districts if a six-foot privacy fence is installed to completely obstruct the view to the rear of the building from the adjacent residential property.

\*\*\* Up to eight parking spaces may consist of a stone surface provided parking is located in the rear of the building and screened from adjacent property.

#### 3.4.8. *C-3 Highway Commercial.*

1. *Description of district.* This district is established to provide concentrated shopping center-type developments at the intersections of major highways without adversely impacting the safety and traffic circulation efficiency of those highways. Areas suitable for shopping center development are generally along S.R. 19A and along U.S. 441, and along Old U.S. Highway 441 west of Morningside Drive, at major intersections or where secondary service roads are provided. This district is appropriate in areas designated as "commercial" or "industrial" on the future land use map of the comprehensive plan. In order to ensure development consistent with the plan, all commercial development, as opposed to office development, for example, shall be located upon parcels with U.S. 441 frontage which are contiguous to intersections of existing collector or arterial roads, those being Highway 19A, Eudora Road, Morningside Drive, Donnelly Street, Limit Avenue,

Lincoln Avenue, First Avenue, and Robie Avenue, with U.S. 441 and that certain proposed road which will intersect with U.S. 411 between Eudora Road and Morningside Drive or within 1,000 feet thereof, as measured along U.S. 441 regardless of property depth, and connected by a frontage road to the intersection. "T" intersections may be used only for properties on the same side of the continuous road as the dead end road. C-3 zoning is allowable only for the portion of the property in question which is within 1,000 feet of the intersection in question, as measured along U.S. 441 regardless of property depth. In no event, however, is C-3 zoning assured even for those parcels meeting the 1,000-foot criteria. Zoning of any such parcels shall be at the discretion of the city council. Further, any land uses which are allowable only by virtue of C-3 zoning are only allowable within 1,000 feet of the intersection in question, as measured along U.S. 441 regardless of property depth, even if the parcel is zoned planned unit development.

2. *Permitted uses:*

- a. Business establishments with retail sales including: Antiques, arts, bakeries (with baking of products for sale on the premises), bicycles, books, drugs, electrical appliances, florists, gifts, groceries, hardware, jewelry, luggage, music, newsstands, office supplies, paint and wallpaper stores, photographic, plumbing fixtures sales and service, radios and televisions, department stores, restaurants, bars and cocktail lounges and liquor stores.
- b. Service establishments without products, including: Financial institutions, walk-in theaters and health spas.
- c. Personal service establishments including: Art studios, barber shops, beauty shops, photographic studios (excluding processing labs), shoe repair, tailoring and watch and clock repair.
- d. Offices: Administrative, business and professional.
- e. Accessory uses which are normally associated with uses permitted herein when in conjunction with uses properly licensed for operation on the same site.
- f. Other uses which are similar or compatible to the uses permitted herein and which are not specifically permitted in a more permissive district and which are not prohibited and which promote the intent and purposes of this district. This determination shall be made by the planning and zoning commission.

3. *Conditional uses (See section 2.6):*

- a. Emergency shelters.
- b. Treatment and recovery facilities.
- c. Group housing.
- d. Adult living facilities.
- e. Automobile sales, (including no more than three recreational vehicles), motorcycle sales, service stations; however, only minor repairs may be made to vehicles provided such repairs are made within an enclosed building.
- f. Bus passenger terminals; provided, however, that no vehicle repair or related maintenance operation shall be conducted on the premises.
- g. Car washes.
- h. Group care facilities.
- i. Public and semipublic uses such as: Private schools, churches, hospitals and clinics (including animals), community centers, libraries, museums, nursing and/or convalescent

homes, schools (private, business, trade, vocation, public and professional) and public utilities.

4. *Prohibited uses.* All uses not allowed as either a permitted use or a conditional use above is prohibited unless adopted as part of a planned unit development.

5. *Site development standards:*

		Adjacent to Residential	Standard
1.	Minimum building setbacks (ft.)		
	Front yard	50	25
	Side yard	50	25
	Rear yard	50	25
	From any street	50	25
2.	Minimum lot size (sq. ft.)	15,000	
3.	Maximum building heights (ft.)	35	
	Within 100 ft. of Lake Dora	25	
4.	Minimum street frontage (ft.)	200	
5.	Maximum building size (sq. ft. leaseable area)	100,000	100,000*
6.	Parking	See section 6.5	
7.	Landscaping/buffers	See section 6.6	
8.	Signs	See section 6.7	
9.	Access	See subsection 6.3.7	

\*Subparagraph 5 relating to maximum building size shall apply to all new buildings for which a development order is sought after the effective date hereof unless such development order is sought in conjunction with a planned unit development for which an exception to subparagraph 5 has been granted, in which case subparagraph 5 shall not apply.

### 3.4.9. *RP Residential Professional.*

1. *Description of district.* This district is established to provide areas where existing residential structures can be utilized for office use and not adversely affect adjacent property owners or traffic patterns. The district would generally be found in transitional neighborhoods along major roads and adjacent to commercial areas to provide a transition to adjacent residential areas. Areas of the city appropriate for this district are included in the "office" designation on the future land use map of the comprehensive plan.

#### 2. *Permitted uses:*

- a. Single-family homes and customary accessory uses, including boathouses for storage of watercraft, not including sea planes, and not for human occupancy, of no more than 25 feet in height.
- b. Duplexes meeting R-2 development standards.

3. *Conditional uses* (See section 2.6). Conditional uses should only be approved in those cases where adequate parking can be provided, adjacent residential areas can be properly buffered and adequate landscaping can be provided. Because a conditional use will generate more traffic than a residence, the road access may be required to be improved as a condition of approval. The combining or elimination of curb cuts, cross access easements and rear lot access should all be considered. Sidewalks must be provided along all street frontages. The following conditional uses may be considered:

- a. Professional offices.
- b. Personal service establishments.
- c. Adult living facilities.

#### 4. *Site development standards:*

a. Minimum building setbacks for new buildings: Existing structures which do not meet setback, frontage or other site requirements may be granted a conditional use if additional buffering or landscaping is provided.

Front yard: 25 feet.

Side yard: 10 feet.

Rear yard: 30 feet.

From any street: 25 feet.

b. Minimum street frontage: 75 feet.

c. Maximum building height: 35 feet.

Within 100 feet of Lake Dora: 25 feet.

d. Minimum lot size: 8,500 square feet.

e. Minimum lot width at building line: 75 feet.

f. Minimum dwelling size: 1,200 square feet.

g. Parking: See section 6.5.

Parking for conditional uses shall be in rear yards, if possible.

h. Landscaping/buffers: If provision of minimum buffer widths is prohibitive due to site size, additional landscaping may be provided in lieu of provision of the entire buffer.

- i. Signs: Each site as part of a conditional use may have a wall-mounted identification sign of no more than 20 square feet in area. Design criteria for the sign may be specified as a condition of approval.
- j. Access: Every effort should be made to reduce the number of curb cuts by providing access easements with properties on either side to allow vehicles to go from one parcel to another without entering the public road or by use of other methods. Driving aisle widths may be reduced if parking is provided in the rear of the site and if sight constraints prohibit full aisle widths.

#### 3.4.10. *OP Office Professional.*

1. *Description of district.* The intent of the OP Office Professional District is to promote orderly and logical development of land for offices and service activities, and to assure adequate design in order to maintain the integrity of existing or future nearby residential areas. The ultimate site must provide a low intensity of land usage and site coverage to enable the lot to retain a well-landscaped image so as to readily blend with nearby residential areas. It is intended that a minimum number of points of ingress and egress be utilized in order to reduce the traffic impact on adjacent streets and thus enhance traffic movement. The district is most generally located on arterial or collector roadways. Areas of the city appropriate for this district are included in the "office," "commercial" and "industrial" designations on the future land use map of the comprehensive plan.

#### 2. *Permitted uses:*

- a. Dental and medical labs and clinics.
- b. General office buildings.
- c. Professional offices.
- d. Financial offices.
- e. Telephone and utility business offices.
- f. Public uses.
- g. Other similar uses if determined to be compatible by the planning and zoning commission.

#### 3. *Conditional uses* (See section 2.6):

- a. Commercial parking facility.
- b. Banks.
- c. Private schools.
- d. Hospital and nursing homes.
- e. Clubs and lodges.
- f. Funeral homes.
- g. Public service and utility facilities.
- h. Churches.
- i. Day care centers.

4. *Site development standards:*

		Adjacent to Residential	Standard
a.	Minimum building setbacks (ft.)		
	Front yard	50	50
	Side yard	50	25
	Rear yard	50	25
	From any street	50	25
b.	Minimum lot size (sq. ft.)	15,000	
c.	Minimum lot width (ft.)	125	
d.	Maximum building height (ft.)	35	
	Within 100 ft. of Lake Dora	25	
e.	Parking	See section 6.5	
f.	Landscaping/buffers	See section 6.6	
g.	Signs	See section 6.7	
h.	Access	See subsection 6.3.7	

3.4.11 *WP-1 Workplace:*

1. *Description of district.* The WP-1 district is established in order to identify and provide those geographic areas within the city that are appropriate for the development and maintenance of a light industrial, office, manufacturing and warehousing environment. The purpose of this district is to provide light, clean industrial development in attractively designed, park-type settings that allow for the manufacturing and / or distribution of previously prepared materials or finished products or parts including the processing, fabrication, assembly, treatment and packaging of such products. Service and commercial activities relating to the character of the district and supporting its activities and employees are permitted as conditional uses, however, this district is not intended to be commercial in character. Areas of the city in which these districts are appropriate are designated as "industrial" on the future land use map of the comprehensive plan.

2. *Permitted uses:*

- a. Trade shops.
- b. Warehouses associated with principal uses other than warehousing.
- c. Commercial distribution centers.
- d. Manufacture or assembly of computer or electronic parts or components.
- e. Manufacture or assembly of furniture or fixtures.
- f. Commercial bakeries.
- g. Manufacture or assembly of pharmaceutical products.
- h. Medical laboratories.

- i. Manufacture or assembly of leather goods without processing facilities.
- j. Data processing services.
- k. Industrial trade schools.
- l. Manufacture or assembly of optical equipment.
- m. Research and development laboratories and facilities.
- n. OP (office professional) permitted uses.

3. *WP-1 conditional uses* (See section 2.5):

- a. Outside storage associated with a permitted use listed above.
- b. Service and commercial activities relating to the character of the district and supporting its activities and employees.
- c. Any building or structure that is, in the opinion of the development review coordinator, not clearly permitted in the WP-1 district, but is similar and compatible to the uses listed above, may be required to obtain a conditional use permit.

In addition to the requirements of section 2.5 the planning and zoning commission shall determine that there are adequate systems to prevent ground, air or noise pollution, that the required setback requirements of the WP-1 zoning district are adequate for the proposed conditional use, and that the facility shall conform to the standards set forth in the description of the WP-1 district in subsection 3.4.11.1 above.

4. *Site development standards:*

		Adjacent to Residential	Standard
a.	Minimum building setbacks (ft.)		
	Front yard	100	50
	Side yard	100	10
	Rear yard	100	10
b.	Minimum lot size (sq. ft.)	15,000	
c.	Maximum building height (ft.)	35	
	Within 100 ft. of Lake Dora	25	
d.	Parking	See section 6.5	
e.	Landscaping/buffers: The 25 feet of the front yard adjacent to the right-of-way shall be retained as a landscaped green area, with parking permissible in the remaining portion of the front yard only for passenger vehicles. See section 6.6.		
f.	Signs: See section 6.7.		

3.4.12 *WP-2 Workplace:*

1. *Description of district.* The WP-2 district is established in order to identify and provide those geographic areas within the city that are appropriate for the development and maintenance of a industrial, manufacturing, warehousing and office environment. The purpose of this district is to allow for more intense types of industrial uses that engage in the processing, manufacturing or storage of materials or products predominantly from previously extracted or raw materials. Areas of the city in which these districts are appropriate are designated as "industrial" on the future land use map of the comprehensive plan and are located within 921.03 feet east of U.S. Highway 441, south of East Robie Avenue and within 667.29 feet north of the Orange County Line.

2. *Permitted uses:*

- a. Wholesale storage of flammables associated with principal uses other than storage.
- b. Automobile paint and body shops.
- c. Utility trailer rental.
- d. Heavy equipment and tool rentals with outdoor storage.
- e. WP-1 permitted and conditional uses.

3. *WP-2 conditional uses* (See section 2.5):

- a. Utility facilities.
  - b. Telecommunications towers (subject to subsection 3.5.21).
  - c. Any building or structure that is, in the opinion of the development review coordinator, not clearly permitted in the WP-2 district, but is similar and compatible to the uses listed above, may be required to obtain a conditional use permit.
- In addition to the requirements of section 2.5 the planning and zoning commission shall determine that there are adequate systems to prevent ground, air or noise pollution, that the required setback requirements of the WP-2 zoning district are adequate for the proposed conditional use, and that the facility shall conform to the standards set forth in the description of the WP-2 district in subsection 3.4.12.1 above.

4. *Site development standards:*

		Adjacent to Residential	Standard
a.	Minimum building setbacks (ft.)		
	Front yard	100	50
	Side yard	100	10
	Rear yard	100	10
b.	Minimum lot size (sq. ft.)	15,000	
c.	Maximum building height (ft.)	35	
	Within 100 ft. of Lake Dora	25	
d.	Parking	See section 6.5	
e.	Landscaping/buffers: The 25 feet of the front yard adjacent to the right-of-way shall be retained as a landscaped green area, with parking permissible in the remaining portion of the front yard only for passenger vehicles. See section 6.6.		
f.	Signs: See section 6.7.		
g.	Outside storage: Any outside storage shall be screened from view from adjacent property.		

### 3. Wekiva Parkway

Perhaps the single most important issue to the City of Mount Dora since the relocation of U.S. 441 is the development of the Wekiva Parkway. Just as the relocation of U.S. 441 out of the downtown area preserved what is now a nationally recognized downtown area unique in Florida and created development opportunities adjacent to its current route, the Wekiva Parkway will be the single most important economic development driver in the City for years to come. The construction of this facility has the opportunity to facilitate the creation of an environment that will create high paying jobs, provide customers to Mount Dora businesses, and create a tax and utility base that will allow the City to maintain the high levels of service that residents have grown to expect. Cities have few opportunities to take advantage of opportune circumstances and turn those events into a means to drive economic development well into the future. Examples of failure to capitalize on opportunities similar to this are evident on either end of S.R. 408 (The East-West Expressway). The Wekiva Parkway has presented the City with that same opportunity.

The history of the Wekiva Parkway goes back many years. The current situation is that the Orlando/Orange County Expressway Authority, county and city governments, State agencies including the DOT and the environmental community have come together to agree on a plan to complete the beltway around Orlando. The Wekiva Parkway will connect S.R. 429 in Apopka to S.R. 417 in Sanford. The road is to be designed as a limited access facility to accomplish two tasks. One is to relieve traffic on Interstate 4. The other is to provide relief to U.S. 441. Although the intent of providing relief to U.S. 441 is to facilitate commuter movement into the Orlando metropolitan area, the City's challenge is to take advantage of the situation and create an environment that will provide for the creation of an employment center that will balance or reverse the existing commuting pattern. A map of the proposed route for the Wekiva Parkway is attached for your review.

A key component of this road is what is termed as the spur road that will leave the Parkway in northern Orange County and connect to S.R. 46 near Round Lake Road. S.R. 46 is proposed to be widened from the intersection at Round Lake Road to U.S. 441 from its current two lanes to four lanes. This spur and the widening of S.R. 46 will provide the transportation connection that will provide the opportunities for development east of town. During the Task Force meetings that resulted in the legislation paving the way for the parkway, two local economists were consulted to advise the committee on the potential growth impacts of a project of this nature. Both concurred that unless growth controls were in place, the resulting development pattern would be sprawling residential development. This is because residential development will always precede non-residential development. Unless the land is preserved for land use patterns that will follow the initial residential wave, the opportunity for economic development will be lost.

For these reasons, we have worked with the County to develop land use patterns within the JPA to preserve the land for future development (refer to discussion of Lake County JPA).

# Land Development and Building Processes

## 1. Land Development Processes

There are several land development processes outlined in the Land Development Code. To provide the Committee with as broad of a scope as possible each process is described below with a time frame associated with it.

The three bodies involved with land development processes are:

1. Development Review Committee (DRC). The DRC is a staff committee that reviews applications to ensure that they are technically correct and consistent with applicable comprehensive plan and land development code requirements. The DRC is comprised of representatives from the Planning and Development, Public Works and Utilities, Police and Fire Departments.
2. Planning and Zoning Commission (P&Z) – The P&Z is a City Council appointed citizen board that will either make recommendations to the Council or grant final approvals of applications based upon the application type.
3. City Council – the City Council is required to act on certain zoning and land development issues as defined by statute.

In terms of timing any application must be submitted by the first Monday on any month. The DRC meets the last Wednesday of the same month. The DRC provides the applicant with written comments and recommendations. DRC members discuss the comments and recommendations during the meeting. A follow-up letter is sent to the applicant following the meeting documenting the comments and recommendations and providing deadlines for the next submittals. Items requiring only DRC approval take 3 ½ weeks to process. Staff strongly encourages pre-application meetings to take place. At these meetings staff and the applicant discuss submittal requirements and procedures to ensure that everyone in the process has a full understanding of what is expected of them.

All application packets contain required submittal checklists and a procedures page that outlines the process.

The Planning and Zoning Commission meets the third Wednesday of each month. Items from the DRC requiring P&Z approval or recommendations are scheduled for this meeting. The Commission will approve, deny, approve with recommendations or postpone action on an item to be provided additional information. Items requiring P&Z approval take 6 ½ weeks to process.

The City Council meets the first and third Tuesday of each month. Items requiring City Council approval following the P&Z meeting are scheduled for the first available meeting. If no advertising is required, the item is typically scheduled for the next meeting. If advertising is required, the item will be scheduled no later than the second meeting following P&Z. Time frames vary based upon application type due to advertising. Items requiring one hearing at City Council are in process approximately 8-10 weeks. Items requiring two hearings require 10-12 weeks.

The general processes for various types of development approvals are as follows:

1. Rezoning (Chapter III City of Mount Dora Land Development Code)

A rezoning is a process that allows property owners to change their zoning from one classification to another. For example if you had a residentially zoned property and wanted to use it for commercial purposes, a rezoning would be required. City Council approval is required with two hearings – 10-12 weeks

2. Subdivisions (Chapter IV City of Mount Dora Land Development Code)

Subdividing a property is a three step process as outlined in the code. However, these three steps can be combined into one or two steps at an applicant's request. A full subdivision review is required for projects containing four or more residential lots or three or more commercial lots.

a. *Development plan.*

The development plan is a general plan that does not require engineering. Typically they consist of a survey and a lot layout showing that the minimum lot size can be met. It is extremely rare that a development plan is submitted as a stand alone application. It is almost always submitted in conjunction with a preliminary plat. Planning and Zoning commission approval is required – 6 ½ weeks.

b. *Preliminary plat.*

The preliminary plat contains the basic aspects of the development plan with preliminary engineering issues addressed. Storm water, potable water, sanitary sewer, street layout, sidewalk size and location, etc. are commonly included in this phase of review. City Council approval is required with one hearing – 8-10 weeks.

c. *Final plat.*

Final plat review consists of reviewing construction plans for the subdivision along with a recordable plat. This is the final administrative review prior to site development permitting. Development Review Committee approval is required – 3 ½ weeks. When approved, the plat is presented to the P&Z Chair and Mayor for signature. At this time, the Mayor has the ability to call for a public hearing on the final plat. If this occurs, the process can be extended to 5-7 weeks. This additional review has never occurred.

d. *Minor subdivision.*

Where property abuts an existing dedicated public right-of-way of at least 50 feet in width, and no new improvements for water, sewer or drainage are required; and where the proposed subdivision contains two or fewer commercial lots having common access to existing public roads, or three or fewer residential lots, the City may waive conceptual or development plans and permit the final plans and plat to be presented to the City Council for approval, approval with conditions or disapproval. For resubdivision of lots of record pursuant to subsection 4.3.9, the 50-foot right-of-way width test will be considered as having been met if, without changing access, the property being resubdivided has access to a 50-foot wide right-of-way. This section gives the city the right to waive conceptual and development plans to allow submittal of final plans and plat. The City has always

granted the waiver to proceed to final platting. DRC and City Council approval are required for these applications - 5-7 weeks.

3. Site plans (Chapter V City of Mount Dora Land Development Code)

Site plan review is required for:

1. Projects involving land development without structures, such as parking lots.
2. Projects involving new construction, the alteration or conversion of any existing structure into an office, commercial, industrial, institutional or multifamily residential facility which involves a change where there is a need for upgrading of the site through parking requirements, drainage improvements, fire flow, etc.
3. Public buildings and facilities and private utility buildings and facilities.
4. Any developments permitted under conditional uses.

Exempt from site plan review are:

- a. Single-family and duplex dwelling units or minor appurtenances thereto, such as private swimming pools, fences, etc.
- b. Agricultural production practices which include fencing, drainage, irrigation and other agricultural uses and structures which do not conflict with city ordinances.

Site plan submittals require full sets of engineered construction plans, drainage calculations, water and sewer calculations, traffic Impact analysis, landscape plans, etc.

Minor site plan review is required for additions to existing structures if the additions are less than 50 percent of the total square footage of the existing structures, for changes in use without addition to existing structures but require other site improvements, and for conditional uses on currently developed land so long as the conditional use does not require additions to the structure in excess of 50 percent of the total square footage of the existing structure. Submittal requirements are more flexible with minor site plan reviews. Typically, we will look for storm water calculations, landscape plans, and engineered construction plans for new improvements. Requirements vary depending upon the site. These issues are discussed and agreed upon at a pre-application conference.

Site plans are approved by the Planning and Zoning Commission after DRC review – 6 ½ weeks.

4. Planned unit developments (Subsection 3.4.5 City of Mount Dora Land Development Code)

A Planned Unit Development (PUD) is a zoning that allows the City and applicant to negotiate development standards and create trade offs with the goal being a higher quality more efficiently designed development. All standards that are required by the Land Development Code are negotiable. A PUD is a two stage process consisting of preliminary and final development plan. As with the subdivision regulations, these two processes can be combined into one at the owners' request.

- a. *Preliminary development plan.*

The preliminary plan is a concept plan with a level of detail that allows the City to ascertain which standards deviate from code requirements. These are compiled and reported to the P&Z for recommendations. Staff and P&Z recommendations are forwarded to City Council for final approvals. City Council approval is required with one hearing – 8-10 weeks.

b. *Final development plan.*

The final development plan refines and provides additional detail to the preliminary development plan and incorporates conditions required by the City Council. These requirements are incorporated into an ordinance and adopted by the Council after DRC and P&Z review. City Council approval is required with two hearings – 10-12 weeks.

5. Conditional uses (subsection 2.6.1 City of Mount Dora Land Development Code):

A conditional use permit is required for uses that are determined to be potentially inconsistent but possibly not harmful to the other uses allowed within the zoning district provided certain conditions are met. Examples of conditional uses in residential zones include churches, day care centers, adult living facilities, schools, etc. Each district has a list of permitted and conditional uses. Conditional uses are evaluated under a separate set of criteria that are in addition to standard requirements. These are as follows:

The Planning and Zoning Commission shall hear and decide requests for conditional uses allowed in Chapter III, hereof. In doing so, the Commission may decide such questions as are involved in determining when conditional uses should be granted and either grant conditional uses with appropriate conditions and safeguards or deny conditional uses. After review of an application and a public hearing thereon, the Commission may allow conditional uses only upon a determination that the use requested:

- a. Is not detrimental to the character of the area or inconsistent with trends of development in the area;
- b. Does not have an unduly adverse effect on existing traffic patterns, movements and intensity;
- c. Is consistent with the comprehensive plan; and
- d. Will not adversely affect the public interest.

Conditional uses may be combined with site plan reviews and variances to expedite the process. Conditional uses are approved by the Planning and Zoning Commission after DRC review – 6 ½ weeks.

6. Variances (section 2.5 City of Mount Dora Land Development Code)

Variances are deviations in the code requirements that an applicant feels is required to make a site work. Variances are typically requested for setback, parking, signage or landscape requirements.

The Land Development Code states that the P&Z hears and decides requests for variances from the terms of the zoning regulations where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship upon,

and personal to, the applicant therefore, and not surrounding properties. In order to authorize a variance, the commission must find:

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;
- b. That the special conditions and circumstances do not result from the actions of the applicant;
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the chapter to other lands, buildings or structures in the same zoning district;
- d. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work [incur] unnecessary and undue hardship on the applicant;
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- f. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- g. The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

In granting any variance, the commission may prescribe appropriate conditions and safeguards, the violation of which shall be deemed a violation of this code. The commission may also prescribe a reasonable time limit within which the action for which the variance was requested shall be begun, completed or both.

Under no circumstances shall the commission grant a variance which permits a use not generally, or by conditional use, permitted in the zoning district involved, or any use expressly or by implication prohibited, by the terms of this code in the zoning district involved. Nonconforming uses of neighboring lands, structures or buildings in the same zoning classifications or district, and permitted uses of lands, structures or buildings in other zoning classifications or districts shall not be considered grounds for the authorization of a variance.

Variations can be presented with a site plan or independent of a site plan based upon the desire of the applicant. Variations are approved by the Planning and Zoning Commission after DRC review – 6 ½ weeks.

## 2. Building Permit Process

The building permit process is designed to provide a fair, unbiased, thorough and expeditious review of all permits. The process is as follows:

1. Submit a completed permit application package.
2. Permit Technician shall verify the information and input the permit application into the permitting software.
3. Permit Technician shall route the package to the applicable Department/Division for review (Zoning, Historic, Public Works or Building & Fire Prevention Construction Services)
4. The applicable Department/Division (Zoning, Historic, Public Works, or Building/Fire) will return the application package with their comments to the Permit Technician.
  - a. If the application package has been found to be code compliant the Permit Technician will forward the application package to the next applicable Department/Division (Zoning, Historic, Public Works, or Building/Fire)
  - b. If the application package has been found deficient, a correction notice will be prepared and sent to the contactor, designer, owner. (And the results will be entered into the permitting software) and returned to the Permit Technician.

The application package then is placed on hold awaiting resubmittal of the corrections.

When it is resubmitted to the Permit Technician the package is re-routed to the Department/Division that issued the correction notice, (step 3) and proceeds through the process.

5. After all applicable Department/Division (Zoning, Historic, Public Works, or Building & Fire Prevention Construction Services) have found the project to be Code Compliant, the Permit Technician will proceed with the final preparations to issue the permit. (Finalizing the package, verifying any missing information has been furnished, input all remaining fees and call for pick up.
6. Permit is issued.
7. If any changes are made to the project during construction a revised plan will be required. The Revised plan and a completed revision form will be required to be submitted starting with step 2 above.

**Definition:** “Working Days” refers to the days the Building Department is open, not including weekends or Holidays

**Permitting Performance Measure**

Performance:

Applications taken in shall be entered into the computer and routed for review within 1 working day.

Effectiveness:

The department shall achieve 90% of the measure in the time frame set.

**Inspection Performance Measures**

Performance:

Inspections scheduled prior to midnight shall be inspected on the next working day.

Effectiveness:

The department shall achieve 95% of the measure in the time frame set.

**Building/Fire Plan Review Performance Measure**

The 1 day for processing the applications and 1 day for processing the permit for issuance is not included in the plan review performance measure.

The time spent in review by other Departments/Division is not included in the Plan Review performance measure.

Performance:

**Permit Type**

	<b>1<sup>st</sup> review</b>
New Commercial Construction	15 Days
New Residential Construction	15 Days
Commercial Addition	10 Days
Residential Addition	10 Days
Commercial Alterations	10 Days
Residential Alterations	10 Days
New Fire System	7 Days

**Resubmitted**

	<b>2<sup>nd</sup> &amp; each subsequent review</b>
New Commercial Construction	10 Days
New Residential Construction	10 Days
Commercial Addition	10 Days
Residential Addition	7 Days
Commercial Alterations	7 Days
Residential Alterations	7 Days

**Stand alone Permits**

**1<sup>st</sup> & each subsequent review**

Replacement Fire System  
All others not listed above

5 Days  
5 Days

In an effort to assist with other local governmental agencies and community improvement of affordable housing projects the following time frames have been established for affordable housing providers as outlined in the Land Development Code.

Habitat for Humanity  
Affordable Housing Rehab projects

10 Days  
5 Days

Effectiveness:

Building & Fire Prevention Construction Services shall review 90% of plans with in the time measure.

**Certificate of Completion or Certificate of Occupancy Performance Measure**  
Performance:

When the project has received an approved Final Inspection and any as-builts, fees, missing documentation, or approvals from other Departments/Divisions have been submitted, the Certificate of Completion or Certificate of Occupancy will be issued with in 2 working days.

Effectiveness:

Building & Fire Prevention Construction Services will issue 95% of the appropriate Certificate of Completion or Certificate of Occupancy within the time measure.

3. Commercial Building Inspection Process

The building inspection process is mandated by Florida Statute and contained in the Florida Building Code.

**Temporary electrical power pole inspection.** (Can be preformed any time)

Inspection is preformed after temporary pole is installed and prior to power being turned on. (If applicable)

The following inspections (if required) shall be performed in this order and the next inspection in the order cannot be preformed until the previous inspection has passed.

**Footer Inspection:** To be preformed prior to concrete placement with all of the required forms, reinforcement, and vertical reinforcement in place. (If applicable)

**1<sup>st</sup> Rough Plumbing:** The underground plumbing potable water and sanitary piping. Inspection to be performed with all trenches open and all piping in place. (Including the required pressure on the water pipes and the 5’ head test for the sanitary piping)

**Underground Electrical inspection:** Any underground/underslab electrical conduit, wiring or required grounding to the foundation steel inspected prior to or in conjunction with the slab inspection.

**Stem Wall/Filled Cell Inspection:** To be performed after the block walls are erected and the reinforcement is in place and prior to pouring the block. (If applicable)

**Mono Foundation/Slab Inspection:** To be performed prior to concrete placement with all of the required forms, reinforcement, termite treatment, moisture barrier, vertical reinforcement, and mesh in place. (a field copy of the ESV form filled in by the surveyor shall be on site for this inspection to be approved)

**Lintel/Tie-Beam Inspection:** To be performed after the block walls are erected and the reinforcement is in place and prior to pouring the lintels/ tie-beam. (If applicable)

**Tug Inspection:** Temporary Under Ground power: Inspection is performed after lintel is poured and TUG is installed and prior to power being turned on. (If applicable)

**Sheathing Inspection:** Inspection of the roof/wall sheathing prior to covering. Inspector will inspect the roof deck fastening prior to the Dry-in or shall perform random (Spot check) inspection of 3 or more areas of the roof by removing the felt in that area, and a check from below for loose decking/shiners. **If any areas are not in compliance the dry-in shall be removed, the deck re-fastened and re-inspected prior to re-dry-in.** (Can be combined with Partial Framing/Strapping Inspection. (If applicable)

**Dry-in Inspection:** All dry-in material is in place, lapped 2" minimum and nailed off with button-caps, simplex nails, or tin tabs. (If applicable)

**Partial Framing/Strapping Inspection:** Inspection for any connectors or framing to be covered to complete the structural framing. (If needed)

**Filled Cell Inspection:** checking the filled cells in masonry construction prior to the final covering installation on the exterior. (Does not apply to wood frame construction) (Can be done in conjunction with a framing, lath, or insulation Inspection.)

**Mechanical Rough Inspection:** Inspection for the ductwork, dampers, and any mechanical vents above the floor/slab level, concealed within the walls/attic area. Inspection to be done prior to or in conjunction with Framing Inspection.

**2nd Rough Plumbing Inspection:** Inspection of all plumbing piping above the floor/slab level, concealed within the walls/attic area. Inspection to be done prior to or in conjunction with Framing Inspection

**Sewer Inspection:** Inspection of the sanitary piping from the structure to the street tie-in or to the septic tank, prior to covering the sanitary piping. (Can be done any time after slab and before final plumbing inspections.)

**Wall Rough Electrical Inspection:** Inspection of the electrical system above the floor/slab level, to be concealed within the walls area. Inspection to be done prior to or in conjunction with Framing Inspection

**Ceiling Rough Electrical Inspection:** Inspection of the electrical system above the floor/slab level, to be concealed within the attic area. Inspection to be done prior to or in conjunction with Framing Inspection

**Gas Rough Inspection:** Inspection of all gas piping above the floor/slab level, concealed within the walls/attic area (Including the pressure test). Inspection to be done prior to or in conjunction with Framing Inspection. (If applicable)

**Framing Inspection:** Inspection of all the framed elements of the structure, anchors and anchoring, walls, trusses, bracing, connections and connectors, door and window installation, cutting and notching of structural elements, fire blocking, etc. Inspection to be done prior to installation of insulation material

**Flashing Inspection:** All drip edge is in place (Nailed off 12” on center minimum and lapped piece to piece a minimum of 2”) All valley material is in place. All other flashings that will be concealed by the shingle application shall be in place, and shall be fastened 12” OC with a minimum overlap of 4” (Wall “L” flashing, etc.) (If applicable)

**In-Progress Roofing Inspection:** Inspection of low slope roofing during application, to avoid leaving the interior exposed to the weather any longer than needed. (If applicable)

**Lath Inspection:** Inspection of underlayment, lath material, stucco stops, expansion joints, corners, joints, and fasteners prior to installation of stucco. (Can be done in conjunction with the Insulation inspection.) (If applicable)

**Insulation Inspection:** Inspection of the type, R-value, installation of the insulation products. Prior to installation of the interior wall covering. (Can be done in conjunction with the Lath inspection.) *Insulation inspection will not be approved if the watertight portion of the permanent roof covering has not been installed. (Shingles, metal, or watertight roofing membrane.)*

**Drywall Inspection:** Inspection of the type and attachment of interior wall covering. (Prior to covering any fasteners or installation of any finish or coatings)

**Firewall Inspection:** Inspection of the fire rated assembly each layer Inspection of the type and attachment of interior wall covering. (Prior to covering any fasteners or installation of any finish or coatings)

**Sidewalk:** Inspection of the sidewalk specified on the reviewed site plan, size thickness and location. (Prior to concrete placement)

**Pre-Power Inspection:** Inspection to hook up permanent electrical power. (For the pre-power inspection the electrical system shall be completed with all devices installed or safely terminated and blanked off, and all permanent electrically powered equipment installed. (Water heater, HVAC units, built in appliances, etc.)

**Above Ceiling Mechanical Inspection:** Inspection of the HVAC system, exhaust vents and ductwork prior to installing the permanent ceiling or the drop ceiling. (If applicable)

**Above Ceiling Plumbing Inspection:** Inspection of the plumbing system, prior to installing the permanent ceiling or the drop ceiling. (If applicable)

**Above Ceiling Building Inspection:** Inspection of the Fire rated assembly, and any penetrations through the wall/ ceiling prior to installing the permanent ceiling or the drop ceiling. (If applicable)

**Plumbing Final:** Inspection of the finished plumbing system. All fixtures installed and in working order or capped off in the case of future installations. Inspection of the required water resistive wall and floor coverings. (Bathrooms, etc)

**Mechanical Final:** Inspection of the finished mechanical system. All components for the system installed; units, registers, dampers, smoke detectors/fan shut downs, condensate drains, access and working areas. (Attic notice if applicable)

**Gas Final:** Inspection of the gas system including pressure test (if not done with gas rough) attachment to all appliances or properly capped in the case of future installations.

**Electrical Final:** Inspection of the finished electrical system, including checking of all wiring, grounding GFCI, Arc-Fault, and smoke detectors. (The power shall be on for a Final Electrical inspection)

**Roofing Final:** All roofing work is complete. Inspection can be done in conjunction with Insulation Inspection.

**Final Fire Inspection:** Inspection of the Life-Safety aspects of the facility. Not to be preformed before fire protection system final inspections and acceptance. (If applicable)

**Building Final:** Inspection of the finished structure including life safety features and any components installed after previous inspections. (Garage doors, blown in insulation, etc)

**Certificate of Occupancy:** Will not be issued until; all inspections have passed and the following information is on file with the Building & Fire Prevention Construction Services: Approved site inspection. Acceptance by all other City Departments, Proof of

payment of all fees, current Notice of Commencement, final termite treatment certificate, final Elevation Certificate (if applicable).

After all information is turned in, fees paid, and all inspections passed the Building and Fire Prevention Construction Services Division shall have 2 business days to process the Certificate of Occupancy

# Impact Fees

## 1. Impact Fees

Over the past 25 years, impact fees have become an integral part of local government infrastructure financing. As an offspring of the negotiated exaction and the fee-in-lieu of land dedication, impact fees have done more to change our approach to paying for public facilities than any other single financing technique. Because of them, the phrase "growth should pay its own way" is now part of our national vocabulary.

Impact fees come in many forms and flavors. They first appeared in the 1950s and 1960s as capital recovery fees for the funding of water and wastewater facilities. With the decline of Federal and State grants to local governments and the ascension of the anti-tax revolution in the late 1970s, their use was expanded to several non-utility facilities, such as roads, parks and schools. It was not until the 1980s, however, that impact fees began being universally used for a broader array of municipal facilities, such as fire, police and libraries.

After a series of court cases in Florida, California and Utah validated their usage in the early 1980s, impact fees quickly spread throughout the south and west. These cases collectively set forth the "rational nexus" legal doctrine, which established a regulatory road map for the drafting of impact fees at the local level.

An impact fee is a charge on new development to pay for the construction or expansion of off-site capital improvements that are necessitated by and benefit the new development. According to recent national surveys, about 60 percent of all cities with over 25,000 residents and almost 40 percent of all metropolitan counties use some form of impact fees. In California and Florida, the extent of cities and counties using impact fees is at 90 and 83 percent, respectively. Impact fees must meet the "rational nexus" and "rough proportionality" tests. First, there must be a reasonable connection between the "need" for additional facilities and new development. Second, it must be shown that the fee payer will "benefit" in some way from the fee. And third, calculation of the fee must be based on a proportionate "fair share" formula. Impact fees are authorized through the police power; not the taxing power. They are part of the development approval process. Requiring an impact fee to provide adequate public facilities is similar to meeting site planning and zoning requirements.

The City has impact fees for water, sewer, police, fire, library and parks. The city also collects county imposed impact fees for roads and schools. Commercial development does not pay library, parks or school impact fees because there is no rational nexus between the provision of these services and the impact of commercial development.

Impact fees are assessed for all new construction. In terms of redevelopment, impact fees are not charged unless the redevelopment results in a greater impact to the respective systems. For instance a 2000 square foot addition to a restaurant would require the payment of additional impact fees based upon increased water and sewer use for the additional patrons the expanded area could support. With the expansion there is also a

link between police fire and road impacts with the increased usage. Impact fees are paid only for the expanded use.

Changes of use within an existing building are not charged impact fees unless the new use is more intense than the previous use. This would be the case if an office converted to a restaurant. In this case there would be impact fees due in all categories. However, the impact fees for the existing use are credited resulting in a discounted fee. As similar uses occupy the same space, no impact fees are charged. For example if a retail bed and bath store changed to a hardware store, there would be no impact fees due. Similarly if a bank were to change to an insurance office no impact fees would be due.

In terms of reducing impact fees as an incentive to new development, alternatives do exist. However, impact fees cannot be waived. If an impact fee is reduced a different funding source must be identified.

The current impact fee schedule is provided below:

**Water Impact Fees:**

NOTE: For all establishments not listed in then following table, the total equivalent residential unit (ERU) value shall be determined by multiplying the number of fixture units, as published in the Florida Plumbing Code by twenty-five (25) and then dividing the numerator by 300 GPD / ERU, then multiplying by \$2,062.00 if you are inside the City or \$ 2,577.50 if you are outside the City.

$$\text{Total ERU Value} = \frac{\text{Number of Fixture Units} \times 25}{300}$$

For example, the chart indicates a kitchen sink has a fixture unit of 2. Simply take the 2 multiply it by 25 then divide it by 300 then multiply by \$2,062.00 if you are inside the City and \$2,577.50 if you are outside the City, then you get your total fee: (2 x 25 x \$2,062.00)/300

<u>Water Impact Fee</u>	<u>Unit</u>	<u>ERU Factor</u>	<u>GPD</u>	<u>Inside City</u>	<u>Outside City *</u>
Commercial rates based on					
<u>Residential</u>					
Single Family Residence	DU	1	350	\$2,062.00	\$2,577.50
*Inside City rate applies if the covenant to annex form is recorded & submitted.					
Duplex (1-2 Bedrooms)	DU	0.833	292	\$1,717.65	\$2,147.06
Duplex (3+ Bedrooms)	DU	1	350	\$2,062.00	\$2,577.50
Multi Family (1-2 Bedrooms)	DU	0.833	292	\$1,717.65	\$2,147.06
Multi Family (3+ Bedrooms)	DU	1	350	\$2,062.00	\$2,577.50
Mobile Home (1-2 Bedrooms)	DU	0.667	235	\$1,375.35	\$1,719.19
Mobile Home (3+ Bedrooms)	DU	0.833	292	\$1,717.65	\$2,147.06

**Sewer Impact Fees:**

For all establishments not listed in the following table, the total equivalent residential unit (ERU) value shall be determined by multiplying the number of fixture units, as published in the Florida Plumbing Code by twenty-five (25), then dividing the numerator by 300 GPD / ERU, then multiplying by \$ 3,104.34 if you are inside the City or \$ 3,880.43 if you are outside the City.

$$\text{Total ERU Value} = \frac{\text{Number of Fixture Units} \times 25}{300}$$

For example, the fixture unit chart indicates a kitchen has a fixture unit value of 2. Simply take the 2 multiply it by 25 then divide it by 300, then multiply the result by \$ 3,104.34 if you are inside the City or \$ 3,880.43 if you are outside the City.

$$(2 \times 25 \times \$ 3,104.34) / 300$$

<u>Sewer Impact Fees</u>	<u>Unit</u>	<u>ERU Factor</u>	<u>Inside City</u>	<u>Outside City *</u>
<u>Residential</u>				
Single Family Residence	DU	1	\$3,104.34	\$3,880.43
*Inside City rate applies if the covenant to annex form is recorded & submitted.				
Duplex (1-2 Bedrooms)	DU	0.833	\$2,585.92	\$3,232.40
Duplex (3+ Bedrooms)	DU	1	\$3,104.34	\$3,880.43
Multi Family (1-2 Bedrooms)	DU	0.833	\$2,585.92	\$3,232.40
Multi Family (3+ Bedrooms)	DU	1	\$3,104.34	\$3,880.43
Mobile Home (1-2 Bedrooms)	DU	0.667	\$2,070.59	\$2,588.25
Mobile Home (3+ Bedrooms)	DU	0.833	\$2,585.92	\$3,232.40

**City Impact Fees:**

<u>Land Use Category</u>	<u>Unit Measure</u>	<u>Parks &amp; Recreation</u>	<u>Public Library</u>	<u>Police Protection</u>	<u>Fire / EMS</u>	<u>Total</u>
<b>Residential</b>						
Single-Family	Per DU	\$2,500.41	\$1,331.12	\$265.19	\$394.26	\$4,490.98
Multi-Family	Per DU	\$1,254.75	\$667.98	\$689.49	\$203.10	\$2,815.32
<b>Non-Residential</b>						
Commercial	Per 1000 Sq Ft			\$917.56	\$334.52	\$1,252.08
Office	Per 1000 Sq Ft			\$63.64	\$310.62	\$374.26
Institutional	Per 1000 Sq Ft			\$63.64	\$2,019.08	\$2,082.72
Industrial	Per 1000 Sq Ft			\$213.92	\$71.68	\$285.60
Warehouse	Per 1000 Sq Ft			\$228.06	\$23.65	\$251.71

**Lake County Impact Fees:**

**Lake County Commercial Impact Fee Schedule**

Land Use Code	Land Use	Transportation	
		Unit	Rate
<b><i>Lodging:</i></b>			
310	Hotel	room	\$1,446
320	Motel / Bed and Breakfast	room	\$ 774
416	Campground / RV Park	space	\$ 536
252	ACLF	du	\$ 309
<b><i>Recreational:</i></b>			
412	General Recreation / County Park	acre	\$ 388
420	Marina	slip	\$ 668
430	Golf Course	hole	\$,594
473	Amusement & Recreation Services	1,000 sf	\$25,880
492	Racquet Club/Health Spa	1,000 sf	\$3,303
494	Bowling Center	1,000 sf	\$6,286
N/A	Dance Studio	1,000 sf	\$3,303
495	Community Recreation Center	1,000 sf	\$3,895
N/A	Horse Training	acre	\$964
<b><i>Institutional:</i></b>			
520	School (Elementary)	student	\$180
522	Middle School	student	\$287
530	School (High)	student	\$355
550	School (College)	student	\$552
540	Junior College	student	\$357
560	Church / Religious Organization	1,000 sf	\$1,322
565	Day Care Center	1,000 sf	\$4,507
566	Cemetery	acre	\$1,073
590	Library	1,000 sf	\$4,265
610	Hospital	1,000 sf	\$2,444
620	Nursing Home	bed	\$242
730	Government Office Building - Municipal	1,000 sf	\$4,304
733	Government Office Building - County	1,000 sf	\$8,711
N/A	Fire Station	1,000 sf	\$2,494
<b><i>Office:</i></b>			
710	Office under 10,000GSF	1,000 sf	\$4,452
710	Office 10,001 GSF to 30,000 GSF	1,000 sf	\$3,790
710	Office 30,001 GSF to 100,000 GSF	1,000 sf	\$2,883
710	Office 100,001 GSF to 400,000 GSF	1,000 sf	\$2,110

710	Office greater than 400,000 GSF	1,000 sf	\$1,722
715	Single Tenant Office Building	1,000 sf	\$2,275
720	Medical Office	1,000 sf	\$6,717
750	Office Park	1,000 sf	\$2,123
760	Research Center	1,000 sf	\$1,508
770	Business Park	1,000 sf	\$2,373
<b>General Commercial:</b>			
820	Under 50,000 GSF	1,000 sf	\$2,816
820	50,000 to 200,000 GSF	1,000 sf	\$2,177
820	200,001 to 600,000 GSF	1,000 sf	\$2,171
820	Greater than 600,000 GSF	1,000 sf	\$2,385

Updated 10/13/06

## Lake County Commercial Impact Fee Schedule

Land Use Code	Land Use	Transportation	
		Unit	Rate
<b>Retail / Services:</b>			
444	Movie Theater w/ Matinee	screen	\$11,552
812	Bulding Materials and Lumber Store	1,000 sf	\$5,930
813	Discount Superstore ( greater than 120,000 sf)	1,000 sf	\$2,969
814	Speciality Retail	1,000 sf	\$3,553
815	Discount Superstore (less or equal to 120,000 sf)	1,000 sf	\$3,580
816	Hardware / Paint Store	1,000 sf	\$9,939
818	Wholesale Nursery	acre	\$858
831	Quality Restaurant	1,000 sf	\$8,731
832	High Turnover Restaurant	1,000 sf	\$11,422
834	Fast Food Restaurant/W drive Thru	1,000 sf	\$17,706
836	Bar / Lounge / Drinking Place	1,000 sf	\$11,422
837	Quick Lube	bay	\$3,884
840	Auto Repair	1,000 sf	\$4,010
841	New and Used Auto Sales	1,000 sf	\$5,742
844	Service Station	fuel position	\$2,080
847	Car Wash	1,000 sf	\$5,973
850	Supermarket	1,000 sf	\$4,952
853	Convenience Market w/gas	1,000 sf	\$14,834
862	Home Improvement Superstore	1,000 sf	\$4,034
881	Pharmacy/Drugstore	1,000 sf	\$3,915
890	Furniture Store	1,000 sf	\$704
911	Bank	1,000 sf	\$8,202
912	Bank w/Drive-Thru	1,000 sf	\$12,207
N/A	Convenience Mkt. w/gas, fast food and car wash	1,000 sf	\$32,865
N/A	Stand-Alone Meeting Facility w/ Catering	1,000 sf	\$3,368

N/A	Veterinary Clinic	1,000 sf	\$1,788
<b><i>Industrial:</i></b>			
110	General Light Industrial	1,000 sf	\$2,157
120	General Heavy Industrial	1,000 sf	\$464
130	Industrial Park	1,000 sf	\$2,084
140	Manufacturing	1,000 sf	\$1,182
150	Warehouse	1,000 sf	\$1,535
151	Mini-Warehouse	1,000 sf	\$290
152	High Cube Warehouse	1,000 sf	\$535
N/A	Airport Hanger	1,000 sf	\$1,535
170	Utilities Building	1,000 sf	\$1,684

**Notes:**

N/A - Does not have an ITE Land Use Code

du = dwelling unit

sf = square feet

# Business Incentives

## **1. Downtown Community Redevelopment Agency**

One of the statutory functions of a Community Redevelopment Agency (CRA) is to undertake activities that facilitate the redevelopment of property. One of the basic activities is to create Development Incentive Programs that encourage investment by property owners. Although there has been investment into many properties in the CRA district, there are a number of properties where this has not occurred. In fact, a few properties exhibit evidence of a long-term lack of investment. The properties that have the opportunity to be redeveloped can be classified as either undeveloped or underutilized.

The objectives of the Development Incentive Program include:

1. Adding commercial space, renovating/improving existing commercial space;
2. Attracting targeted businesses identified by Market Study; and,
3. Improving the appearance of properties.

Eligible applicants include property owners and business operators. Following are the procedures and requirements of the program.

### 1. Development Incentives

The CRA may reimburse approved applicants for all or a portion of development fees and utility costs as listed below:

- Site Plan, conditional use, and other zoning or subdivision application fees;
- Building and Sign Permit Fees, incl. administrative fees;
- Impact Fees – Mount Dora and Lake County;
- Meter Fees – Water and Electric;
- Improvements to utilities in the right-of-way required by the City.

The Board may approve a maximum incentive of \$25,000. The reimbursement will be made after a certificate of occupancy is approved for the building.

### 2. Eligibility Requirements for Development Incentives

#### Types of Properties

It is the intent of this program to focus on those properties most in need of redevelopment. These properties can be classified as undeveloped and underutilized properties

Undeveloped properties are vacant land.

Underutilized properties include:

- Deteriorating & functionally obsolete buildings
- Residential buildings on commercially or industrially zoned land
- Buildings needing additional space and/or renovation

A survey of the CRA business districts revealed that Highland Street has a higher concentration of properties that can be categorized as undeveloped or underutilized. Therefore, the Highland Street Business Corridor is the priority area of this program.

### Location

All properties that are within the CRA district zoned C-2 Downtown Commercial, C-2A Peripheral Commercial, RP Residential Professional or M-1 Industrial within the CRA district are eligible for this program.

### Construction

Eligible construction includes new commercial or industrial buildings and additions to existing commercial or industrial buildings as allowed by the applicable zoning district.

## 3. Types of Businesses

It is the intent of this program to encourage the diversification of business types in the CRA district. The proposed business must be compatible with the character of and meet the needs of the business district and City as determined by the CRA Advisory Committee and Board. A list of targeted business is attached.

## 4. Evaluation Criteria

In addition to what is listed in Items 2, 3, and 5, the following factors will be considered in the awarding of a development incentive grant

1. Net financial benefit to the CRA;
2. The benefit of the proposed businesses to the City;
3. The financial feasibility of the project; and,
4. The development and/or business experience of the applicant.

The use and development of the property must meet the land development code and zoning requirements.

## 5. Required Submittals

The amount of information needed for the following items is dependent on the size and nature of the project.

### Project Information

1. Elevations of building showing proposed design features
2. Conceptual Floor plan of building
3. Conceptual Site Plan
4. Proposed use(s) of building
5. Estimated cost and source of funding for the construction of the building
6. Market study or other information documenting need for business

### Financial Information

1. Pro Forma – Business Plan, including sales projections
2. Proposed number of employees in the new business

### Applicant Information

1. Name, address, contact information
2. Information on development and business experience of the applicant

## 6. Approval Process

1. Applicant submits required submittals as specified in Item 5 to CRA staff in Planning & Development Department.
2. Development and building permit costs are estimated to determine potential incentive amount.
3. CRA Advisory Committee reviews incentive applications and makes recommendations to the CRA Board.
4. The CRA Board takes actions on Advisory Committee recommendations.
5. Applicant proceeds through site plan and building permit processes.
6. Applicant develops site and constructs building.
7. Building Official issues Certificate of Occupancy upon completion of building or improvement.
8. CRA distributes incentive grant.

## **2. Northeast Community Redevelopment Agency**

The Mount Dora Northeast Community Redevelopment Agency (NECRA) has established an Incentive Program for the redevelopment of commercial property in the Grandview Business District. The program was created to stimulate investment into the business area and bring businesses and employment opportunities into the neighborhood.

### 1. Development Incentives, Eligibility, Evaluation

#### A. Development Incentives

The NECRA will reimburse approved applicants all or a portion of development fees as listed below:

- Site Plan, conditional use, and other zoning or subdivision application fees
- Building and Sign Permit Fees, incl. Administrative fees
- Impact Fees – Mount Dora and Lake County
- Meter Fees – Water and Electric

- Off site City utility improvements

The Board may approve a maximum incentive of \$15,000. The reimbursement will be made after a certificate of occupancy is approved for the building.

B. Eligibility Requirements for Development Incentives

Location Eligible properties are those zoned C-1 with frontage on Grandview Street north of Lincoln Avenue and south of Grant Avenue.

Construction Activities New commercial buildings and additions to or remodeling of existing commercial buildings.

Types of Businesses The use and development of the property must meet the land development code and zoning requirements and be compatible with and meet the needs of the neighborhood as determined by the NECRA

C. Evaluation Criteria

Awarding of incentives will be based on:

1. Net financial benefit to the NECRA;
2. The benefit of the proposed business(es) to the neighborhood
3. The financial feasibility of the project; and,
4. The development and business experience of the applicant

D. Required Submittals & Approval Process

Required Submittals

1. Elevations of building showing proposed design features
2. Conceptual Floor plan of building
3. Conceptual Site Plan
4. Proposed uses(s) of building
5. Estimate cost and source of funding for the construction of the building
6. Financial Information
7. Pro Forma – Business Plan
8. Proposed number of employees in new building
9. Applicant Information
10. Name, address, contact information
11. Information on development and business experience of the applicant

E. Approval Process

1. Prior to filing for Commercial Site Plan approval, applicant submits above information to Planning & Development Department
2. Development and building permits costs are estimated to determine potential incentive amount
3. NECRA Advisory Committee and Board approve incentive amount
4. Applicant proceeds through site plan and building permit processes
5. Applicant develops site and constructs building
6. Building Official issues Certificate of Occupancy upon completion of building
7. NECRA distributes incentive grant

F. Summary of Grandview Street Zoning Requirements

- Zoning:** C-1 Neighborhood Commercial
- Setbacks:** Must be consistent with adjacent properties
- Permitted Uses:** Any small convenience retail or service business serving the neighborhood for example.
- |            |             |            |                |
|------------|-------------|------------|----------------|
| Drug store | Shoe repair | Hardware   | Jewelry        |
| Florist    | Tailor      | Restaurant | Specialty Shop |
- Parking:** The C-1 district is a pedestrian oriented commercial district. Based on the level of pedestrian activity in the district, parking shall be provided based upon availability of land outside the applicable landscape buffer.
- Landscape/Buffer:** The required landscape buffer is 10'. It is planted with canopy trees (i.e. oaks), understory trees (i.e., crepe myrtles) and shrubbery. See Section 6.6 of the Mount Dora Land Development Code.

# Potential Discussion Items

## 1. Potential Discussion Items

The Committee requested that staff provide items that have been discussed during the development review process that may provide some guidance for future discussion. The items listed below are compiled based upon the Committee discussion, Council direction and staff experience.

### A. Highland Street Zoning

Over the last several months, the Downtown CRA and City Council have been focused on Highland Street as an area in need of assistance. Based upon this direction the Downtown CRA Advisory Committee held public meetings to receive input from Highland Street business and property owners regarding their issues in terms of business development on Highland Street. The focus of these meetings turned to the restrictions contained in the C-2A zoning District.

Almost the entire length of Highland Street within the CRA (5<sup>th</sup> Avenue to the City limits) is zoned C-2A. This is a zoning district that provides some degree of flexibility in terms of parking, landscaping and setbacks.

1. Parking is required on site but as opposed to the City's traditional commercial districts, up to 10 parking spaces can be constructed of impervious surfaces (mulch or stone). This was increased from the previous allowance of six spaces as an amendment to the district requirements in 2000. The allowance of pervious parking reduces the volume of storm water required to be treated.
2. Front and side yard setbacks can be averaged based upon existing nearby and surrounding buildings. Under this provision, if adjacent or nearby buildings are set closer to the property line than the code allows, these setbacks are averaged and applied to the site in question. This provided some flexibility but based upon the size of the lots and location of existing buildings, average setbacks remained approximately 12 feet on the fronts.
3. Landscape buffers can also be averaged; however there was a minimum planting requirement for the buffers.

Based upon this input, the Council directed staff to amend the requirements of the zoning district to provide more flexibility, making it easier to develop. Based upon this input, staff and the P&Z recommended the following:

1. On-site Parking – Allow proposed commercial building expansions to count a certain amount of public parking spaces within 500 feet of their property (approximately 1 ½ blocks) towards their on-site parking requirement.

2. Landscaping – Revise the landscape requirements for C-2A to make them more similar to the C-2 requirements. In addition allow required landscaping and retention areas to be combined under certain conditions.

At the City Council hearing regarding the changes, staff was directed to also address the setback issues and to provide maximum flexibility. Staff recommended that providing maximum flexibility would entail reducing the front setback to zero, allowing buildings to be located adjacent to the sidewalks. This would also improve the pedestrian interaction with the businesses as they redevelop on Highland Street. The Council directed staff to allow flexibility but to limit setback variation in a graduated manner. Based upon this direction, staff revised the district setback requirements as follows:

1. One story building is allowed a minimum front yard setback of 5 feet and a maximum setback of 10 feet.
2. Two story building are allowed a minimum front yard setback of 7 feet and a maximum setback of 15 feet.
3. Three story building are allowed a minimum front yard setback of 10 feet and a maximum setback of 20 feet.

One property owner approached Council regarding this amendment arguing that it did not provide the flexibility required to encourage redevelopment along Highland Street. The Council directed this property owner to discuss the issue with the EDAC after it was established.

#### B. Landscaping

Nonresidential landscape requirements have been an issue for years in the City. When the landscape code was revised in 1996 as part of a complete rewrite of the Land Development Code, the Council directed staff to compile a set of regulations that would be the most comprehensive in the area. The philosophy of the council was to create a built environment that reflected the character of Mount Dora. Part of that was a strict and intense landscape code. The feeling was that if the landscape code were sufficiently intense, when people came to town they would feel like they had arrived someplace. This was in stark contrast to the County and City of Eustis landscape requirements adjacent to the City.

Since this time two significant circumstances have transpired to require the reevaluation of the landscape code. First was the adoption of commercial architectural requirements. One of the intents of the landscape code is to buffer the parking areas and buildings from view in an attempt to soften their appearance. Since the adoption of the architectural standards, the look of a building has improved significantly. This is evident when the Wal-mart is compared to the Target or Lowes. With improved architectural requirements an

argument can be made that it is advantageous to allow the new structure to be more visible from adjacent areas.

The second issue is water requirements for new plantings. Based upon the declared water emergency which has local governments and utilities limited on the amount of groundwater that can be withdrawn, cities, including Mount Dora have moved toward a more drought tolerant Florida Friendly landscape standard. Part of this was a reevaluation of the number and size of plantings required to meet minimum standards.

On June 3, 2008 City Council approved Ordinance Number 2008-1001 amending Section 6.3.10 of the Land Development Code.

As part of a City-wide initiative to conserve water the Planning and Development staff drafted amendments to the Sections 6.3.10 *Service drives/frontage roads* and 6.6 *Landscaping and Buffers* of the Land Development Code in order to reduce the amount of irrigation required to establish and maintain newly planted landscaping in conjunction with commercial development. These changes include:

1. Increase the spacing interval for Live Oak trees in the required frontage road buffer;
2. Reducing the required number of canopy and understory trees in the more intense buffer types;
3. Require ground covers in lieu of sod in specific areas;
4. Amending the standards for commercial canopy trees; and
5. Prohibit the use of all St. Augustine grasses.

A reduction in the number of canopy and understory trees required in the more intense buffer types is proposed. The Land Development Code currently requires a certain number of trees to be planted for each 100 linear feet or fraction thereof of boundary in a specified buffer. The numbers currently required provides a dense buffer immediately upon planting. It has been stated by consultants at the University of Florida IFAS extension that placing trees to close one another will cause the loss of approximately every other tree due to overcrowding at maturity. By reducing the number of required trees and increasing the spacing interval, not only will the loss of trees due to overcrowding be avoided, but the amount of irrigation required establishing and maintaining these trees will diminish significantly.

The Comprehensive Plan for the City of Mount Dora requires individual building lots to be landscaped consistent with the Florida Friendly Landscape requirements

developed by the University of Florida. Parts of these standards include the reduction of soddable areas. This can be achieved by replacing sod with landscape beds and ground cover plantings that require substantially less irrigation to establish and maintain. The council required the use of ground cover plantings such as ivy, junipers, jasmine and lily turf in lieu of sod within interior landscape breaks of commercial parking lots. The use of turf in these areas is very difficult to maintain and relies on a significant amount of water to survive. Furthermore, reducing soddable areas greatly reduces the need for fertilizers and pesticides which contribute to non-point source pollution to rechargeable water supplies.

At its meeting of March 20, 2007, City Council approved an ordinance amending the Land Development Code with respect to the required caliper for canopy trees on residential building lots. This ordinance reduced the required caliper size of canopy trees from 3.5 inches to two inches measured six inches above the ground immediately upon planting. The revised standard was also implemented for commercial canopy trees. There are considerable advantages to planting a smaller canopy tree, the most important being water conservation. These advantages include:

1. A smaller caliper tree requires less initial watering and overall maintenance to get its roots established than a larger caliper tree;
2. A smaller caliper tree is not required to be staked, as a larger caliper tree is, allowing the tree to sway in the wind and develop a stronger root system;
3. A smaller caliper tree experiences less shock than a larger caliper tree which allows the root system to get established much sooner.
4. A 1.5 to 2 inch caliper tree at the time of planting will generally grow to become the same size and height as a 3.5 inch caliper tree at the end of a five year period and;
5. A smaller caliper tree will benefit the commercial developer by significantly reducing costs and maintenance. This size tree is also widely available.

The main goal of these amendments is the conservation of valuable water resources. Below are irrigation requirements for establishing trees in landscapes.

1. **Trees less than 2 inches (Based on two gallons of water per inch at two inches)** – 1) Four gallons of water needed daily for two weeks. 2) Four gallons of water every other day for two months. 3) Four gallons of water weekly until established (Establishment period is three to six months). 4) At three months it will take **188** gallons of water to establish a two inch tree.

2. **Trees 2 to 4 inches (Based on two gallons of water per inch at three inches)** –
    - 1) Six gallons of water needed daily for one month
    - 2) Six gallons of water every other day for three months
    - 3) Six gallons of water weekly until established (Establishment period is six to twelve months).
    - 4) At six months it will take **408** gallons of water to establish a three inch tree.
  
  3. **Trees larger than 4 inches (Based on two gallons of water per inch at four inches)** -
    - 1) Eight gallons of water daily for six weeks
    - 2) Eight gallons of water every other day for five months
    - 3) Eight gallons of water weekly until established (Establishment period is twelve + months).
    - 4) At twelve months it will take **1,096** gallons of water to establish a four inch tree.
- \* Irrigation and establishment figures used for this example were obtained from publications by Dr. Edward Gilman, University of Florida Environmental Horticulture.

Because larger caliper trees have greater watering requirements, in large commercial developments where numerous trees are planted, the amount of water resources conserved is significant. If action is taken to reduce the required caliper for canopy trees on commercial development sites from 3.5 inches to two inches measured six inches above ground immediately upon planting, the potential for enormous benefits is clear.

The final amendment involved prohibiting the use of all species of St. Augustine grass in the City of Mount Dora. Based on information provided by experts who presented at a Plant Success & Watch It Grow Seminar at the Lake County AG Extension Office on April 16, 2008, St. Augustine grasses are much less drought tolerant and require far more water to survive than other available turf such as Empire Zoysia, Bahia's and Celebration Bermuda grass. Furthermore, St. Augustine grasses require greater amounts of fertilizer and pesticides which, as stated earlier, contributes to non-point source pollution to rechargeable water supplies.

These amendments were adopted June 17<sup>th</sup> of this year.

#### C. City Council Workshops

An EDAC member brought up the issue of City Council workshops.

Approximately four years ago, the Council began having workshops primarily dealing with PUD applications. The purpose of these workshops was to allow the applicant and the Council to discuss major issues dealing with the development prior to or in conjunction with an application.

These were somewhat successful in the fact that staff and the applicant had knowledge of the council's general approach to the application and many major questions were answered. However, some applicants expressed frustration when an application that had a workshop was formally reviewed by the Council and issues other than those discussed at the workshop were addressed as problems. Additionally following a Council workshop many applicants were reluctant or unwilling to make changes to an application based upon comments from staff or the Planning and Zoning Commission. Because they had a workshop they felt that the council had already granted preliminary approval and they were not required to address additional comments. The Commission felt that by inserting the workshop into the process, the authority of the Commission to make recommendations to the Council was being undermined.

Based upon comments made at Planning and Zoning Commission meetings by applicants, the Planning and Zoning Commission requested a workshop with the Council to discuss the matter. The result of this workshop was to revert to the process outlined in the code for PUD review.

#### D. Building Height

One issue that comes up fairly frequently in the development review process is the City's maximum building height requirements. In all but the Employment Center zoning district, building height is limited to 35 feet. Development interests have raised concerns that this limitation precludes a more intense development in areas where utilities are available like our downtown and peripheral commercial areas. The concern is that based upon land costs in Mount Dora if redevelopment is to occur in a meaningful manner additional density, intensity and building height.

From a purely a planning perspective allowances for increased density and intensity within urban cores will promote a more compact and easily serviceable population. This includes police, fire, public works, and parks and recreation. Arguments can be made that provision of additional intensity and density where urban services exist is more affordable to developers because infrastructure extensions are typically not required. Finally, provision of compact urban growth and redevelopment reduces sprawl because opportunities that are taken advantage of within an urban setting reduce the need for a suburban sprawling or leapfrogging development pattern.

However, increases in density and intensity in Mount Dora have been considered a matter of character. Almost all development decisions are made in the City with the question of how it will affect the character of the City of primary importance. Density and intensity issues have been hotly debated in the City. The result is the current policy that density and intensity will be controlled with a number of code provisions, one of which is building height limitations.

