

APPENDICES

Appendix A.....	Map Series
Appendix B.....	Statutory Requirements
Appendix C.....	Comprehensive Plan Policies
Appendix D.....	Land Development Code & Land Use Compatibility Chart
Appendix E.....	Public Involvement
Appendix F.....	JLUS Data & Analysis

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Appendix A

Osceola County JLUS 2012 Study Maps

Map 1: County Location/Aerial Map

Map 2: Future Land Use Map

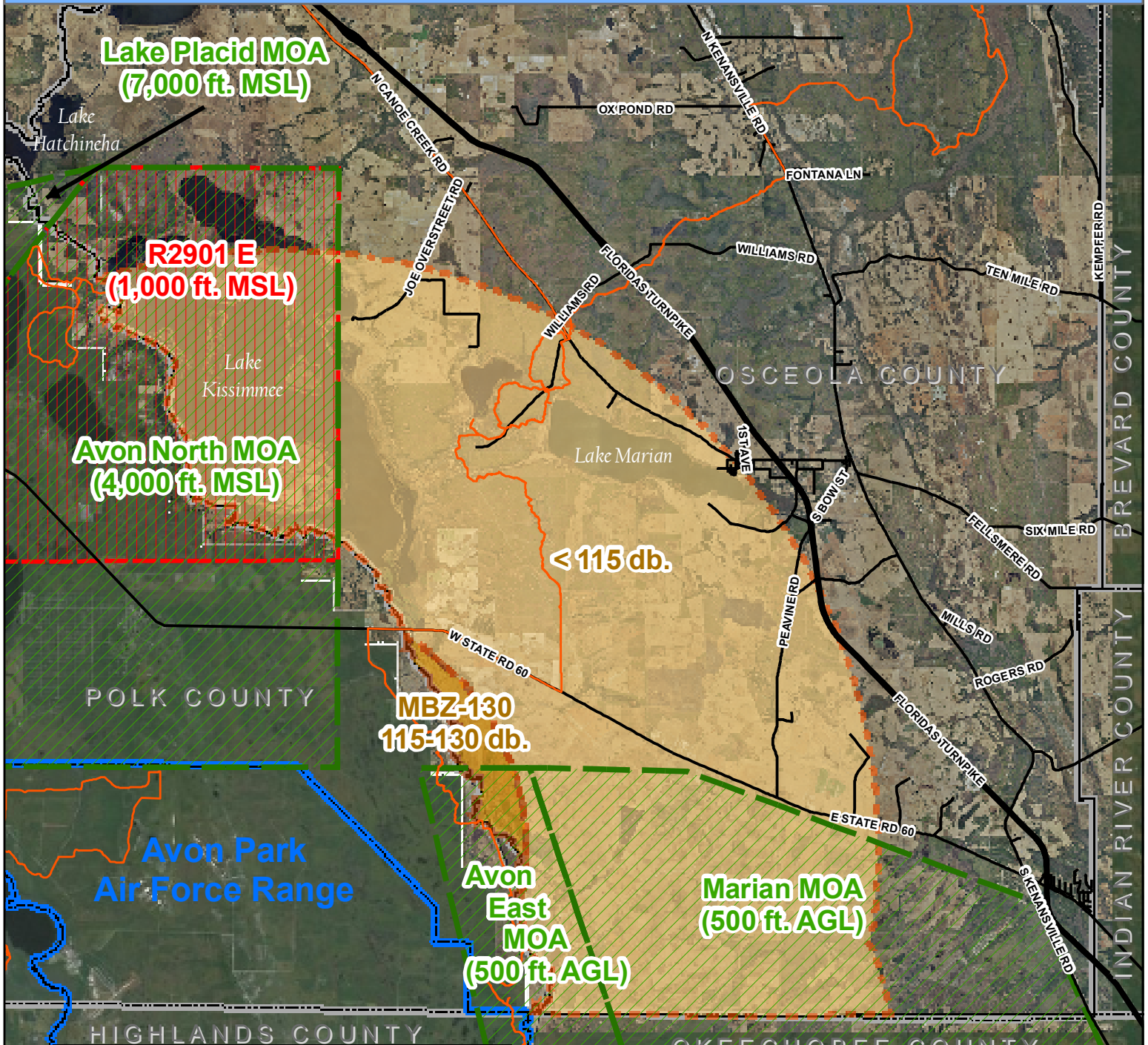
Map 3: Zoning Map

Map 4: Overview Map







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Map 1: Osceola County JLUS (2012)

County Location Map

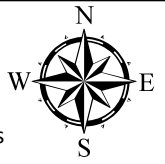
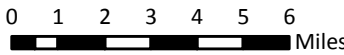


Legend

-  Avon Park Air Force Range
-  MOAs
-  Restricted Airspace
-  MBZ-130
-  < 115 db.
-  Florida National Scenic Trail



This Map Was Produced By Osceola County
Community Development - LRP Section
16 May 2012

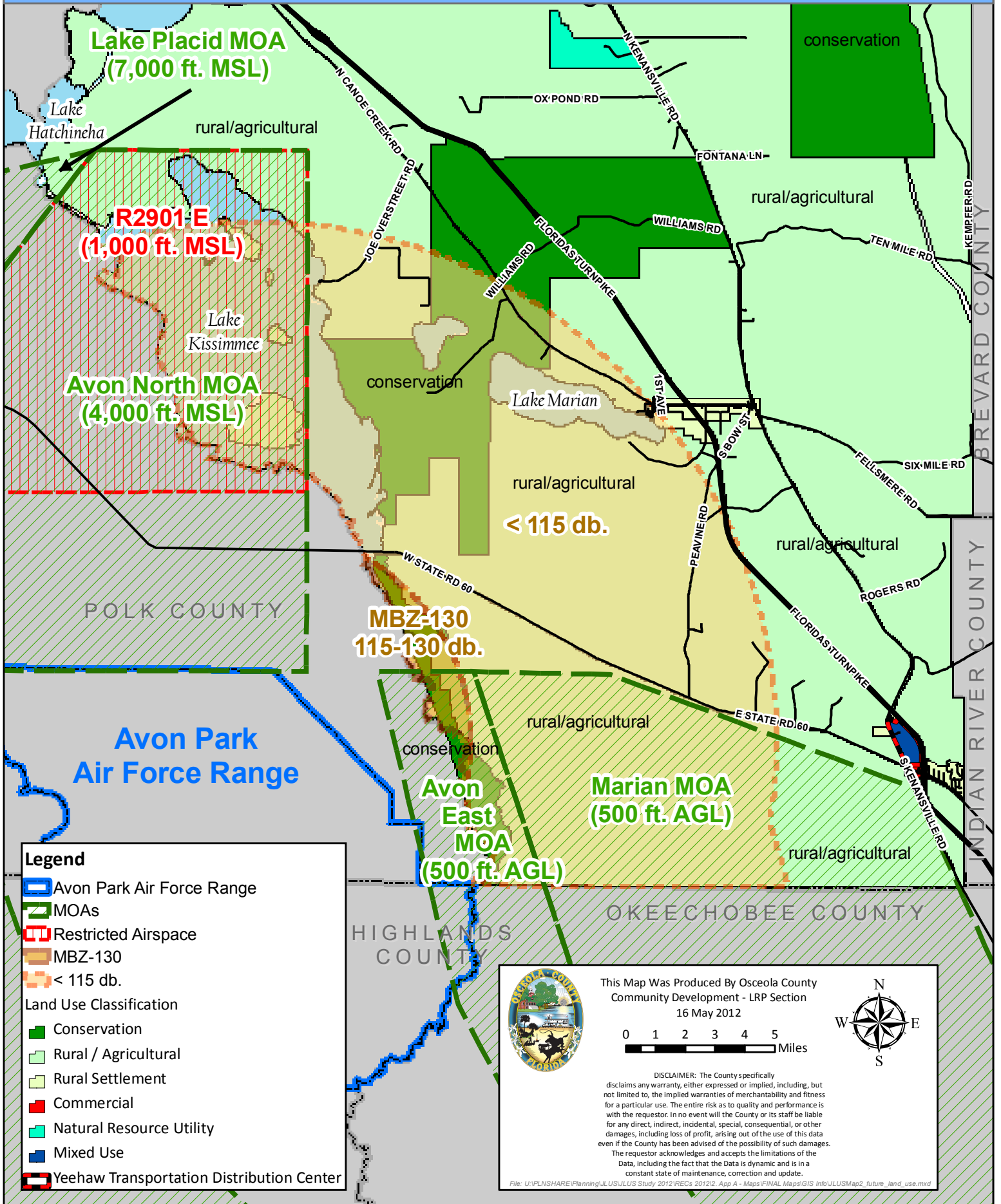


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File: U:\PLNSHARE\Planning\JLUS\JLUS Study 2012\RECs 2012\2. App A - Maps\FINAL Maps\GIS Info\JLUSMap1_aerial.mxd

Map 2: Osceola County JLUS (2012)

Future Land Use Map

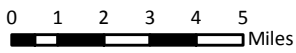


Legend

- Avon Park Air Force Range
- MOAs
- Restricted Airspace
- MBZ-130
- < 115 db.
- Land Use Classification**
- Conservation
- Rural / Agricultural
- Rural Settlement
- Commercial
- Natural Resource Utility
- Mixed Use
- Yeehaw Transportation Distribution Center



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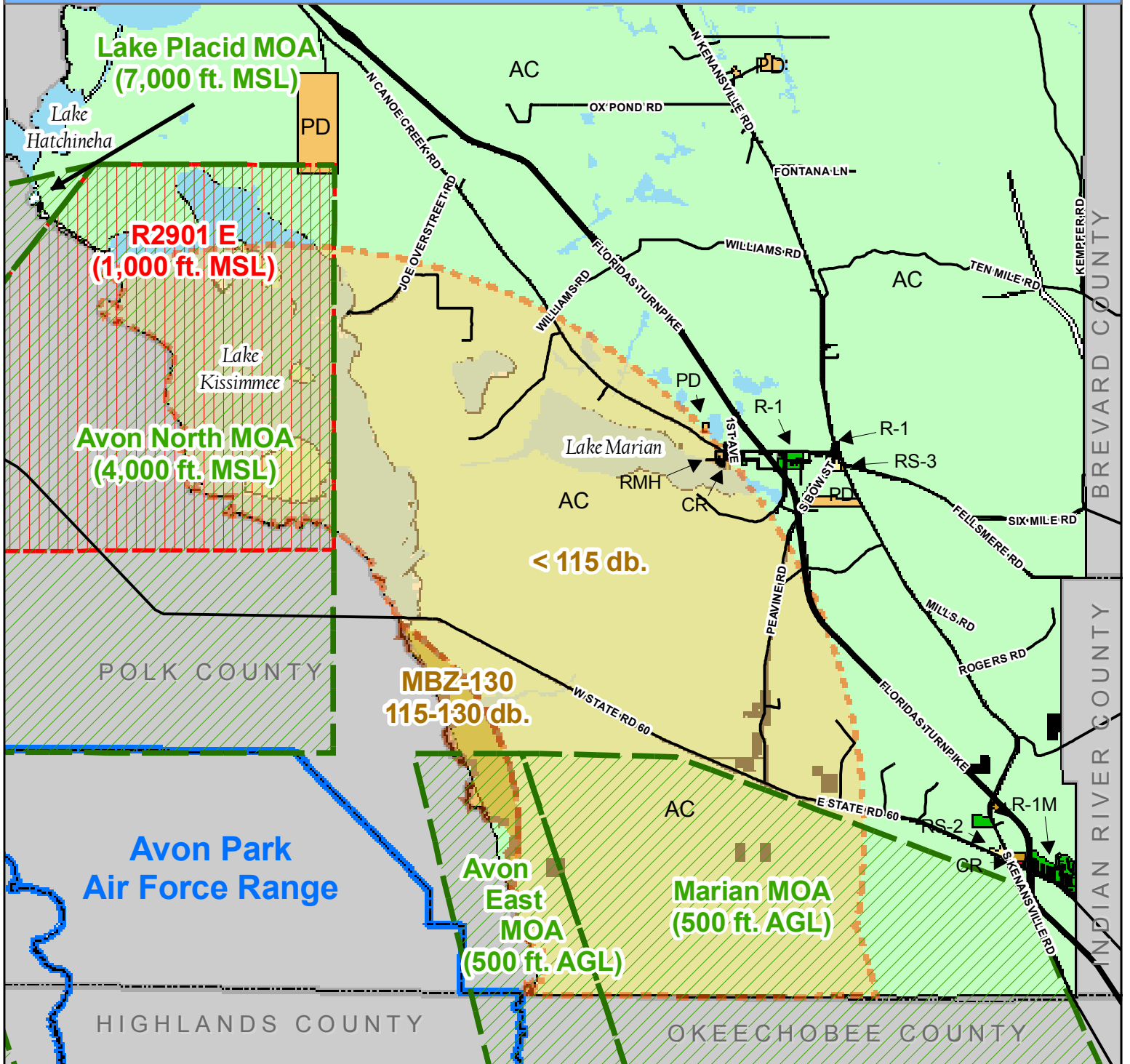


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Map 3: Osceola County JLUS (2012)

Zoning Map



Legend

Avon Park Air Force Range	IA, IB, IG, IR
MOAs	IN
Restricted Airspace	INCORP, RCID
MBZ-130	PD, PMUD, PUD, STRPD
< 115 db.	R-1, R-1M, R-2, R-2MHS
Zoning	RM-1, RM-2, RM-3
AC	MHP, RMH, RMH-1, RMH-1A, TTP
CG, CN, CR, CT, RPB	RS-1, RS-1A, RS-1C, RS-2, RS-3
E-1, E-1A, E-2, E-2A, E-5	

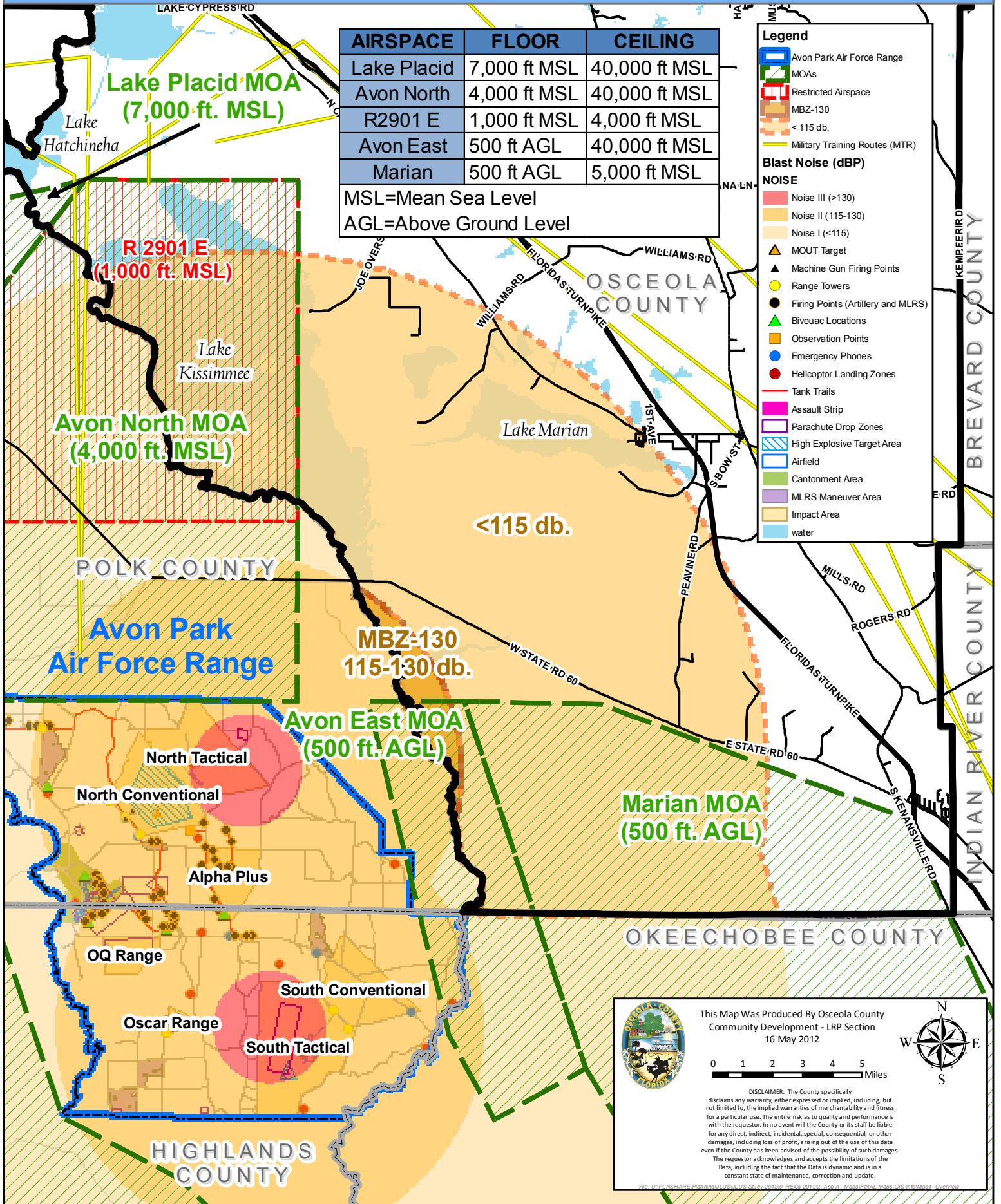
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Map 4: Osceola County JLUS (2012)

Overview Map



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16 May 2012

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Appendix B

Statutory Requirements

During the review of the August 2010 JLUS and in preparation of the Osceola County JLUS 2012, staff identified several Florida State Statutes that currently support military operations and compatibility. Staff also identified and has been tracking the 2012 Legislation as it relates to military operations and compatibility, as well as requirements for local governments to follow for compliance.

The Florida Statutes that facilitate compatibility as well as those awaiting approval from the Governor are identified below.

Florida Statute Chapter 163.3174 Local planning agency—

(Note: The statutory citations below reflect the amendments made via HB 7207 during the 2011 Legislature.)

(1) The governing body of each local government, individually or in combination as provided in s. 163.3171, shall designate and by ordinance establish a "local planning agency," unless the agency is otherwise established by law. Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member of the local planning agency or equivalent agency to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, this subsection does not prevent the governing body of the local government from granting voting status to the school board member. The governing body may designate itself as the local planning agency pursuant to this subsection with the addition of a nonvoting school board representative. All local planning agencies shall provide opportunities for involvement by applicable community college boards, which may be accomplished by formal representation, membership on technical advisory committees, or other appropriate means. The local planning agency shall prepare the comprehensive plan or plan amendment after hearings to be held after public notice and shall make recommendations to the governing body regarding the adoption or amendment of the plan. The agency may be a local planning commission, the planning department of the local government, or other instrumentality, including a countywide planning entity established by special act or a council of local government officials created pursuant to s. 163.02, provided the composition of the council is fairly representative of all the governing bodies in the county or planning area; however:

- (a) If a joint planning entity is in existence on the effective date of this act which authorizes the governing bodies to adopt and enforce a land use plan effective throughout the joint planning area, that entity shall be the agency for those local governments until such time as the authority of the joint planning entity is modified by law.

Appendix B

(b) In the case of chartered counties, the planning responsibility between the county and the several municipalities therein shall be as stipulated in the charter.

Florida Statute Chapter 163.3175 Legislative findings on compatibility of development with military installations; exchange of information between local governments and military installations.—

(Note: The statutory citations below reflect the amendments made via HB 7129 and HB 7207 during the 2011 Legislature amending Subsections (5), (6), and (9) only.)

(Note: The statutory citations below also reflect the amendments made via HB 7081 during the 2012 Legislature amending Subsections (5) and (6), only. Signed by the Governor and became effective on April 6, 2012)

(Note: The statutory citations below reflect the amendments made via HB 7075 during the 2012 Legislative Session amending Subsections (3), (5), and (6) only. Signed by the Governor on April 6, 2012, and became effective on July 1, 2012.)

(1) The Legislature finds that incompatible development of land close to military installations can adversely affect the ability of such an installation to carry out its mission. The Legislature further finds that such development also threatens the public safety because of the possibility of accidents occurring within the areas surrounding a military installation. In addition, the economic vitality of a community is affected when military operations and missions must relocate because of incompatible urban encroachment. Therefore, the Legislature finds it desirable for the local governments in the state to cooperate with military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in this state.

(2) Certain major military installations, due to their mission and activities, have a greater potential for experiencing compatibility and coordination issues than others. Consequently, this section and the provisions in s. 163.3177(6)(a), relating to compatibility of land development with military installations, apply to specific affected local governments in proximity to and in association with specific military installations, as follows:

(a) Avon Park Air Force Range, associated with Highlands, Okeechobee, Osceola, and Polk Counties and Avon Park, Sebring, and Frostproof.

(b) Camp Blanding, associated with Clay, Bradford, and Putnam Counties.

(c) Eglin Air Force Base and Hurlburt Field, associated with Gulf, Okaloosa, Santa Rosa, and Walton Counties and Cinco Bayou, Crestview, Destin, DeFuniak Springs, Fort Walton Beach, Freeport, Laurel Hill, Mary Esther, Niceville, Shalimar, and Valparaiso.

(d) Homestead Air Reserve Base, associated with Miami-Dade County and Homestead.

(e) Jacksonville Training Range Complex, associated with Lake, Marion, Putnam, and Volusia Counties.

(f) MacDill Air Force Base, associated with Tampa.

Appendix B

- (g) Naval Air Station Jacksonville, Marine Corps Support Facility-Blount Island, and outlying landing field Whitehouse, associated with Jacksonville.
 - (h) Naval Air Station Key West, associated with Monroe County and Key West.
 - (i) Naval Support Activity Panama City, associated with Bay County, Panama City, and Panama City Beach.
 - (j) Naval Air Station Pensacola, associated with Escambia County.
 - (k) Naval Air Station Whiting Field and its outlying landing fields, associated with Santa Rosa and Escambia Counties.
 - (l) Naval Station Mayport, associated with Atlantic Beach and Jacksonville.
 - (m) Patrick Air Force Base and Cape Canaveral Air Force Station, associated with Brevard County and Satellite Beach.
 - (n) Tyndall Air Force Base, associated with Bay County and Mexico Beach and Parker.
- (3) The Florida Defense Support Task Force may recommend to the Legislature changes to the military installations and local governments specified in subsection (2) based on a military base's potential for impacts from encroachment, and incompatible land uses and development.
- (4) Each affected local government must transmit to the commanding officer of the relevant associated installation or installations information relating to proposed changes to comprehensive plans, plan amendments, and proposed changes to land development regulations which, if approved, would affect the intensity, density, or use of the land adjacent to or in close proximity to the military installation. At the request of the commanding officer, affected local governments must also transmit to the commanding officer copies of applications for development orders requesting a variance or waiver from height or lighting restrictions or noise attenuation reduction requirements within areas defined in the local government's comprehensive plan as being in a zone of influence of the military installation. Each affected local government shall provide the military installation an opportunity to review and comment on the proposed changes.
- (5) The commanding officer or his or her designee may provide advisory comments to the affected local government on the impact such proposed changes may have on the mission of the military installation. Such advisory comments shall be based on appropriate data and analysis provided with the comments and may include:
- (a) If the installation has an airfield, whether such proposed changes will be incompatible with the safety and noise standards contained in the Air Installation Compatible Use Zone(AICUZ) adopted by the military installation for that airfield;
 - (b) Whether such changes are incompatible with the Installation Environmental Noise Management Program (IENMP) of the United States Army;
 - (c) Whether such changes are incompatible with the findings of a **Joint Land Use Study (JLUS)** for the area if one has been completed; and
 - (d) Whether the military installation's mission will be adversely affected by the proposed actions of the county or affected local government.

Appendix B

The commanding officer's comments, underlying studies, and reports shall be considered by the local government in the same manner as the comments received from other reviewing agencies pursuant to s. 163.3184.

(6) The affected local government shall take into consideration any comments and accompanying data and analyses provided by the commanding officer or his or her designee pursuant to subsection (4) as they relate to the strategic mission of the base, public safety, and the economic vitality associated with the base's operations, while also respecting private property rights and not being unduly restrictive on those rights. The affected local government shall forward a copy of any comments regarding comprehensive plan amendments to the state land planning agency.

(7) To facilitate the exchange of information provided for in this section, a representative of military installation acting on behalf of all military installations within that jurisdiction shall be included as an ex officio, nonvoting member of the county's or affected local government's land planning or zoning board.

(8) The commanding officer is encouraged to provide information about any community planning assistance grants that may be available to a county or affected local government through programs such as those of the federal Office of Economic Adjustment as an incentive for communities to participate in a joint planning process that would facilitate the compatibility of community planning and the activities and mission of the military installation.

(9) If a local government, as required under s.163.3177(6)(a), does not adopt criteria and address compatibility of lands adjacent to or closely proximate to existing military installations in its future land use plan element by **June 30, 2012**, the local government, the military installation, the state land planning agency, and other parties as identified by the regional planning council, including, but not limited to, private landowner representatives, shall enter into mediation conducted pursuant to s. 186.509. If the local government comprehensive plan does not contain criteria addressing compatibility by December 31, 2013, the agency may notify the Administration Commission. The Administration Commission may impose sanctions pursuant to s. 163.3184(8). Any local government that amended its comprehensive plan to address military installation compatibility requirements after 2004 and was found to be in compliance is deemed to be in compliance with this subsection until the local government conducts its evaluation and appraisal review pursuant to s.163.3191 and determines that amendments are necessary to meet updated general law requirements.

Appendix B

Florida Statute Chapter 163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(Note: The statutory citations below also reflect the amendments made via HB 7081 during the 2012 Legislature amending paragraph (f) of subsection (1) and paragraphs (a), (f), and (h) of subsection (6), only. Signed by the Governor and became effective on April 6, 2012)

163.3177(6)(a)

(6) In addition to the requirements of subsections (1)-(5), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.

1. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.
2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:
 - a. The amount of land required to accommodate anticipated growth.
 - b. The projected permanent and seasonal population of the area.
 - c. The character of undeveloped land.
 - d. The availability of water supplies, public facilities, and services.
 - e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.
 - f. The compatibility of uses on lands adjacent to or closely proximate to military installations.
 - g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.
 - h. The discouragement of urban sprawl.
 - i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.
 - j. The need to modify land uses and development patterns within antiquated subdivisions.
3. The future land use plan element shall include criteria to be used to:
 - a. Achieve the compatibility of lands adjacent or closely proximate to military installations, considering factors identified in s. 163.3175(5).

Appendix B

- b. Achieve the compatibility of lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.
 - c. Encourage preservation of recreational and commercial working waterfronts for water-dependent uses in coastal communities.
 - d. Encourage the location of schools proximate to urban residential areas to the extent possible.
 - e. Coordinate future land uses with the topography and soil conditions, and the availability of facilities and services.
 - f. Ensure the protection of natural and historic resources.
 - g. Provide for the compatibility of adjacent land uses.
 - h. Provide guidelines for the implementation of mixed-use development including the types of uses allowed, the percentage distribution among the mix of uses, or other standards, and the density and intensity of each use.
4. The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business and may not be limited solely by the projected population. The element shall accommodate at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05, including related rules of the Administration Commission.
 5. The future land use plan of a county may designate areas for possible future municipal incorporation.
 6. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection.
 7. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.
 8. Future land use map amendments shall be based upon the following analyses:
 - a. An analysis of the availability of facilities and services.
 - b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.
 - c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.
 9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.

Appendix B

- a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
- (I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
 - (II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
 - (III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
 - (IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
 - (V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
 - (VI) Fails to maximize use of existing public facilities and services.
 - (VII) Fails to maximize use of future public facilities and services.
 - (VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
 - (IX) Fails to provide a clear separation between rural and urban uses.
 - (X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
 - (XI) Fails to encourage a functional mix of uses.
 - (XII) Results in poor accessibility among linked or related land uses.
 - (XIII) Results in the loss of significant amounts of functional open space.
- b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
- (I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
 - (II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
 - (III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

Appendix B

- (IV) Promotes conservation of water and energy.
 - (V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
 - (VI) Preserves open space and natural lands and provides for public open space and recreation needs.
 - (VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
 - (VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.
10. The future land use element shall include a future land use map or map series.
- a. The proposed distribution, extent, and location of the following uses shall be shown on the future land use map or map series:
 - (I) Residential.
 - (II) Commercial.
 - (III) Industrial.
 - (IV) Agricultural.
 - (V) Recreational.
 - (VI) Conservation.
 - (VII) Educational.
 - (VIII) Public.
 - b. The following areas shall also be shown on the future land use map or map series, if applicable:
 - (I) Historic district boundaries and designated historically significant properties.
 - (II) Transportation concurrency management area boundaries or transportation concurrency exception area boundaries.
 - (III) Multimodal transportation district boundaries.
 - (IV) Mixed-use categories.
 - c. The following natural resources or conditions shall be shown on the future land use map or map series, if applicable:
 - (I) Existing and planned public potable waterwells, cones of influence, and wellhead protection areas.
 - (II) Beaches and shores, including estuarine systems.
 - (III) Rivers, bays, lakes, floodplains, and harbors.
 - (IV) Wetlands.
 - (V) Minerals and soils.
 - (VI) Coastal high hazard areas.
11. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of lands adjacent or closely proximate to existing military installations, or lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02, in their future land use plan element shall transmit the update or amendment to the state land planning agency by **June 30, 2012**.

Appendix B

Florida Statute Chapter 186.505 *Regional planning councils; powers and duties.—Any regional planning council created hereunder shall have the following powers:*

(Note: The statutory citations below also reflect the amendments made via HB 7081 during the 2012 Legislature adding Subsections (26), only. Signed by the Governor and became effective on April 6, 2012)

- (1) To adopt rules of procedure for the regulation of its affairs and the conduct of its business and to appoint from among its members a chair to serve annually; however, such chair may be subject to reelection.
- (2) To adopt an official name and seal.
- (3) To maintain an office at such place or places within the comprehensive planning district as it may designate.
- (4) To employ and to compensate such personnel, consultants, and technical and professional assistants as it deems necessary to exercise the powers and perform the duties set forth in this act.
- (5) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act.
- (6) To hold public hearings and sponsor public forums in any part of the regional area whenever the council deems it necessary or useful in the execution of its other functions.
- (7) To sue and be sued in its own name.
- (8) To accept and receive, in furtherance of its functions, funds, grants, and services from the Federal Government or its agencies; from departments, agencies, and instrumentalities of state, municipal, or local government; or from private or civic sources. Each regional planning council shall render an accounting of the receipt and disbursement of all funds received by it, pursuant to the federal Older Americans Act, to the Legislature no later than March 1 of each year.
- (9) To receive and expend such sums of money as shall be from time to time appropriated for its use by any county or municipality when approved by the council and to act as an agency to receive and expend federal funds for planning.
- (10) To act in an advisory capacity to the constituent local governments in regional, metropolitan, county, and municipal planning matters.
- (11) To cooperate, in the exercise of its planning functions, with federal and state agencies in planning for emergency management under s. 252.34(4).
- (12) To fix and collect membership dues, rents, or fees when appropriate.
- (13) To acquire, own, hold in custody, operate, maintain, lease, or sell real or personal property.
- (14) To dispose of any property acquired through the execution of an interlocal agreement under s. 163.01.
- (15) To accept gifts, grants, assistance, funds, or bequests.

Appendix B

- (16) To conduct studies of the resources of the region.
- (17) To participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities.
- (18) To select and appoint such advisory bodies as the council may find appropriate for the conduct of its activities.
- (19) To enter into contracts to provide, at cost, such services related to its responsibilities as may be requested by local governments within the region and which the council finds feasible to perform.
- (20) To provide technical assistance to local governments on growth management matters.
- (21) To perform a coordinating function among other regional entities relating to preparation and assurance of regular review of the strategic regional policy plan, with the entities to be coordinated determined by the topics addressed in the strategic regional policy plan.
- (22) To establish and conduct a cross-acceptance negotiation process with local governments intended to resolve inconsistencies between applicable local and regional plans, with participation by local governments being voluntary.
- (23) To coordinate land development and transportation policies in a manner that fosters regionwide transportation systems.
- (24) To review plans of independent transportation authorities and metropolitan planning organizations to identify inconsistencies between those agencies' plans and applicable local government plans.
- (25) To use personnel, consultants, or technical or professional assistants of the council to help local governments within the geographic area covered by the council conduct economic development activities.
- (26) To provide consulting services to a private developer or landowner for a project, if not serving in a review capacity in the future, except that statutorily mandated services may be provided by the regional planning council regardless of its review role.

History.—s. 2, ch. 59-369; ss. 17, 35, ch. 69-106; s. 1, ch. 73-283; ss. 3, 5, ch. 80-315; s. 8, ch. 81-167; s. 4, ch. 82-46; s. 8, ch. 83-55; s. 4, ch. 83-334; s. 12, ch. 84-257; s. 1, ch. 92-182; ss. 30, 38, ch. 93-206; s. 959, ch. 95-147; s. 15, ch. 95-196; s. 71, ch. 99-2; s. 93, ch. 99-251.

Note.

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Former s. 160.02.

Appendix C

Osceola County Comprehensive Plan Policies Related to Military Installations

Adopted By the Osceola County Board of County Commissioners on August 16, 2010

During the review of the August 2010 JLUS and in preparation of the Osceola County JLUS 2012, staff identified several Goals, Objectives, and Policies of the County's Comprehensive Plan that currently support military operations and compatibility. In its review, the county also identified Policies of the Comprehensive Plan that may be considered for modification to increase this compatibility with military operations.

The following Future Land Use designations identified below are those that are within the MOA's and MBZ's. These are followed by the Policies of the Comprehensive Plan that facilitate compatibility as well as those being considered for modification.

The following Objectives and Policies are current as of Supplement number 6 dated February 1, 2012, and may be amended from time to time.

Future Land Use Element (FLUE)

Policy 1.3.3: *Rural/Agricultural Future Land Use Map (FLUM) designation defined.*

Rural / Agricultural

The Rural / Agricultural designation provides for continuation of agricultural production and supporting land uses outside of the adopted Urban Growth Boundary. Maximum density allowed shall be 1 dwelling unit per 5 acres. Limited residential subdivision development is allowed based upon meeting the following criteria:

1. The number of units allowed for a development proposed as "ranchettes" shall be based upon net density defined as the total number of dwelling units divided by developable land, i.e., land area minus natural water bodies and wetlands.
2. The number of units allowed for a development proposed as a Conservation Subdivision shall be based upon gross density defined as the total number of dwelling units divided by the development's total area.
 - a. At a minimum 50% of the land area shall be set aside as conservation, agricultural, or recreational open space.
 - b. Conservation Subdivisions shall optimize the land maintained as open space in order to retain agricultural functions, minimize fragmentation of area resources and/or preserve existing ecological connections. Open space within a Conservation Subdivision will be permanently preserved via easement and managed by the agricultural owner, homeowners association, property owners association, land trust, conservation organization, public agency, or other ownership and maintenance entity as defined on the plat. The easement or dedication shall remove all residential development rights from the open space, but shall not limit agricultural, conservation, or recreational uses.

Appendix C

Policy 1.3.4: *Rural Settlement FLUM designation defined.*

Rural Settlement

The Rural Settlement designation is intended to preserve historic communities and provide opportunities for a rural residential lifestyle with a maximum density of two dwelling units per acre.

Policy 1.3.19: *Commercial FLUM designation defined.*

Commercial

The Commercial Future Land Use Map designation is intended for appropriate areas within the Urban Infill Area with a range of retail and office development.

Policy 1.3.45: *Conservation FLUM designation defined.*

Conservation

The Conservation Future Land Use Map designation is intended for private lands that have been reserved by property owner agreement and public lands for the preservation and protection of the County's valuable natural resources. These lands may also be suitable for passive recreation, but are not managed for active recreation and do not provide facilities and services typically associated with active recreational areas. Privately owned lands such as wetlands mitigation banks, Regional Offsite Mitigation Areas and environmentally sensitive properties owned by the Florida Audubon Society, Nature Conservancy or similar types of non-profit entities, may be designated as Conservation so long as formal consent is provided.

Policy 1.7.3: *Avon Park Air Force Range Coordination.*

Osceola County shall coordinate with the Avon Park Air Force Range (APAFR) regarding land use decisions and changes to the Comprehensive Plan that which if approved, would affect the intensity, density or use of land proximate to the Range. Coordination with the APAFR shall include, but not be limited to, the following:

- [The established Military Operation Areas \(MOAs\), Restricted Airspace R 2901 E, and Military Blast Zone \(MBZ-130\), which includes land areas that may experience blast noise between 115 and 130 db, are illustrated on Map TRN 10: Air Transportation Facilities & Special Planning Areas.](#)
- The Osceola County Planning Commission (local planning agency) shall include a representative appointed by the APAFR as an ex-officio, non-voting member;
- Osceola County shall ~~require~~ [facilitate](#) pre-development meetings between County staff and the applicant prior to submittal of an application for any proposed Comprehensive Plan Map Amendments, Zoning Map Amendments, land development code changes or applications for a variance or waiver from height or lighting restrictions or noise attenuation reduction requirements or applications for Conditional Uses within the Military Operating Areas (MOAs) [and/or MBZ-130](#), as depicted on Map TRN 10: Air Transportation Facilities & Special Planning Areas. Osceola County shall notify the APAFR base commander or designee of the pre-development meeting;
- Osceola County shall provide any applications for Comprehensive Plan Map Amendments, land development code changes or applications for a variance or waiver

Appendix C

from height or lighting restrictions or noise attenuation reduction requirements or applications for Zoning Map Amendments or development applications that would affect the intensity, density or use of land within the MOAs [and/or MBZ-130](#) to the APAFR base commander or designee;

- Osceola County shall notify the base commander or designee of the County's application review process schedule and of all meetings that are part of the application process;
- Osceola County shall consider any comments provided by the APAFR base commander or designee as well as any criteria listed in Section 163.3175(5), Florida Statutes, when evaluating applications within the MOAs [and/or MBZ-130](#);
- Osceola County shall forward any comments received from the APAFR base commander or designee regarding proposed Comprehensive Plan Amendments to the [State Land Planning Agency](#) ~~Florida Department of Community Affairs~~.

Policy 1.7.4: *Avon Park Air Force Range Compatibility Criteria.*

[In accordance with 163.3177, FS, the County will cooperate with military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in this state. ~~Prior to the statutory deadline,~~ ~~¶~~The County's ~~shall adopt~~ criteria to address compatibility of lands ~~adjacent to or~~ in close proximity to the APAFR \[are identified and defined in the Osceola County JLUS 2012, in the Data and Analysis of the Future Land Use Element of the Osceola County Comprehensive Plan.\]\(#\)](#)

Objective 5.1: Energy and Natural Resource Conservation

Recognizing that energy and other natural resource demands are increasing and present sources may no longer be capable of meeting additional demands, it has become necessary to rely on alternative energy and infrastructure sources in combination with smart growth land and transit utilization, and its relationship to energy and natural resource conservation. The County will promote development contributing to conservation measures.

Policy 5.1.1: *Energy Conservation Areas.*

The County will promote Energy Conservation Areas to facilitate energy efficient land use patterns and greenhouse gas reduction strategies. Appropriate uses for designation of energy conservation areas include, but are not limited to; proposed rail transit systems, multi-modal transit, transit oriented development, multi-use trails, parks and preserved lands/carbon sinks, high density and intensity land uses, urban infill activity centers, and mixed use districts. These energy conservation areas are depicted on the Energy Conservation Areas Maps (FLU 7A and 7B) in the Future Land Use Map Series.

Policy 5.1.2: *Energy Conservation Areas Development Incentives.*

Development within an Energy Conservation Area and businesses within specified distances of Energy Conservation Areas shall be incentivized and allowed to proceed directly to development application process. The County will amend its Land Development Code to facilitate a streamlined process to encourage development in these areas. Specific criteria for developments to qualify for these incentives will be determined and clarified within the LDC.

Appendix C

Policy 5.1.3: *Renewable Energy Sites in the County.*

In an effort to incentivize renewable energy technology capable of producing clean(er) energy and fuels, while allowing for decreases and/or the elimination of greenhouse gas emissions, Osceola County will update the LDC to facilitate these processes without the need for Land Use Changes or NRU designation. Locational Criteria for Renewable Energy Sites is outlined in Policy 5.1.5.

Policy 5.1.4: *Renewable Energy Sites Defined.*

Renewable energy technology based industry and business, or sustainably developed businesses shall be incentivized with the ability to proceed to development application, or other like process steps. Such developments include, but are not limited to, the following:

1. Development that consists of renewable and/or sustainable energy manufacturing.
2. Development or project that creates green jobs.
3. Development or project that meets the LEED rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or other nationally recognized, high-performance green building rating system.
4. Development or project that manufactures, distributes, and/or researches alternative fuels and/or alternative fuel vehicles.
5. Development that creates or utilizes a renewable energy sources or protects non-renewable resources greater than the requirements of the Comprehensive Plan or adopted Land Development Code regulations.

Policy 5.1.5: *Renewable Energy Sites Locational Criteria:*

Specific locational criteria will be incorporated into the LDC including, but not limited to the following:

1. Renewable Energy Creation/Manufacturing, Product Manufacturing, Distribution Centers and Research Facilities processes shall be limited to industrial, mixed use with an industrial component or institutional uses in which the manufacturing process is the primary use, subject to arterial or collector roadway access.
2. Development that creates jobs or meets a nationally recognized, high-performance green building rating system may locate in any land use or zoning applicable to the development type, subject to the standards listed within this policy.
3. Large Scale or Commercial Wind, Solar or other renewable energy production facilities may be located outside the UGB only if located on five (5) or more acres. Facilities located within the UGB shall be subject to the following criteria:
 - a. Shall be restricted from locations within residential zoning or land uses and be limited to industrial land uses and mixed use land uses subject to compatibility.
 - b. Have a minimum setback of the greater of 150 feet or a minimum distance so that the level of noise produced during operation shall not exceed 55dbA from 7:00am to sunset, and 45dbA after sunset to 6:59am consistent with the Osceola County Code of Ordinances, Chapter 9-106, measured at the property boundaries of the closest parcels that are not owned by the subject property owner, at the time of permit application. This shall apply unless a noise variance has been approved by the Board of County Commissioners.

Appendix C

- c. If the property is located on a lake with known protected species nesting or foraging, the minimum setback shall be 250 feet from the Safe Development Line or other setbacks approved for the parcel if greater than 250 feet.
 - d. Shall not cause visual obstructions to surrounding properties, and shall be landscaped to create a buffer compatible with dissimilar uses at the property line.
 - e. Shall not be installed in any location that may interfere with communications, broadcast, transmissions or other like tools.
 - f. Lighting and height requirements shall be adhered to for compliance with the Federal Aviation Administration ~~and/or the Avon Park Air Force Range Joint Land Use Study (JLUS)~~.
4. Residential Wind Turbines shall be subject to the following:
- a. Setbacks:
 - i. Facilities shall be located at least 50 feet plus the height of the structure from road lines, and lot lines.
 - ii. Individual wind turbine towers shall be located with relation to property lines so that the level of noise produced during operation shall not exceed 55dbA from 7:00am to sunset, and 45dbA after sunset to 6:59am consistent with the Osceola County Code of Ordinances, Chapter 9-106, measured at the property boundaries of the closest parcels that are not owned by the subject property owner, at the time of permit application. This shall apply unless a noise variance has been approved by the Board of County Commissioners.
 - iii. No turbines shall be permitted within 150 feet of protected bird nesting and foraging areas including Snail Kite and the American Bald Eagle.
 - b. Construction and Accessories:
 - i. No wind turbines shall be permitted that lack an automatic braking, governing, or feathering system to prevent uncontrolled rotation, over speeding, and excessive pressure on the tower structure, rotor blades, and turbine components.
 - ii. The minimum distance between the ground and any part of the rotor blade system shall be thirty (30) feet.
 - iii. The proposed system shall be no larger than necessary to provide 120 percent of the electrical energy requirements of the structure to which it is accessory as determined by a contractor licensed to install wind turbine energy systems ~~or 140 feet in height, whichever is less~~.
 - iv. All power transmissions lines from the wind generation electricity generation facilities shall be underground.
 - v. The applicant shall provide proof of insurance prior to issuance of building permit, to cover damage or injury that may result from the failure of a tower or any other parts of the generation and transmission facility.
 - vi. No individual turbine tower facility shall be installed in any location that would substantially detract from or block view of a portion of recognized scenic views, as viewed from any public road right-of-way or publicly owned land within the County.
 - vii. No individual tower facility shall be installed in any location that may

Appendix C

- interfere with communications, broadcast, transmissions or other like tool.
- viii. Lighting and height requirements shall be adhered to for compliance with the Federal Aviation Administration and/or the ~~Avon Park Air Force Range Joint Land Use Study (JLUS)~~ standards recommended within the Osceola County JLUS 2012, as applicable.
- c. Landscaping:
 - i. Appropriate landscaping shall be provided to keep the site in a neat and orderly fashion, consistent with current landscape requirements with the Osceola County Land Development Code.
 - ii. Appropriate screening shall be provided to screen accessory structures from adjacent residences.
5. Residential Solar Panels or Photovoltaic technology shall be subject to the following:
- a. Setbacks:
 - i. Setbacks shall not be applicable to roof mounted solar panels.
 - ii. The solar energy system including any appurtenant equipment shall not be located within any setbacks which apply to the primary residence and must be located to the side or rear of the primary residence.
 - iii. Solar panels including any appurtenant equipment must be a minimum of 150 feet from any neighboring residence at the time of installation.
 - iv. The solar panels shall not be visible from a public right-of-way, collector and/or arterial roadways that abut the lot on which the solar energy system is located, or, unless they are installed within one foot of the natural ground topography.
 - b. Construction and Accessories:
 - i. The proposed system shall be no larger than necessary to provide 120 percent of the electrical and/or thermal energy requirements of the structure to which it is accessory as determined by a contractor licensed to install photovoltaic and thermal solar energy systems.
 - ii. The solar panels and supporting framework shall not extend more than six feet above the existing grade.
 - iii. Reflection angles from collector surfaces shall be oriented away from neighboring windows.
 - iv. The panels shall be mounted as close as possible to the ground to match the slope of the hillside while allowing adequate drainage and preventing vegetation from shading the panels.
 - c. Landscaping:

If the solar panels are visible from off-site, the following shall apply with the exception of roof mounted panels:

 - i. Landscaping shall not be applicable to roof mounted solar panels.
 - ii. There shall be appropriate facades, walls, fences or landscaping to screen the solar panels and supporting framework from view.

Appendix C

Transportation Element (TE)

Objective 1.10: Planning and Access for Airports and Related Facilities

The County shall coordinate with any airport and related facility plans of the appropriate airports and related facilities provider, United States Army Corps of Engineers, Federal Aviation Administration, metropolitan planning organization, military services, or resource planning and management plan prepared pursuant to Chapter 380, FS, and approved by the Governor and Cabinet, the Florida Department of Transportation 5-Year Transportation Plan, and the Continuing Florida Aviation System Planning Process as adopted, ensure that access routes to airports and related facilities are properly integrated with other modes of surface or water transportation, and ensure compatible land uses adjacent to airports and military installations.

Policy 1.10.1: *Mitigation of airport impacts.*

The County shall coordinate with appropriate state and federal agencies for strategic mitigation of adverse structural and non-structural impacts from airports, and related facilities upon adjacent natural resources and land uses.

Policy 1.10.2: *Natural resources within airports.*

The County shall protect and conserve the natural resources within airports and related facilities.

Policy 1.10.3: *Intermodal management.*

The County shall coordinate intermodal management of surface and water transportation with airports and related facilities, and protect them from the encroachment of incompatible land uses.

Policy 1.10.4: *Intermodal coordination.*

The County shall coordinate with MetroPlan Orlando, FDOT, and other agencies to develop strategies to address intermodal terminals and access to airport, rail and seaport facilities.

Policy 1.10.5: *Coordination of improvements with other agencies.*

The County shall coordinate roadway and transit service improvements with the future needs of seaport, airports, and other related public transportation facilities with MetroPlan, FDOT, ECFRPC, and the Cities of Kissimmee, and St. Cloud to ensure that minimum levels of service are maintained.

Policy 1.10.6: *Military installations:*

~~In accordance with 163.3177, FS, the County will cooperate with military installations to encourage compatible land use, help prevent incompatible encroachment, and facilitate the continued presence of major military installations in this state.~~

Policy 1.10.7: *Coordination with airport authorities.*

The County will coordinate with airport authorities to ensure that compatible land uses are adjacent to existing and future airports consistent with map TRN 10: Air Transportation Facilities and Special Planning Areas - 2025.

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Appendix D

Land Development Code

During the review of the August 2010 JLUS and in preparation of the Osceola County JLUS 2012, staff identified several sections of the County's Land Development Code (LDC) that currently support military operations and compatibility. In its review, the county also identified sections of the LDC that may be considered for modification to increase this compatibility with military operations.

The sections of the Land Development Code that facilitate compatibility as well as those being considered for modification are identified below. Modifications to the LDC may be incorporated into the County's ongoing efforts to re-write the LDC.

The following sections of the Land Development Code from Ordinance 11-20, are current as of May 5, 2012, and may be amended from time to time.

LDC Modification Considerations

1. Chapter 14, Section #14.71, Osceola County Lighting Standards should be amended to include street lighting standards for new subdivisions within the MOA's, includes coordination with the Air Force Safety Center. (mid-term/LDC)
2. Chapter 14 should be amended to allow a maximum height up to 100' below the Airspace Floor of each MOA or restricted airspace, whichever is more restrictive. Height requested in excess of the maximum permitted shall be subject to FAA Determination of No Hazard to Navigation (Letter of authorization from FAA). (mid-term/LDC)
3. Chapter 8 should be amended to include language requiring new subdivisions, which are proposed within the MBZ-130, provide a noise disclosure statement on their plat regarding explosive impulse blast noise; or require disclosure to be included within the covenants conditions and restrictions as part of the plat. (mid-term/LDC)
4. As part of ongoing LDC Amendments, update the Transfer of Development Rights Ordinance, as part of on-going LDC Amendments, to include MBZ-130 as a "sending area". (mid-term / LDC)
5. Chapter 14 Conditional Use Site Standards (CUSS) should be amended to require notice to the APAFR Commander and demonstration of compatibility with the MOA and Restricted Airspace operations for new landfills, wind farms, or landing fields locating within a MOA and/or Restricted Airspace.

Appendix D

As mentioned above, during the review of the August 2010 JLUS and Florida Statutes as part of the Osceola County JLUS 2012, staff also identified several sections of the LDC that currently support military operations and compatibility.

The below sections currently support military operations and compatibility; and are in line with the JLUS study goals of protecting the health, safety and welfare of residents living or working near the range, promoting comprehensive community planning, as well as protecting and promoting the present and future operational capacities of APAFR. They also identify the Zoning Districts that are within the MOA's and MBZ's.

Existing LDC Language that Facilitates Military Compatibility

Chapter 14, Zoning Code (Existing)

Ch. 14.6 – AGRICULTURAL DEVELOPMENT AND CONSERVATION (AC)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further this district is established to:

1. Encourage the retention and development of suitable areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities; and,
2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of rural areas by limiting the ability of such areas to provide food supplies or to effectively compete with other regions producing agricultural products.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass, sod and trees.
2. Pastures and grasslands for the cultivation and propagation of livestock except for swine and poultry.

Appendix D

3. Greenhouse or nursery for domestic plants and landscaping materials when accessory and incidental to the principal dwelling.
4. Wholesale commercial greenhouses and nurseries, if located in the rural land use category illustrated on the Osceola County Comprehensive Plan, future plan use map.
5. Lakes and ponds for the cultivation and propagation of fish and marine foods for personal consumption only.
6. Areas for the cultivation and propagation of bees, earthworms and similar insects.
7. Dairy farms.
8. Barns, stables, and silos for the housing of livestock, hay, and feed.
9. Buildings, structures, equipment and work animals utilized for bonafide agricultural activities.
10. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
11. Single family manufactured home and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
12. Swimming pool, spa, recreation room, screen room, boathouse and other customary uses when accessory and incidental to the principal dwelling.
13. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
14. Pier, dock or boathouse, when accessory and incidental to the principal dwelling:
15. Dwellings (5 or less) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.
16. Swine and poultry not exceeding a limit of two (2) swine and six (6) fowl provided they are contained in a pen or fenced enclosure that maintains a minimum 100 feet setback from any property boundary.
17. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

Appendix D

18. Silviculture and forestry operations when operated in accordance with other provisions of this Ordinance.
19. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
20. Agricultural stands in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance. 00-32; 03-16; 06-37; 08-32; 09-09; 11-20 BCC Adopted 08/01/2011 August 1, 2011 Chapter 14 6-114 Zoning
21. Class I aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
22. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
23. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
24. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.
25. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.

C. CONDITIONAL USES

The following uses may be permitted as a conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Substations for telephone, or other utilities, and for firefighting or law enforcement services.
2. Houses of worship in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.
3. Kindergartens and child care centers for pre-school children and nursing homes for the sick and elderly.
4. Marinas, golf courses, country clubs, and customary accessory facilities such as clubhouses, swimming pools, cabanas, tennis courts, maintenance buildings, and structures for storage of golf carts.

Appendix D

5. Dwellings (6 or more) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.
6. Packing houses for the processing and packaging of citrus, vegetables, and fruits.
7. Processing plants for the dressing and packaging of beef, poultry, swine and fish.
8. Sawmills for the cutting, sizing and curing of lumber.
9. Commercial retail sales of nursery plants and landscaping materials in conjunction with wholesale nursery operations.
10. Commercial fish farms and similar aqua-cultural operations.
11. Plants for the production and processing of feed and fertilizer. 00-32; 03-16; 06-37; 08-32; 09-09; 11-20 BCC Adopted 08/01/2011 August 1, 2011 Chapter 14 7-114 Zoning
12. Brooders and pens for the husbandry of poultry, swine and similar farm animals exceeding the limits for permitted uses.
13. Aviaries, commercial riding stables and sites for the raising or possession of exotic animals as recognized by the Florida Fish and Wildlife Conservation Commission.
14. Veterinary clinics in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
15. Tourist attractions featuring animals, reptiles and other wildlife.
16. Recreational vehicle parks and campgrounds, when approved in accordance with other provisions of this Ordinance.
17. Recreation facilities for special groups, e.g., athletic associations, girl scouts and boys clubs.
18. Utility plants, landfills (all classes as regulated by the Florida Department of Environmental Protection, and construction and demolition debris disposal sites, in accordance with - Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
19. Cemeteries and customary accessory uses in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

Appendix D

20. Pug mills and/or temporary plants for the production or batching of concrete, asphalt soil cement or asphaltic concrete in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
21. Soil excavation, mining or quarry operations when approved in accordance with other provisions of this Ordinance.
22. Plants for the processing of fertilizer or animal hides.
23. Communication towers in accordance with Chapter 9.
24. Hunting camps and fishing camps in accordance with the Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
25. Temporary parking and storage areas for construction equipment, providing the temporary period does not exceed 5 years.
26. Class II aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
27. Community Residential Home B in accordance with Conditional Use and Site Standards (C.U.S.S.) of this Ordinance.
28. Land application disposal in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
29. Areas for the display, sale, assembly and maintenance of agricultural equipment.
30. Outdoor firing ranges provided the property has a rural land use designation in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance. 00-32; 03-16; 06-37; 08-32; 09-09; 11-20 BCC Adopted 08/01/2011 August 1, 2011 Chapter 14 8-114 Zoning
31. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
32. Commercial kennels for the raising, breeding and/or boarding of domestic animals including, but not limited to, canines or felines in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
33. Bed-and-breakfast establishment in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
34. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the

Appendix D

character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Home occupations.
2. Buildings, yards, pens and/or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of (6) canine.
3. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official's decision shall be as provided for according to Chapter 2.

CH. 14.11 RESIDENTIAL MANUFACTURED HOUSING (RMH)

A. OBJECTIVES

In order to promote the orderly growth and development of the community, protect the value of the property, improve the opportunity for housing various economic and other groups, and achieve the intent of land use regulations, this district is established to:

1. Encourage the design and development of suitable areas for various types of residential dwellings at a medium density (including modular units and similar forms of manufactured housing which are fabricated off the site); and
2. Discourage the creation or continuation of conditions which could detract from the harmony, tranquility and appearance of residential neighborhoods, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply

Appendix D

with the requirements contained in these regulations.

1. Single family residence including customary uses such as a garage, carport and porch, when accessory and incidental to the principal dwelling.
2. Single family manufactured home and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
3. Swimming pool, spa, recreation room, screen room, and other customary uses, when accessory and incidental to the principal dwelling.
4. Greenhouse or nursery for domestic plants and landscaping materials, when accessory and incidental to a principal dwelling.
5. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.
6. Pier, dock, or boathouse, when accessory and incidental to the principal dwelling.
7. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
8. Model home and pre-construction sales office in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
9. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
10. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.
11. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has otherwise been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

Appendix D

1. Two family dwelling (duplex), including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
2. Three family dwelling (triplex), including customary uses such as a garage, carport, and porch when accessory and incidental to the principal dwelling.
3. Townhouse dwelling including customary accessory uses as authorized pursuant to the approved conditional use site development plan.
4. Mobile home park, when developed in accordance with other provisions of this Ordinance.
5. Recreational vehicle park and campground, when planned in accordance with other provisions of this Ordinance.
6. Public parks, playgrounds, libraries, and similar neighborhood activities.
7. Public substations for telephone or other utilities, and for firefighting or law enforcement services.
8. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.
9. Kindergartens and child care centers for preschool children and nursing homes for the sick and elderly.
10. Public neighborhood recreation facilities such as a clubhouse, swimming pool, picnic ground, beach, boathouse, boat docks, and boat ramps.
11. Marina or golf course, country club and customary accessory facilities such as a clubhouse, swimming pools, cabana, tennis court, maintenance building and golf cart storage.
12. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Planning Official.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Home Occupations.

Appendix D

2. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
3. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of Canine exceeding the permitted maximum of four (4) canine up to a maximum of six (6). Pens shall maintain a minimum setback of ten (10) feet from any property boundary.
4. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official's decision shall be as provided for according to Chapter 2.

F. MAXIMUM DWELLING DENSITY, SUBJECT TO COMPREHENSIVE PLAN

RMH			
house/mobile home/manufactured home	5.0		units/acre
duplex	7.3		units/acre
triplex	8.4		units/acre
townhouse	9.0		units/acre
RMH-1			
house/mobile	home/manufactured		home/
duplex	2.0		units/acre
RMH-1A			
house/mobile home/duplex	2.0		units/acre

CH. 14.15 COMMERCIAL RESTRICTED BUSINESS (CR)

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further, this district is established to:

1. Encourage the design and development of suitable areas for special types of commerce which are appropriately located with direct access to major thoroughfares and offer a

Appendix D

variety of goods and services to various areas of the community; and

2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of planned business centers, or have an adverse effect on adjacent areas.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements in these regulations.

1. Offices and studios for professional services such as customarily provided by doctors, dentists, opticians, architects, engineers and lawyers and veterinary facilities catering to small animals.
2. Offices and studios for financial services such as customarily provided by banks, savings and loan associations, credit bureaus, insurance agencies, and securities brokerage.
3. Governmental administrative buildings and courts serving the executive, legislative, and judicial functions of local, state and federal branches of government, including post office facilities.
4. Theaters, museums, and galleries for cultural events, art displays and shows and clubs, lodges and meeting facilities for professional or social organizations.
5. Offices and studios for communication services such as radio and television broadcasting, filming or recording, and publishing of newspapers or periodicals.
6. Offices and studios for business services such as data processing, employee training, advertising, bookkeeping, and duplicating or reproducing of letters, forms, and drawings.
7. Shopping centers and office parks.
8. Shops and stores for retail goods such as furniture, appliances, clothing, food, medicine, hardware, books, gifts, carpets, draperies, stationery, office supplies, and sporting goods.
9. Shops and studios for general services such as hair cutting and styling, shoe repair, photography, picture framing, and areas for pick-up and delivery of laundry or cleaning.
10. Hospitals, medical clinics or laboratories and customary accessory uses.
11. Entertainment facilities such as auditoriums, bowling alleys, skating rinks, bars, game rooms and billiard halls, go-cart tracts and mini-golf facilities.

Appendix D

12. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
13. Funeral homes.
14. Food preparation facilities for minor products to be sold on the premises, such as bakery items, candies, confections, juices and beverages.
15. Eating establishments such as restaurants, cafeterias, lounges, supper clubs, and coffee shops.
16. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

C. CONDITIONAL USES

The following uses listed below may be permitted as conditional use provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Houses of worship, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance and customary accessory facilities such as a chapel and educational buildings for religious training.
2. Personal storage facilities or mini-warehouses and warehouses for storage and distribution of supplies used in conjunction with retail sales.
3. Transportation facilities such as passenger stations for trains, buses, limousines or taxis, and automobile parking garages.
4. Production facilities for limited communication products such as newspapers, magazines and similar printing, lithography or photographic processing.
5. Showrooms and display areas for the sale of new and used automobile and customary accessory uses.
6. Private schools.
7. Service stations including those that provide limited minor repair in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
8. Areas for the sale of decorating landscaping materials in conjunction with commercial retail plant nurseries.
9. Communication towers in accordance with Chapter 9.

Appendix D

10. Automobile car washes, automobile oil change and lubrication facilities.
11. Convenience stores, with or without gas dispensers, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and licensed package stores for the sale of off-premise consumption of alcoholic beverages.
12. Nursing, convalescent and extended care facilities, Community Residential Home B and C in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
13. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and the compatibility with adjacent parcels. The above determinations will be made by the Planning Official.

D. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited. In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Planning Official shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Planning Official's decision shall be as provided for according to Chapter 2.

CH. 14.23 PUBLIC INSTITUTION DISTRICT (IN)

A. OBJECTIVES

To promote orderly development of public and quasi-public community facilities and to achieve the intent of land use regulations. Further, this district is established to:

1. Accommodate a wide variety of community facilities; and
2. Promote open space and buffering to minimize potential adverse impacts on adjacent land uses.

B. PERMITTED USES

The following uses are authorized in this district, when such uses comply with requirements contained in these regulations.

1. Open space parks and passive recreation areas.
2. Infrastructure support facilities limited to water or sewer lift stations.
3. Law enforcement substations.

Appendix D

4. Recycling and collection sites when accessory and incidental to an existing on-site development.
5. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.
6. Elementary, middle and high schools and customary ancillary facilities, which include auditoriums, gymnasiums, and sports fields, subject to the applicable Compliance Review requirement prescribed in Table 14.1, and to the standards contained in Chapter 14, Section 14.81.
7. Hospitals and other medical facilities.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Water plants
2. Sewer plants
3. Electrical power generation plants.
4. Cemeteries in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
5. Communication towers in accordance with Chapter 9
Libraries.
6. Correctional facilities in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
7. Active recreation parks
8. Administrative facilities.
9. Landfills in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
10. Private educational facilities.

Appendix D

11. Fire stations.
12. Solid waste transfer stations and recycling/collection sites when not accessory and incidental to a principal development.
13. Residential community center.
14. Billboard in accordance with Chapter 15.

D. PROHIBITED USES

All uses not specified as a permitted use or a conditional use shall be prohibited. In cases where a use is not listed as a permitted use or a conditional use anywhere in these regulations, the Planning Official shall determine whether a use would not be permitted or conditional. Appeals of the Planning Official's decision shall be provided for according to Chapter 2.

CONDITIONAL USE AND SITE STANDARD (C.U.S.S.)

THE FOLLOWING SECTIONS DESCRIBE MINIMUM REQUIREMENTS, STANDARDS AND/OR CONDITIONS APPLICABLE FOR DEVELOPMENT OF SPECIFIED USES, FACILITIES, AND/OR STRUCTURES IN ADDITION TO THE CRITERIA LISTED BELOW, THOSE SECTIONS WHICH PERTAIN TO CONDITIONAL USES ALSO REQUIRE COMPLIANCE WITH CHAPTER 2 AND CHAPTER 17.

14.27 ADULT DAY CARE FACILITY

- A.** Adult day care facilities shall be permitted without regard to subsequent standards set forth in this Section if such uses are accessory to the following permitted uses: churches, social service agencies, health care facilities, community centers, or elderly housing developments. Adult care facility uses shall only be permitted as an accessory use.
- B.** The location and extent of the facility shall not adversely affect the character of the existing neighborhood. The adult day care facilities shall be located in a building that is in scale with the buildings located within two hundred (200) feet of said building. Said adult day care facility buildings shall not deviate by more than thirty (30) percent from the median scale of neighboring buildings as determined by site volume ratio and total building volume.
- C.** No overnight lodging shall be permitted for any type of adult day care facility.

14.28 AGRICULTURAL STANDS

Appendix D

The Planning Official is authorized to permit construction and/or use of agricultural stands. Permits for such uses shall be limited to six (6) months, with an option to renew every six (6) months for a maximum number of four (4) consecutive renewal periods. The following conditions shall apply.

- A. The use shall provide for all required off-street parking and loading on private property. Paved parking is not required; however, a surface that will not contribute to erosion or sedimentation, either on-site or off-site is required. If paved parking is provided, review by the County Engineer shall be required.
- B. The use shall be located along and have direct vehicular access to a public street.
- C. No sales, parking or display activity shall be located within road rights-of-way or on public land.
- D. Access to and from the site shall be in accordance with requirements of the Osceola County Engineer.
- E. The use shall conform to Development Standards of the applicable zoning district; however, agricultural stands can be located at a minimum twenty (20) feet front yard setback.
- F. The use shall comply with all applicable Health Department regulations, as set forth in Rule 10D 15, Florida Administrative Code, pursuant to Chapter 381, Florida Statutes, and other applicable regulations.
- G. At least one (1) fully charged, 2A-10BC fire extinguisher shall be located on the premises at all times in a visible, accessible location.
- H. Written permission from the owner of the property, when the stand is not located on land owned by the operator, shall be required on-site at all times the site is in use.
- I. No more than one (1) readily removable, temporary structure, smaller than one hundred and fortyfour (144) square feet for storage, display or sales shall be utilized.
- J. Signage shall be in conformance with requirement contained in Chapter 15 of this Ordinance, however, an Agricultural Stand will be allowed a maximum of two (2), thirty-two (32) square feet on-site pole or ground signs per development site.
- K. Permit issued by Osceola County for the agriculture stand shall be displayed in a conspicuous place at all times while stand is operational.

14.29 AIRCRAFT LANDING FIELD

Appendix D

- A.** Aircraft landing fields and aircraft operations shall meet all relevant Federal and State regulations.
- B.** Approval of said aircraft landing field shall not significantly limit or prohibit operation of existing or approved airports, aircraft landing fields or ultra light flight parks.
- C.** Aircraft landing fields shall be classed according to landing field capabilities and intended uses as outlined below.
 - 1.** Class I Privately-owned landing field which meets minimum physical standards for use by small aircraft, and used primarily by licensee for personal use, and not open to public.
 - a.** Runway dimensions shall be no greater than one thousand, eight hundred (1800) feet in length.
 - b.** A maximum of five (5) aircraft shall be based at the landing field at any one time. This number includes aircraft to be stored at the facility.
 - c.** Primary surface of runway, hangars and repair buildings shall be set back at least one hundred fifty (150) feet from property boundaries. All other structures shall be set back at least fifty (50) feet from property boundaries.
 - d.** Flight operations shall be restricted to V.F.R. (Visual Flight Rules) weather conditions.

Class I aircraft landing fields are permitted uses in the AC zone.
 - 2.** Class II privately or publicly-owned landing field which meets minimum standards for use by small aircraft and which is open for use by the public.
 - a.** Runway dimensions shall be no greater than three thousand, two hundred (3200) feet in length.
 - b.** Primary surface of runway, hangars and repair buildings shall be set back at least two hundred (200) feet from property boundaries. All other structures shall be set back at least seventy-five (75) feet from property boundaries.
 - c.** Flight operations shall be restricted to V.F.R. weather conditions. Class II aircraft landing fields are conditional uses in the AC zone.
 - 3.** Class III privately or publicly-owned landing field which has a runway in excess of three thousand, two hundred (3200) feet in length, which has no published instrument approach procedure and which is open for use by the public.

Appendix D

- a. Primary surface of runway, hangars and repair buildings shall be set back at least two hundred fifty (250) feet from property boundaries. All other structures shall be set back at least seventy-five (75) feet from property boundaries.
- b. Operations shall be restricted to V.F.R. weather conditions unless a specific variance is otherwise granted. Class III aircraft landing fields shall only be authorized in conjunction with a planned development.
4. Class IV public use landing field which has a published instrument approach procedure.
Class IV aircraft landing fields shall only be authorized in conjunction with a planned development.

14.30 AUTOMOBILE OR MOTOR VEHICLE REPAIR IN RESIDENTIAL DISTRICTS

- A. Only minor repairs and maintenance may be accomplished on privately registered vehicles owned by the resident of the lot and having current State of Florida license plates, or motor vehicles designated by the State of Florida as qualifying for an antique or horseless carriage designation, may be performed which, for purposes of this section, are limited to the changing and replenishment of fluid levels, such as hydraulic fluid, windshield washer fluid, and lubricating oil, the replacement of spark plugs, ignition points, the rotation of tires and the checking of adequate pressure; and the replacement of drive belts and hydraulic lines, provided all repairs are completed within seven (7) days of the commencement.
- B. Any other repairs on the motor vehicle or automobile shall be restricted to a totally enclosed building and only accomplished on privately registered vehicles owned by the resident of the lot and having current State of Florida license plates, or motor vehicles designated by the State of Florida as qualifying for an antique or horseless carriage designation.
- C. The automobile or motor vehicles referred to in this Section shall be licensed and registered to the resident of the address at which the limited repairs and maintenance or other repairs are to be performed. Repairs and maintenance shall not be performed on more than two (2) vehicles at a time.

14.31 BED-AND-BREAKFAST ESTABLISHMENT

- A. The bed-and-breakfast establishment, for the purposes of calculating density, shall constitute one dwelling unit and may be allowed as a conditional use within RPB, AC and all RM zoning districts.
- B. Parking shall be provided in accordance with other provisions of this Ordinance.

Appendix D

- C. Buffering and screening shall be provided in accordance with other provisions of this Ordinance.
- D. Bed-and-breakfast establishments, in RPB zoning districts, shall be allowed to have no more than six 6. lodging units.
- E. All bed and breakfast establishments shall meet all applicable state and local regulations.

14.32 BOARDING HOUSE

- A. In each boarding house, for the purposes of calculating density, every 2.5 residents shall constitute one (1) dwelling unit. Therefore the facility must be located on a lot large enough to meet the density requirements of the Osceola County Comprehensive Plan for the equivalent number of dwelling units or the minimum requirements of the zoning district in which it is located, whichever is more restrictive.
- B. Parking shall be provided in accordance with other provisions of this Ordinance.
- C. Buffering and screening shall be provided in accordance with other provisions of this Ordinance.
- D. All boarding houses containing more than fifteen (15) residents shall have direct access to a collector or arterial street, as is defined under the Osceola County Functional Classification System.
- E. All boarding houses shall comply with all applicable state and local regulations.
- F. Where boarding houses shall be located within two (2) lots, or one hundred (100) feet from the boundary of a single family residential zoning district of lesser density than permitted in the zoning district in which said boarding house is located, then said boarding house shall be in scale with the building located within two hundred (200) feet of said boarding house. Said boarding house shall not deviate by more than thirty (30) percent from the median scale of such neighboring buildings as determined by site volume ratio and total building volume.

14.33 CANOPIES AS ACCESSORY USES

Canopies provided over the pump islands at gas stations, service stations and convenience stores shall meet the setback requirements of a principal structure. However, if the following requirements can be met, the canopy may intrude a limited amount into an otherwise required setbacks.

- A. The outside edge of the canopy may intrude up to ten (10) feet into the required front yard.

Appendix D

- B. The canopy shall not block visibility at intersections of rights-of-way or drives.
- C. All pump islands, their surrounding structures and the canopy support structures shall meet the zoning district's yard requirement for building setbacks.

14.34 CEMETERIES

- A. All requirements of the Florida Statutes regarding the interment of human dead shall be met.
- B. A minimum lot size for the entire cemetery site shall be eighty-five thousand (85,000) square feet.
- C. There shall be adequate space within the site for the parking and maneuvering of funeral corteges, parking may be grass.
- D. No interment shall take place within thirty (30) feet of any adjoining lot line.
- E. All structures shall be set back a minimum of twenty-five (25) feet from any boundary line of the cemetery property.
- F. All structures over twenty-five feet in height must be set back from any boundary line of the cemetery a minimum of twenty-five (25) feet plus two (2) feet for each one (1) foot of height over twenty-five (25) feet to the maximum height permitted by the zoning district in which it is located or fifty (50) feet, whichever is more restrictive.

14.35 CENTRAL SOLID WASTE STORAGE AREA

All new buildings and uses which provide facilities for the central storage of solid waste within the lot, but outside of a building, shall be screened from public rights-of-way and adjacent properties by an enclosure constructed of materials compatible with the materials of the main building.

14.36 CHILD CARE CENTER

- A. If a circular driveway is provided for pick-up/drop-off of children, the following shall be required in addition: A one-way direction paved circular driveway, twelve (12) feet in width with a minimum inside turning radius of twenty (20) feet, and an area a minimum of fifteen (15) feet from the designated discharge point where the children are picked up or dropped off. If fire regulations require the designation of a fire lane, then the width of the circular driveway shall be at least twenty (20) feet.
- B. A fenced outdoor play area for the children shall be provided. The use of the fenced outdoor play area shall be limited to between 7 a.m. and 7 p.m. if the fenced play area

Appendix D

is within one hundred (100) feet of a residential zoning district unless otherwise specifically approved by the Board of County Commissioners.

- C. The location and extent of the facility shall not adversely affect the character of the existing neighborhood.
- D. The child care center shall be of a design, intensity and scale to serve the surrounding neighborhood and be compatible with the surrounding land uses and zoning.
- E. Child care centers for more than 15 children shall have direct access onto a collector or arterial streets in conformance with other provisions of this Ordinance.

14.37 COMMUNITY RESIDENTIAL HOME

The requirements and standards of Chapter 419, Florida Statutes and regulations of the Department of Children & Families shall be met. A community residential home is “a dwelling unit licensed to serve clients of the Department of Children & Families, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents” (Florida Statutes). Osceola County defines three (3) types of community residential homes.

A. COMMUNITY RESIDENTIAL HOME A

Homes, which otherwise meet the definition of a community residential home, shall have no more than six (6) residents and shall be deemed a single family unit for the purposes of this Ordinance. This home shall be a permitted use in all residential zoning districts of this Ordinance and does not require approval from the County. A home in this category shall not be located within a radius of 1,000 feet of another existing community residential home. A community residential home “A” shall constitute one dwelling unit.

B. COMMUNITY RESIDENTIAL HOME B

This home shall have between seven (7) and fourteen (14) residents. The location of a community residential home “B” shall be determined by Osceola County review in accordance with other provisions of this Ordinance. Notification requirements of the sponsoring agency are found in Chapter 419, Florida Statutes. Specific locational review criteria are cited for a community residential home “B” (Chapter 419, Florida Statutes), and shall be used in addition to other provisions of this Ordinance, by the County in reviewing and acting upon an application. Community residential homes “B” and “C” shall be located so that a minimum twelve hundred (1200) feet radius exist between other established community residential homes in multi-family and 500 feet in residential single-family districts. Community residential homes “B” and “C” shall have a density calculated at 1/5 of a dwelling unit per resident. The facility shall be designed and built in a similar fashion to a single-family home, a single-family

Appendix D

townhouse, or a low density garden apartment. The facility shall meet all other provisions of this Ordinance.

C. COMMUNITY RESIDENTIAL HOME C

This home shall have in excess of fourteen (14) residents. The location of a community residential home “C” shall be determined by Osceola County, in accordance with other provisions of this Ordinance. Notification requirements by the sponsoring agency are found in Chapter 419, Florida Statutes. Specific review criteria in addition to County provisions, shall be the same as applicable to community residential home “B”, and are cited in Chapter 419, Florida Statutes. These criteria shall be used by the County in reviewing and acting upon an application.

D. Community residential homes (A, B, and C) shall not be located as to result in a concentration of community residential homes.

14.38 CONSTRUCTION TRAILERS/MODULAR OFFICES AS TEMPORARY OFFICES

- A.** A licensed contractor or land excavation permitted engaged in a construction project for which a building permit or soil excavation operating permit has been issued by Osceola County, may temporarily use a construction trailer/modular office for office facilities in the location where the work is being done; provided such office shall not be placed upon a public street but upon the property on which the permit authorized the activity. The construction trailer/modular office shall be removed within thirty (30) days after completion of the work for which the permit has been issued. Septic tanks may be permitted by the Osceola County Health Department provided all applicable requirements are met.
- B.** Zoning approval may be issued by the Planning Official for a one year period for the use of modular facilities as temporary offices while business properties are being remodeled, provided that they are placed upon the property for which there is a building permit issued by Osceola County for the remodeling. The permit shall be for a period of one-year or until the remodeling is completed, whichever is the shorter period. The permit may not be renewed after the expiration of the one-year period.
- C.** Watch person trailers shall be limited to one (1) per construction site.
- D.** Public toilet facilities shall be provided as required by the County.
- E.** Planning Official, or his/her designee, may permit modular facilities as temporary offices within otherwise required building setbacks provided the applicant can demonstrate:
 - 1.** Site placement will not have an adverse impact on adjacent property

Appendix D

2. Can adequately buffer, when required, the proposed site from the adjacent property
3. That lacking an alternative placement, in compliance with required setbacks, the applicant would be prohibited the use of such facilities

14.39 CONVENIENCE STORE/GAS STATION

- A. The use shall have direct access to a collector or arterial roadway in conformance with other provisions of this Ordinance.
- B. All convenience stores abutting residentially zoned property shall use the same architectural materials (excluding windows) on all sides of the building.
- C. Site lighting shall be in accordance with C.U.S.S. site lighting standards contained herein.
- D. No repair services shall be performed.

14.40 CORRECTIONAL FACILITY

- A. At the time of the conditional use request, the operator of the correctional facility shall provide information on, and if approved, shall utilize adequate measures to prevent the unauthorized exit of the inmates.
- B. Buffers and screening shall be in accordance with other provisions of this Ordinance.
- C. The facility shall comply with all applicable Federal, state and local requirements.
- D. Specific requirements for the two types of correctional facilities are as listed below.

1. PRISON

- a. The minimum lot size shall be fifty (50) acres.
- b. The structures occupied by the facility residents shall be located 750 feet measured from other zoning lot boundaries.

2. COMMUNITY CORRECTIONAL FACILITIES

- a. The minimum lot size shall be five (5) acres.
- b. All structures occupied by the facility residents shall be located a minimum of one hundred fifty (150) feet from any lot boundary containing a dwelling unit or other lot boundary having an AC zoning district designation.

Appendix D

14.41 DISPLAY/MEETING TENTS

- A.** The use permit may be granted for thirty (30) days, four times per year, per lot and may be extended up to sixty (60) days by the Board of Adjustment as a special exception. No use permit shall be issued before a minimum 14 day period has lapsed following termination of a preceding use permit.
- B.** The use of the display/meeting tent shall be limited to between the hours of 7 a.m. and 9 p.m.
- C.** All parking shall be on-site.
- D.** Trash and debris shall not accumulate. All trash and debris shall be removed when the display/meeting tent is removed.
- E.** Any electrical permits for the display/meeting tent shall be obtained by a licensed electrical contractor.
- F.** A letter of approval from the Fire Marshall and the Health Department shall be required if portable toilets are to be used.
- G.** Written consent from the owner, or authorized agent, of the property shall be obtained.
- H.** When a display/meeting tent is used in conjunction with a seasonal sales lot, only a seasonal sales lot Permit shall be required (a separate display/meeting tent permit shall not be required).
- I.** Private residential use permits are exempt.
- J.** In PD districts, as part of a CDP, alternative restrictions may be granted.
- K.** One-site fire extinguisher(s) shall be located within seventy-five feet of any portion of the tent facility.

14.42 EATING ESTABLISHMENT/DRIVE-THROUGH FACILITY

- A.** No order box used in the ordering of food or beverages from a drive-through window shall be located within two hundred (200) feet of any property zoned residential.
- B.** A solid screening fence or wall, a minimum of six (6) feet in height, shall be required to be placed between any property used for a drive-through facility and any abutting property zoned residential. The intent of this solid screening is to screen vehicular headlight glare from adjacent residential property.

Appendix D

- C. Adequate automobile stacking space will be provided from the order box to ensure that any public right-of-way or common vehicular use area will not be blocked by or utilized for vehicular stacking.

14.43 FIRING RANGE, SMALL ARMS (INDOOR)

- A. Noise levels shall be in conformance with the County noise ordinance.
- B. The design and safety standards of the National Rifle Association shall be met.

14.44 FIRING RANGE, SMALL ARMS (OUTDOOR)

- A. The minimum size of the site shall be five (5) acres.
- B. The maximum caliber used on the range shall be .45 for rifled barrels and twelve (12) gauge for non-rifled barrels.
- C. A projectile-proof backstop, consisting of concrete, steel, earth or a combination thereof, at least fifteen 15 feet high shall be erected and maintained behind all target areas.
- D. Noise levels shall be in conformance with the County noise ordinance.
- E. The design and safety standards of the National Rifle Association (NRA), the National Skeet Shooting Association (NSSA), and the Amateur Trap Shooting Association (ATSA) shall be met. Where a conflict exists between the aforementioned standards and NRA, NSSA and ATSA, the standards of these associations may apply.
- F. Must be 1,000 feet from the nearest residence.
- G. Lighting used at the site shall be designed, located and constructed so as to prevent glare and minimize reflection onto neighboring property.

14.45 FLEA MARKETS

- A. This use shall not be permitted for properties abutting a residential zoning district.
- B. Uses authorized for flea markets shall include retail outlets for new and used general merchandise, gift and sundry items, food, produce and bakery, clothing, furniture, books and appliances, tools and automotive parts; shops for personal care services such as barbers and hairdressers; artisans and crafts persons and their wares; retail sales display areas for home improvement items such as screen rooms, spas, etc.; and restaurant space to include beer sales for consumption on premises only.

Appendix D

- C. The use shall have direct access to a collector or arterial roadway in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.
- D. All vendors shall obtain an occupational license from Osceola County and shall have said license displayed on site.
- E. A minimum of 70% of sales display area shall be within covered structures built to building code standards, and a maximum of 30% of sales area to be provided as a paved open air display.
- F. Expansion of sales display areas, covered or uncovered, shall require separate conditional use approval.
- G. One temporary storage unit, maximum size 8'x10', shall be permitted for each covered sales display area, provided they do not encroach upon parking spaces or walkways, or create safety hazards.
- H. Internal tenants' signage shall not be visible from public roads or sidewalks and do not require a permit from the Osceola County Planning and Zoning Office.

14.46 GARBAGE DUMPSTER

Except for single and two-family residential developments, areas therein shall be segregated for the storage of waste materials in accordance with the County Solid Waste Department's and in compliance with the following

- A. They shall be walled with materials that are like-kind to the principal building(s) on the site.
- B. They shall be enclosed and have opaque doors. The doors shall remain closed at all times other than during garbage disposal or collection.
- C. They shall be easily accessible by a pick-up service without causing a stoppage of vehicular traffic on arterial or collector roadways.

14.47 GARAGE, YARD, ETC. SALES

Garage, yard, tag, patio and apartment sales are specifically permitted, as an accessory use, in all residential districts. Such sales shall be limited to one during each six (6) month period, for a duration not to exceed three (3) days.

14.48 GOLF DRIVING RANGES

- A. The site shall be of such configuration so as to permit a minimum driving distance of three hundred fifty (350) yards from each proposed tee.

Appendix D

- B.** A site plan of the facility shall be submitted showing the layout of the property with all fairways, roughs, greens, structures, off-street parking areas, fencing and proposed plant materials and location.
- C.** Lighting used at the site shall be designed, located and constructed so as to prevent glare and minimize reflection onto neighboring property.
- D.** Minimum required buffers on all sides of a golf driving range shall be fifty (50) feet.

14.49 GUEST HOME AND/OR QUARTERS FOR DOMESTIC EMPLOYEES

The following list of development standards are designed to achieve compatibility between guest homes and/or quarters for domestic employees and surrounding residential structures. In order to confirm development criteria has been achieved, all applications for guest homes or quarters for domestic employees shall provide architectural drawings of both the existing single family home as well as the proposed guest home or quarters for domestic employees. In addition, all development plans shall provide a property survey performed by a Florida registered land surveyor. The survey must show lot area and location of all existing and proposed structures. If the subject property contains less than one (1) acre, the request for a quest home or quarters for domestic employees must be approved as a special exception to the Board of Adjustment.

- A.** All such dwelling units shall be on a conforming lot, with a minimum lot area as prescribed in these regulations or agreed to under a PD zoning application and shall meet all other applicable building setback requirements unless otherwise exempted by this Code.
- B.** Minimum building size 450 square feet (See Note 1) Maximum building size 800 square feet (See Note 2) NOTE 1: The 450 sq feet standard does not apply if the request is for an attached guest home and/or quarters for domestic employees. NOTE 2: Requests for guest homes and/or quarters for domestic employees larger than 800 sq feet cannot exceed 40% of the total conditioned floor area of the existing single family home unless approved as a special exception by the Board of Adjustment.
- C.** No guest home or quarters for domestic employees may be located greater than one hundred (100) feet from the primary residential structure.
- D.** Guest homes or quarters for domestic employees shall be architecturally compatible with the primary residential structure.
- E.** Guest homes or quarters for domestic employees shall not be leased or rented.
- F.** Guest homes or quarters for domestic employees may be either attached to the primary residential structure or detached from the primary residential structure.

Appendix D

- G. Guest homes or quarters for domestic employees must be sub-fed electrically from the same meter as the primary residential structure.
- H. Any and all deviations from the above standards shall require special exception approval by the Board of Adjustments.

14.50 HELIPORT

- A. Heliports shall meet all Federal, state and local regulations.
- B. Landing and take-off areas shall be located a minimum of one hundred fifty (150) feet from any zoning lot boundary and a minimum of one thousand (1000) feet from any dwelling unit or residentially zoned property.
- C. All storage and repair shall be conducted in enclosed buildings.
- D. Hangars and repair facilities shall be set back at least one hundred fifty (150) feet from any zoning lot boundary and all other buildings shall be set back at least fifty (50) feet from any zoning lot boundary.
- E. In the PD districts, heliports are permitted only if the district is fifty (50) contiguous acres or more in size.
- F. Parking requirements shall be in accordance with other provisions of this Ordinance.

14.51 HOME OCCUPATION

- A. The County Manager or his/her designee may authorize the operation of a Home Occupation, in all single family, multiple-family and mixed use zoning districts only by approving an owners / operators affidavit, in a form approved by the County, that declares an owners / operators statement of compliance with all of the provisions of this section.
- B. A Home Occupation shall include, but not necessarily be limited to the following: domestic crafts such as seamstress, sewing, tailoring, washing and ironing, real estate services, bookkeeping, tax preparation, computer input or computer consulting services, telemarketing services, short term rental property management office, medical transcription, beautician, mail order, internet/web based operations, contractor (office only), interior decorator / designer, products of home made crafts (such as writer, painter, composer, etc.), private tutoring and instruction (limited to three pupils at any one time), and professional services
- C. No person shall be employed other than members of the immediate family all of which must reside on the premises.

Appendix D

- D.** The use of the dwelling unit for the Home Occupation shall be clearly incidental and subordinate to its use for residential purposes. Not more than twenty-five (25) percent of the air conditioned floor area of the dwelling unit shall be used in the conduct of the Home Occupation and no more than 20 square feet of merchandise may be stored. No outside display, storage, or use of land is permitted.
- E.** There shall be no change in the outside appearance of the building or premises as a result of such occupation, with the exception of an unlighted sign or nameplate. The sign shall be limited to not more than two (2) square feet in area, attached to and not projecting from the building.
- F.** A Home Occupation may be conducted in any accessory building provided the building is incidental to and subordinate to the primary residential structure.
- G.** Mechanical equipment shall not be used on the premises, except such that is normally used for purely domestic or household purposes, nor shall it create levels of noise, vibration, glare, flumes, odors or electrical interference detectable to the normal senses outside the dwelling unit in excess of that normally associated with household use. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television sets off the premises, or causes fluctuations in line voltage in excess of that normally associated with household use.
- H.** No products other than that produced on site may be sold on site. This does not preclude taking orders for sales or provision of services off-site.
- I.** Traffic or parking demands to or from the residence shall not be generated by the residential use and Home Occupation in greater volume, frequency or type than ten vehicle trips per day, as defined by the Institute of Transportation Engineers (I.T.E.). Deliveries related to the home occupation shall not occur more frequently than twice per day, not including any deliveries made by the U.S. Postal Service. Parking demand shall be limited to a maximum of four (4) parking spaces.
- J.** A Home Occupation shall not be interpreted to include activities such as, but not restricted to, auto repair and tune-up, general offices, clinics, physician's, dentist's and offices (except contractors) of the like, welding shops, animal hospitals, kennels, catering or other food preparation businesses.
- K.** Multiple Home Occupations shall not have a cumulative impact greater than the criteria for one occupation.
- L.** A Home Occupation shall not be transferred to another owner or lessee of the property unless the identical conditions exist as to the specific occupation, number of persons operating the occupation, and all site conditions remain the same. Any transfer

Appendix D

requires approval of the County, including a new application and affidavit as required herein.

- M.** Home Occupation may be approved for up to one (1) year and must be renewed annually by making application to Osceola County Planning & Zoning Office. Home Occupations may be approved for up to one (1) year and must be renewed annually by making application to Osceola County Planning and Zoning Office. Upon filing a new application or renewing an application the applicant shall sign an affidavit, provided by the Planning & Zoning Office, confirming compliance with the criteria contained in this section. If the applicant is not the property owner, a notarized letter of authorization from the property owner shall be submitted at the time of application.
- N.** A Home Occupation approval may be revoked by the County Manager or her/his designee upon any violation of these criteria, after written notice.
- O.** Any denial or revocation of a Home Occupation may be appealed by filing an application for Special Exception for a Home Occupation to the Board of Adjustment.

14.52 HOUSES OF WORSHIP

- A.** Minimum lot size of twenty thousand (20,000) square feet shall be provided.

14.53 HUNTING CAMPS AND FISHING CAMPS

- A.** Hunting camps may only be approved as a temporary use during hunting seasons as defined by the Florida Fish and Game Commission.
- B.** Fishing camps must be located within 500 feet of a lake, creek or canal identified on a current tax map.
- C.** Hunting or fishing camps must contain a minimum of five acres with 200 feet of lot width in an AC zoning district.
- D.** An application for conditional use must include the following supporting documents:
 - 1.** Survey of property providing legal description and confirming acreage.
 - 2.** Photograph of dwelling unit to be used on site (mobile home, motor home, recreational vehicle or cabin).
 - 3.** Documentation from authorized RV dealer or repair facility confirming that selfcontained sewage system is operable or copy of septic tank permit from Osceola County Environmental Health Department.
 - 4.** Site plan showing access and distance from county or state maintained road.

Appendix D

5. Applicant to sign affidavit recognizing that emergency services may not be available to the site and stating that site will not be used for permanent housing.
 6. No property approved as a hunting camp will be eligible for homestead exemption.
- E. Hunting camps located on parcels in excess of 500 acres in single ownership that abut a public maintained road and provide hunting rights by lease may submit an application for site plan approval and may be exempt from a conditional use application and the above provisions. Appeals from TRC conditions must be made through conditional use procedures to the Planning Commission and Board of County Commissioners.

14.54 KENNEL

- A. The method of disposal of all feces and other solid waste generated by the kennel operation shall be reviewed and approved by the Health Department.
- B. All runs and kennel areas shall be fenced with chain link, solid wood fencing or a masonry wall. The fence or wall shall be of quality material and be neat in appearance. The fenced kennel areas shall set back a minimum of 15 feet from rear and side property boundaries. The fenced kennel area is not permitted within the front yard.
- C. Any training of animals shall not include the use of loud noises or produce smoke or odor.
- D. Humane Society of the United States (HSUS) Guidelines shall be used, at a minimum for the flooring, walls between kennels, drainage, heating and cooling, cage sizes and runs.
- E. The kennel facility shall not generate adverse off-site noise or odor impacts.
- F. All outdoor runs shall be a minimum of one hundred fifty (150) feet from any residential zoning district.

14.55 LAND APPLICATION DISPOSAL

A. GENERAL STANDARDS

Land application disposal shall meet all relevant Federal and state regulations. The minimum standards for the land application disposal of domestic wastewater residuals shall be pursuant to Chapter 17-640, FAC, as amended, and as authorized and monitored by the Health Department. The minimum standards for land application disposal of domestic sewage and food service sludge shall be pursuant to Chapter 10D-6, FAC, as amended, and as authorized and monitored by the Osceola County Health Department.

Appendix D

B. OPERATION STANDARDS

The operator of the land application disposal activity shall be responsible for using site management practices pursuant to Chapter 17-640.600, FAC, as amended, or Chapter 10D-6, FAC, as amended.

C. BUFFER/SETBACK STANDARDS

Buffer/setback requirements shall be as provided by Chapter 17-640, FAC, as amended, and Chapter 10D-6, FAC, as amended, with the following additional requirements: the land application boundary shall be located not less than one thousand (1000) feet from any occupied building and two hundred (200) feet from the land application area property line.

D. ACCESS STANDARDS

The land application area shall have direct access to a collector or arterial street in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.

E. HOURS INFORMATION

A certified statement by the operator specifying the hours of operation for the disposal activities.

F. VOLUME INFORMATION

An explanation of the volume of material to be land applied, expressed in gallons per day, cubic yards per day, or tons per day.

G. KINDS OF MATERIAL INFORMATION

An explanation of the classes of residuals and types of sewage and food service sludge to be land applied.

H. Land application disposal is allowed only as a conditional use in the AC zoning district.

14.56 LANDFILLS, CLASS I, II, III AND CONSTRUCTION AND DEMOLITION DEBRIS SITES

A. Front, rear and side yards shall be a minimum of 50 feet. When adjacent to residentially zoned property, yards shall be a minimum of 200 feet for non-office type buildings and uses.

Appendix D

- B.** Proof of the ability to meet all applicable local, state and federal environmental standards shall be provided.
- C.** The facility shall have direct access to a collector or arterial in accordance with Chapter 13 of this Ordinance.
- D.** The use shall not be within one thousand (1000) feet of a school, measured on a straight line along the shortest distance between the perimeter of the landfill and the boundary of the property upon which the school is situated.
- E.** The site shall be fenced by a six foot high fence.
- F.** The following information shall be provided in addition to the general information required:
 - 1.** The haul routes and points of access to the property.
 - 2.** The proposed data that the land alteration will commence and the projected date of completion.
 - 3.** An explanation of the volume of waste to be received, expressed in cubic yards or tons per day.
 - 4.** An explanation of the type of landfill requested and type of wastes to be received.
 - 5.** A statement specifying the hours of operation.
 - 6.** Evidence of approvals to operate the proposed landfill from the Florida Department of Environmental Protection and the Osceola County Health Department.
 - 7.** Buffers shall be required to be identified as part of the site development plan. Buffers shall be designed to reduce visual impacts, noise impacts and other purposes as determined by the Board of County Commissioners.

14.57 LIFE CARE TREATMENT FACILITIES

- A.** In a life care treatment facility, for the purposes of calculating density, every two and one-half (2.5) residents shall be considered to equate to one (1) dwelling unit. Number of residents shall be based on the maximum capacity of the facility. Each room or group of rooms containing a separate and individual kitchen shall equal to one 1. unit. If an accessory nursing home is provided on the same lot, the density conversion rate for a nursing, convalescent and extended care facility must be met for that portion of the development. (See nursing, convalescent and extended care facility). Therefore, the facility must be located on a lot large enough to meet the

Appendix D

density requirements of the comprehensive plan for the number of dwelling units proposed.

- B.** Each facility shall provide adequate parking in accordance with other provisions of this Ordinance.
- C.** All life care treatment facilities shall have direct access to a paved and dedicated public street.
- D.** Buffers and screening shall be as required in accordance with other provisions of this Ordinance.

14.58 MEMBERSHIP ORGANIZATIONS INCLUDING FRATERNAL ORGANIZATIONS

- A.** The use shall be located so as to discourage traffic through residential areas.
- B.** Required yards adjacent to residential uses or zoning districts shall be a minimum of thirty (30) feet.
- C.** Hours of operation may be limited, based on conditions of an approved conditional use.

14.59 MINI WAREHOUSE LOCATIONAL AND DESIGN REQUIREMENTS

- A.** Such facilities shall front on collector or arterial roadways in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25. Such facilities shall be designed so that warehouse doors do not face collectors or arterials.
- B.** Such facilities shall be used only for dead storage of materials or articles and shall not be used for assembly, fabrication, processing or repair.
- C.** No services or private sales shall be conducted from any storage unit. Garage sales and/or flea market type activities are prohibited. Non profit organizations may be authorized by specialized permit to hold fund raising events.
- D.** Facilities shall not be used for meeting rooms, or residents.
- E.** No exterior storage shall be permitted, unless authorized by conditional use.
- F.** Storage of explosive or highly flammable material shall be prohibited.

14.60 MODEL HOME AND PRE-CONSTRUCTION SALES OFFICE

Appendix D

- A.** The model dwelling unit shall meet all district requirements for lot and yard dimensions.
- B.** Signs shall not be illuminated after 9:00 p.m.
- C.** The model dwelling unit shall not be used for any business activity later than 9:00 p.m.
- D.** At least five (5) off-street parking spaces shall be provided on the same lot as the model dwelling unit or on a contiguous lot within the specific project. One of which must meet ADA requirements.
- E.** In subdivisions where model homes are not located within a phase, section or unit of new construction, a conditional use plan approval shall be required.
- F.** Model dwelling units may be erected or displayed in districts which exclude residential uses, provided that such models shall not be used for residential purposes, but only for display as a means to sell homes in districts in which they are permitted and provided that all other requirements of the district in which the model dwelling unit is erected shall be met.
- G.** A temporary structure may be used as a pre-construction sales office for the purpose of displaying a typical dwelling unit arrangement, subject to the following restrictions:
 - 1.** The structure shall be landscaped in accordance with other provisions of this Ordinance.
 - 2.** The structure shall be subject to the same front yard requirements as the principal structure to be erected and shall otherwise be subject to all yard requirements for the district in which it is located.
 - 3.** Adequate off-street parking facilities (a minimum of five (5) spaces which may be mulched) and access driveways shall be developed within those locations approved for such facilities in conjunction with the permanent apartment structure and no additional parking areas or access driveways shall be permitted.
 - 4.** Signs shall be permitted only in accordance with other provisions of this Ordinance for the specified use.
 - 5.** The structure shall comply fully with all existing building codes and ordinances of the County.

Appendix D

6. The structure shall be completely and totally removed within six 6 months from the date of the issuance of a building permit for or upon the completion of the permanent residential dwelling structure whichever date is later.
7. In the event that the structure should not be removed or demolished by the owner or other parties in interest within the terms of this Section, the County, to the extent permitted by law, acting through its Chief Building Inspector, is authorized to vacate, demolish or remove any such building or structure. The County shall assess the entire costs of such vacation, demolition or removal against the owner or other parties in interest.

14.61 NURSING, CONVALESCENT AND EXTENDED CARE FACILITIES

- A. All nursing, convalescent and extended care facilities shall have direct access to a collector or arterial roadway.
- B. Minimum lot size shall be one 1 acre with a minimum frontage on a public street of one hundred fifty (150) feet.
- C. Buffers and screening shall be in accordance with other provisions of this Ordinance.
- D. Each nursing, convalescent, or extended care facility shall not exceed a floor area ratio of .25.
- E. Parking shall be in accordance with other provisions of this Ordinance.

14.62 PRIVATE SKATEBOARD RAMPS IN RESIDENTIAL DISTRICTS

- A. Regulations contained herein shall apply only to planned residential districts, residential single family districts, and residential multiple family districts.
- B. Minimum lot size of 7,500 square feet is required.
- C. Shall comply with setback requirements for the principal structure but in no case shall the ramp be located forward of the front building line.
- D. Ramps shall be screened from adjacent properties by a solid opaque fence not less than six 6 feet in height.
- E. A building permit must be obtained for the skateboard ramp structure.
- F. Ramps shall not be lighted.

14.63 PUBLIC SERVICE FACILITY

Appendix D

- A. The uses shall be restricted to water pumping stations, water treatment plants, telephone exchanges, transformer step-down locations, and similar uses required to serve the needs of the surrounding residential, office and commercial districts.
- B. Noise abatement measures or increased setbacks shall be used to insure that noise levels produced by the facility do not exceed ambient noise levels of the surrounding area as measured at the zoning lot boundary.
- C. The facility shall be adequately screened and buffered from adjoining land uses which may be of a lower intensity. Buffers and screening shall be in accordance with other provisions of this Ordinance for new facilities. Expansions to existing facilities shall be screened and/or buffered so that the expanded facility does not have any greater impact on the adjacent properties than prior to the expansion.

14.64 PUG MILLS AND TEMPORARY ASPHALT PLANTS IN AGRICULTURAL ZONING DISTRICT AS PART OF AN APPROVED LAND EXCAVATION SITE

- A. The pug mill shall be located a minimum of two hundred (200) feet from all property boundaries.
- B. The pug mill shall be located a minimum of five hundred (500) feet from any residential dwelling unit and one thousand (1000) feet from property boundaries of any school, church, or hospital.

14.65 RECREATION SERVICES NEIGHBORHOOD LEVEL

- A. All courts, pools and playing fields shall meet the principal structure yard requirements of the district in which they are located.
- B. All outdoor lighting shall be directional and shall not shine directly onto adjacent properties.
- C. When located within or adjacent to a residential zoning district, hours of operation shall be limited from 7:00 A.M. to 10:00 P.M.

14.66 RESIDENTIAL BUILDING PERMIT SITE PLANS

All building permit requests shall be accompanied with a site plan having the following minimum standards.

- A. A scaled drawing shall be on paper at a minimum of 8 ½" x 11" in size.
- B. Drawing shall indicate dimensions of the property, direction of north, location of roads and/or rights of ways, easements, buildings and structures with their dimensions,

Appendix D

location of well and septic (where applicable), linear distance of buildings from bodies of water of wetland areas.

14.67 SANITARIUM/MENTAL INSTITUTION

- A. All sanitarium/mental institutions shall have direct frontage onto a collector or an arterial roadway in accordance with Osceola County Ordinance 84.2, as amended by Ordinance 89-25.
- B. The minimum lot size shall be five (5) acres with a minimum frontage on a public street of two hundred (200) feet.
- C. The structures shall be located a minimum of one thousand, two hundred (1,200) feet from any residential single family or multi-family zoning district boundary permitting a density of two (2) units per acre or greater, five hundred (500) feet from any zoning district boundary permitted at a density of less than two (2) units per acre and a minimum of two hundred (200) feet from all property boundaries.
- D. At the time of the conditional use request, the operator of a mental institution shall provide information on, and if approved, shall utilize adequate measures to prevent the unauthorized exit of the patients.
- E. Buffers and screening shall be in accordance with other provisions of this Ordinance.
- F. The Facility shall comply with all applicable Federal, state and local requirements.

14.68 SEASONAL SALES LOTS

- A. The permit may be granted for up to forty-five (45) days during official Federal holiday seasons.
- B. Products shall not be located in any right-of-way.
- C. All parking shall be on-site.
- D. The location of products on the property shall not block visibility for vehicles or pedestrians on or off the lot in a way that would create a safety hazard.
- E. Sales shall be limited between the hours of 7:00 a.m. and 11 p.m.
- F. All trash and debris shall be removed when sales end.
- G. Written consent from the owner, or authorized agent, of the property shall be provided.

Appendix D

- H. A recreational vehicle may be used for security, provided it has all applicable permits.
- I. Signage and tents shall be in accordance with other provisions of this Ordinance.
- J. Products remaining after the holiday shall be removed from the premises no later than seven (7) days after the holiday.

14.69 SELF-SERVICE ICE BUILDINGS

A self-service ice building is a self-contained ice making system that produces bags of ice. It houses a unit that is enclosed in a freezer-cooled insulated box and may operate without full time service personnel. These units are activated by the insertion of money and ice is bagged automatically or dispensed in bulk outside to the consumer.

- A. Shall be allowed when accessory and incidental on parcels where the principal use is one of the following:
 1. Convenience store or gasoline service station
 2. Supermarket or grocery store
 3. Licensed package store for the sale of alcoholic beverages for off-premise consumption
 4. Marina, boat ramp, or fishing pier
 5. Specialty food store such as a bakery or delicatessen
 6. Recreational vehicle park
 7. Amusement park
 8. Commercial outdoor recreation facility, such as golf course, driving range or paintball field
 9. Other uses where food and beverage items are sold for off-site consumption
- B. Shall only be allowed as an accessory use on parcels that have an existing principal building.
- C. Shall require Engineering Improvement Plans and a building permit.
- D. Shall not exceed 400 square feet in footprint area.

Appendix D

- E.** Shall not exceed 15 feet in overall height as measured from the grade at the base to the top of the structure. This does not include the screening for mechanical equipment.
- F.** Shall meet required setbacks of the principal building(s) on the parcel and shall not be placed greater than fifty (50) feet distance from the principal building(s) unless deemed necessary by the Planning Official to mitigate impacts to adjoining properties.
- G.** Shall be architecturally compatible with the existing principal building(s) on the parcel. A building elevation plan demonstrating architectural compatibility shall be provided with an application for a building permit. Components of architectural compatibility shall include but not be limited to the following:
 - 1.** Predominant color(s) and exterior materials;
 - 2.** Primary landscape theme;
 - 3.** Lighting elements;
 - 4.** Other elements which may be relevant to a specific development and how they are compatible with the adjacent sites; and
 - 5.** Uniform Signage Plan.
- H.** Shall have a minimum of two (2) paved parking spaces within 50 feet of the self-service ice building (one of which shall be ADA compliant.)
- I.** Bollards, ramps, and any other attachments to the building shall be painted to match the building.
- J.** Shall be well maintained in a clean sanitary condition and free of rust, chipping paint, rips or tears and vermin.
- K.** All mechanical equipment shall be screened from the public view.
- L.** Shall not encroach on required parking, landscaping, or open space for the principal use(s) on the site.
- M.** Skirting shall be required around the base of the building.
- N.** All utilities shall be underground.
- O.** Shall operate in compliance with Chapter 500, Florida Statutes.
- P.** Shall include a landscaped area at the base of the building as follows:

Appendix D

1. The landscaped area ratio to building area shall be 1:2.
2. A landscape plan shall be submitted with the Engineering Improvement Plan.
3. The landscaped area surrounding a self-service ice building shall create an aesthetic effect by the combined use of plant material and/or inorganic material including but not limited to grass, trees, shrubs, planters, brick, stone, natural forms, water forms, aggregate and other landscape features, but not including the use of concrete, asphalt or outdoor carpeting. The landscape plan shall illustrate compliance with these requirements, and shall emphasize aesthetics for the portions of the building facing the public right-of-way.
4. The landscaped area shall be irrigated and maintained, as necessary, to promote healthy plant growth.

14.70 SERVICE STATIONS

- A. The uses shall have direct access to an arterial or collector in conformance with Chapter 13 of this Ordinance.
- B. All repair services shall be performed within a completely enclosed building.
- C. All storage of vehicles awaiting needed parts shall be within the building or in a yard completely screened from off-site view.
- D. All damaged or non-operable parts shall be stored indoors until removed from the premises.
- E. A service station shall store all vehicle parts within a completely enclosed building.
- F. Where the use abuts residentially zoned property, a minimum 20 foot buffer shall be provided. Said buffer or buffer wall shall be in accordance with other provisions of this Ordinance. Landscaping shall be in accordance with other provisions of this Ordinance.
- G. All service stations abutting residentially zoned property shall use the same architectural materials (excluding windows) similar to and consistent with residential use.
- H. All outdoor lighting shall be in compliance with site lighting standards contained herein.

14.71 SITE LIGHTING

Appendix D

- A. Exterior site lighting shall be designed to prevent direct view of light source from adjacent property boundaries. However, when approved as part of an overall site lighting plan, direct view of a light source may be permitted, provided the light source utilizes the use of prismatic lens, frosted or amber globe, diffuser or shield, bulb coating, low wattage, or other means of reducing intensity of the light beyond the light source.
- B. Canopy lighting fixtures, including lens covers, shall be recessed into the canopy ceiling or designed with fixture shields that prevent direct view of light source.
- C. Lighting and/or electrical plans designed for non-single family residential developments shall identify the location of all exterior light fixtures. Manufacturers cut-outs identifying proposed light fixtures shall accompany all required lighting plans.

14.72 SLAUGHTERHOUSE

- A. All slaughtering, butchering and related operations shall be conducted within enclosed buildings.
- B. All offal shall be stored in water tight and odor tight containers.
- C. The operation shall meet all Federal and State of Florida requirements and qualify for all Federal, state and local health permits.
- D. All animal holding areas shall be located a minimum of one thousand, three hundred twenty (1,320) feet from any residential development or zoning district developed to or permitting a density of five (5) units per acre or greater; a minimum of five hundred (500) feet from any dwelling unity existing on adjacent property developed at less than two (2) units per acre at the time of the development or expansion of the use; and a minimum of three hundred (300) feet from any property line.

147.73 SPECIAL EVENTS

- A. Permits for functions such as art festivals, parades, fairs or other special events shall be authorized in compliance with the following minimum requirements. Additional requirements may be imposed by Staff as they deem necessary.
 - 1. The hours of operation allowed shall be compatible with the uses adjacent to the activity.
 - 2. The amount of noise generated shall be in compliance with the County noise ordinance.

Appendix D

3. Applicants shall guarantee that all litter generated by the special event be removed at no expense to the County.
 4. A Special Event Permit shall only be granted if Staff finds that the parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic. Utilization of off-duty police, sheriff or Highway Patrol officers to direct traffic shall be required. Cost of providing same to be incurred by the operator of the special event.
 5. Traffic and parking shall be maintained without undue disruption to or interference with the normal flow of traffic. If the event requires the closure of all or a portion of a county road, the applicant must demonstrate compliance with Section 336.048, Florida Statutes. Additionally, the County Board of Commissioners may condition the permit to require special signage, barricades, the use of personnel to assist with directing traffic or other conditions which may be necessary to protect the health, safety and welfare of the public.
- B.** In cases where it is deemed necessary, the County Commission may require the applicant to post a bond to ensure compliance with the conditions of the special event permit.
- C.** In cases where it is deemed necessary, the applicant may be required to provide special event insurance coverage up to a limit of \$5,000,000 per occurrence.
- D.** If the applicant requests the County to provide extraordinary services or equipment or the County Manager otherwise determines that extraordinary services or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the County a fee sufficient to reimburse the County for the costs of these services.

14.74 STORAGE BUILDINGS AND TOOL SHEDS

- A.** Accessory storage sheds shall comply with the following:
1. An accessory storage shed, less than 250 square feet and 10 feet in height, may occupy required side yard and rear yards, but shall not occupy required front yard unless otherwise provided for herein. An accessory storage shed shall not be located closer than six (6) feet to the side or rear property line. No accessory storage shed shall be located within a recorded easement.
 2. Corner lots shall require accessory storage sheds to be located in the rear yard. However, accessory storage sheds may be located within the side yard, provided the accessory storage shed maintains the side yard setback required for the residential or commercial building.

Appendix D

3. For lots having street frontage (double frontage) along both front and rear yards, accessory storage sheds shall be located in the yard which functions as the rear yard.
 4. Accessory storage sheds may be located within a front yard when authorized as a special exception by the Board of Adjustment.
- B.** Storage buildings and tool sheds, may be permitted in the Agriculture Development and Conservation (AC), Rural Development-One Acre (R-1, R-1M), Rural Development-Two Acre (R-2, R-2M), Estate Development (E-1, E-1A, E-2, E-2A, E-5), Residential Single Family (RS-1, RS-2, RS-3, RS-1A, RS-1C), Residential Manufactured Housing (RMH, RMH-1, RMH-1A), Residential Multiple Family One (RM-1), Residential Multiple Family Two (RM-2), and Residential Professional Business (RPB) zoning districts subject to the following criteria:
1. Must be accessory and incidental to the principal dwelling or principal use.
 2. May not be located within a recorded easement.
 3. Must be located in a rear yard or side yard behind the front line of the principal dwelling, unless authorized as a Special Exception by the Board of Adjustment.
 4. Storage buildings and tool sheds of less than 250 square feet and 10 feet in height may be located six (6) feet from the side and rear property lines, unless the recorded easement is greater.
 5. Storage buildings and tool sheds of more than 250 square feet but less than 750 square feet must meet the minimum required rear yard and side yard setback of the applicable zoning district.
 6. Storage buildings and tool sheds in excess of 750 square feet must be authorized as a Special Exception by the Board of Adjustment.
 7. Storage buildings and tool sheds shall be site constructed and/or prefabricated in accordance with Florida building codes.
 8. Modification of vehicles, mobile homes, recreational vehicles, tractor trailers, cargo containers, temporary storage units or other structures not designed or constructed for this use shall be prohibited.

14.75 SWIMMING POOLS

- A.** Fencing shall be in accordance with the Standard Building Code.

B. ENCLOSURE

Appendix D

1. Required screen mesh enclosures with no solid roof shall not be located closer than six (6) feet to the side or rear lot line. No screen mesh enclosure shall be permitted within a recorded utility easement.
2. Swimming pools with a solid roof shall be considered a building. These can be either detached or attached to the main building. If attached, they shall meet the same setbacks and coverages as the main structure.

C. REQUIRED PLACEMENT

1. A private pool may occupy required side and rear yards, but shall not occupy required front yards unless otherwise provided for herein. A private pool and required decking shall not be located closer than six (6) feet to the side or rear property line. No pool shall be located within a recorded easement.
 - a. Corner lots shall require pools and their surrounding decking to be located in the rear yard. However, pools, decking and required screen enclosures may be located within the side yard, provided the pool, decking and screen enclosure maintain the side yard setback required for the residential or commercial building.
 - b. For lots having street frontage (double frontage) along both front and rear yards, pools and their surrounding decking shall be located in the yard which functions as the rear yard, provided the pool is screened from the rear street by a fence, wall or hedge, having a minimum six (6) feet of vertical height running along entire length of rear street property line.
 - c. Pools may be located within a front yard when authorized as a special exception by the Board of Adjustment, provided the pool is enclosed by an architecturally finished wall.

14.76 TEMPORARY RESIDENCES

- A. Manufactured homes, mobile homes, and H.U.D. certified manufactured homes may be approved as a temporary residence and shall comply with the following standards:
 1. Shall be located a minimum of fifteen (15) feet from the principal dwelling.
 2. Manufactured homes shall be skirted.
 3. The setback requirements of the zoning district shall be met.
 4. A building permit must be issued for the set-up of the temporary residence.

Appendix D

5. Deviations from the above standards, including the use of a recreational vehicle as a temporary residence, must be authorized as a Special Exception by the Board of Adjustment.

B. ADDITIONAL REQUIREMENTS BY USE

1. For use while constructing a Principal Single Family Residence or while repairing a Principal Single Family Residence damaged by fire, flood, hurricane or other catastrophes to the extent the Principal Single Family Residence is no longer able to be occupied.
 - a. Requires the issuance of a building permit for the principal single family dwelling. The required site plan shall show the location, size and description of the temporary residence.
 - b. Shall be approved for one (1) year with a maximum extension of one additional year. The temporary residence shall be removed from the property within thirty (30) days upon issuance of the Certificate of Occupancy for the principal single family dwelling regardless of the approval time period.

2. USE AS A SECURITY RESIDENCE WITHIN BONAFIDE AGRICULTURAL, COMMERCIAL OR INDUSTRIAL ZONING DISTRICTS

- a. May be authorized for bonafide agricultural and silvicultural activities including sod farming, forestry operations, mining, and the cutting, sizing and curing of lumber.
- b. The applicant shall provide evidence that a security residence, as opposed to use of periodic security patrols, is necessary to protect the property.
- c. A security residence shall not be transferred to another owner or lease of the property unless the identical conditions exist and all site conditions remain the same.
- d. Shall be approved for one (1) year and may be renewed upon application.

3. MEDICAL HARDSHIP

- a. The applicant shall provide proof, in the form of a letter from an attending physician that a medical hardship exists which requires that the infirm resident have continuous supervision.
- b. Shall be approved for one (1) year and may be renewed upon re-application.
- c. If for any reason the infirm resident ceases to reside in the principal dwelling or the temporary residence, the applicant shall notify the Planning and Zoning Office and remove the temporary residence from the property within thirty (30) days upon notification.

Appendix D

14.77 TICKET SALES & INFORMATION FACILITY

- A. May be permitted in a commercial zoning district located in the tourist corridor as defined in Article 4, Section 16, of the Osceola County Comprehensive Plan (U.S. 192 from Osceola/Polk County to Yates Road) and commercial zones fronting on U.S. 192 to the western limits of the city of St. Cloud, except property within the Kissimmee city limits.
- B. Ticket sales and information may be provided to the public within principal buildings located within an approved subdivided development site. Detached accessory structures, including, but not limited to, booths, sheds and accessory buildings shall not be utilized for the purpose of the sale of tickets or solicitation. To the extent these requirements render existing structures to be non-conforming, such structures shall be made to conform to the standards contained herein within five years at the effective date of this Ordinance.

14.78 VEHICLE RECYCLING

- A. Operations shall be located in the industrial land use plan category.
- B. Open storage of stacked materials shall not exceed 20 feet in height. Entire site shall be contained within a solid fence, wall or opaque buffer a minimum ten (10) feet in height.
- C. All hazardous materials shall be included in a building constructed in compliance with State and Federal requirements.

14.79 VETERINARY CLINIC

- A. All activities, with the exception of animal exercise yards, shall be conducted within an enclosed building.
- B. If completely enclosed with four solid walls, buildings housing animal hospitals or veterinary clinics shall be located no closer than fifty (50) feet from any adjacent residentially zoned property. Buildings housing animal hospitals or veterinary clinics, which are not fully enclosed, shall be located no closer than one hundred fifty (150) feet from any adjacent residentially zoned district.
- C. Exercise areas shall be not less than one hundred (100) feet from any dwelling unit on adjacent property and seventy-five (75) feet from any residentially zoned property with the exception of farm animal grazing areas containing a density of less than three farms animals per acre. Such grazing areas may be located anywhere on the lot. The operator of the animal hospital/veterinary clinic shall be responsible for using good management practices to discourage undesirable odors, insects, and excessive noise.

Appendix D

14.80 WASTEWATER TREATMENT PLANTS AND FACILITIES

- A.** Wastewater treatment plant and facilities shall have access onto a collector or arterial road. A solid architecturally finished wall, a minimum of six (6) feet in height, and berms and/or landscaping shall be required around the wastewater treatment plant. An architecturally finished wall, a minimum of six (6) feet in height, shall be required around ponds. Pump/lift stations shall be secured either by an architecturally finished wall six (6) feet in height, by enclosing equipment in lockable buildings or enclosures, or by the use of other vandal proof construction measures which will provide protection against entry or damages.
- B.** For all wastewater treatment plants and facilities, the engineer of record shall certify that the design plans for the plant and pump/lift stations include nuisance control (odor and noise control) mitigation measures and shall ensure that such measures are installed. The mitigation measures shall be designed relative to the facility's size, design, and intensity and may include, in part, landscaping measures.
- C.** The operation of a public or privately operated interim wastewater facility shall be discontinued and public wastewater service shall be utilized within six months of the availability of public wastewater service with adequate capacity at any project boundary unless otherwise provided for in an interim wastewater treatment agreement.
- D.** Prior to placement of any wastewater plant and facility on-site, the developer shall provide evidence of approval from the applicable permitting agencies.

E. WASTEWATER TREATMENT PLANT TYPE 1

- 1.** Interim wastewater treatment plants under five hundred thousand (500,000) gallons per day (g.p.d.)
- 2.** For Type 1 plants there shall be a distance requirement of one hundred fifty (150) feet from the plant to any off-site agriculturally or residentially zoned or used land or to any on-site platted lot or dwelling unit.

F. WASTEWATER TREATMENT PLANT TYPE 2

- 1.** Permanent wastewater treatment plants under five hundred thousand (500,000) g.p.d.
- 2.** For Type 2 plants there shall be a distance of two hundred fifty (250) feet from the plant to any off-site agriculturally or residentially zoned or used land or to any on-site platted lot or dwelling unit.

G. WASTEWATER TREATMENT PLANT TYPE 3

- 1.** Wastewater treatment plants of five hundred thousand (500,000) g.p.d. or greater.

Appendix D

2. For Type 3 plants there shall be a distance requirement of five hundred (500) feet from the plant to the project boundary. There shall be no platted lots or dwelling units within this distance requirement. If the plant is located in the industrial category of the comprehensive plan, the distance requirement shall be two hundred and fifty (250) feet.

H. NEIGHBORHOOD PUMP/LIFT STATIONS

Serving less than three thousand (3,000) equivalent dwelling units (e.d.u.). There shall be no minimum distance requirement for neighborhood pump/lift stations.

I. MASTER PUMP/LIFT STATIONS

Serving three thousand (3,000) e.d.u.s. or greater. There shall be a distance requirement of fifty (50) feet from the master pump/lift station to the edge of the lot. Only nonresidential or agricultural structures and parking may be located within the specified distance. There shall be a distance requirement of one hundred (100) feet from the pump/lift station to any surrounding residential structures or building envelopes.

- J. A waiver of distance requirements for wastewater treatment plants and facilities may be approved by the Board of County Commissioners in cases involving practical difficulties, unnecessary hardship, or superior alternatives. These difficulties, hardships, and alternatives, may include, but not be limited to adjacency to environmentally sensitive land, major rights-of-way or retention areas. The waiver request shall be heard using the procedure for conditional use.

- K. In instances where the distance requirements are modified, additional conditions of approval may be required.

PD07-00002 BAR SEVEN RANCH (PRD)

PD08-00003 GREEN ISLES FOUNDATION Inc. (PRD)

OSCEOLA COUNTY JIUS 2012 PERMITTED LAND USES

ZONING DESIGNATION (1)		Allowable Density/Intensity		Residential Family - single Family, Duplex (7)	Residential Family - mobile Homes	Residential Multiple Family Homes	Schools Classrooms	Library	Churches	Hospitals	Nursing / Community Residential Home	Auditoriums, Concert Halls	Office Buildings, Personal Business, Professional	Commercial Retail	Manufacturing	Utilities	Playgrounds, Neighborhood Parks	Golf Courses, Riding Stables, Cemeteries	Outdoor spectator Sports	Industrial, Warehouse, supplies	Livestock & Farming	Livestock - Animal Breeding	Agriculture - Mining	Agriculture - Fishing (Aquiculture)	Recreational, Wilderness Areas	Solar Farms, Green Energy Technology (3)
MBZ - 130 <i>(Moderate Blast Noise Area)</i>				✓(4)	✓(4)	✓	✓(4)	✓(4)	✓(4)	✓	✓(4)	✓	✓(4)	✓(4)	✓	✓(4)	✓(4)	✓(4)	✓(4)	✓	✓	✓	✓	✓	✓	✓(4)
AGRICULTURE / CONSERVATION (AC) ZONING	1 du/5 ac	P (4)	P (4)	N	C (4)	P (4)	C (4)	N	P/C (4)	N	P/C (4)	N	C (4)	N	P (4)	P (4)	C (4)	C (4)	C (4)	N	P (4)	P (4)	C (4)	P (4)	P (4)	P (4)
Blast Noise up to 115 db. <i>(Low Blast Noise Area)</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
AGRICULTURE / CONSERVATION (AC) ZONING	1 du/5 ac	P	P	N	C	P (4)	C	N	P/C (5)	N	P/C (5)	N	C	N	P	P	C	C	C	N	P	P	C	P	P	P
RESIDENTIAL MANUFACTURED HOUSING (RMH) ZONING	6-9 du/1 ac	P	P	C	P	C	C	N	P/C (5)	N	P/C (5)	N	N	N	P	P	C	C	C	N	N	N	N	N	C	N
COMMERCIAL RESTRICTED (CR) ZONING	20,000 sq. ft. FAR	N	N	N	C	N	C	C	C	C	C	C	P	P	N	P	N	N	N	N	N	N	N	N	N	N
PUBLIC INSTITUTION (IN) ZONING	n/a	N	N	N	P	C	C	C	C	P	P	C	C	N	N	P	P	C	C	N	N	N	N	N	P	N
PLANNED RESIDENTIAL DEVELOPMENT (PD) Green Isles Foundation Inc. PD08-00003 6/9/08 BCC	1 du/5 ac	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
MOAs - (Low Level Approach and Night Time Training Area)	1du/5ac (2)	✓	✓	✓	✓(5)	✓(5)	✓(5)	✓(5)	✓(5)	✓	✓(5)	✓(5)	✓	✓(5)	✓	✓	✓(5)	✓(5)	✓(5)	✓	✓	✓	✓	✓	✓	✓(4)
AGRICULTURE / CONSERVATION (AC) ZONING	1 du/5 ac	P (5)	P (5)	N	C (5)	P (4)	C (5)	N	C (5)	N	P/C (5)	N	C (5)	N	P (5)	P (5)	C (5)	C (5)	C (5)	N	P (5)	P (5)	C (5)	P (5)	P (5)	P (5)
Planned Residential Development (PD) Bar Seven Ranch PD07-00002 6/25/07 BCC	1 du/5 ac	P (6)	N	N	N	N	N	N	N	N	N	P (5)	N	N	N	N	P (5)	P (5)	C (5)	C (5)	P (5)	P (5)	C (5)	N	P (5)	N

JIUS 2012 & Current Zoning

- (1) SOURCE: Osceola County Comprehensive Plan 2012-5; Osceola County Land Development Code as of May 5, 2012, as may be amended from time to time.
- (2) Suggested maximum Density in MOAs is no more than 1 du/5 acres
- (3) Uses allowed pursuant to FLUE Objective 5.1
- (4) Requires notice on plat for MBZ-130 & compliance with LDC for lighting
- (5) Requires height consistent with MOA's & compliance with LDC for lighting
- (6) Current PD requires 50' maximum height & compliance with LDC for lighting
- (7) Duplex not permitted in AC 5 CU in RMH

<input type="checkbox"/> P Permitted	<input type="checkbox"/> C Permitted with Conditional Use Approval and proper zoning
<input type="checkbox"/> N Not Permitted	<input type="checkbox"/> N Not Permitted
<input checked="" type="checkbox"/> ✓ Land Use Recommendations Consistent with JIUS 2012, Comp Plan and LDC.	

Appendix E

Public Involvement

Osceola County has worked with the CFRPC, the Avon Park Air Force Range, the local property owners, and the ranching community in an effort to ensure an open line of communication as part of the process leading up to the recommendations contained in the Osceola County JLUS 2012. Below is a summary of this process and the resulting outcomes:

Date	Meeting/ Correspondence Type	Purpose of Meeting / Summary of Outcome
09/30/08	Working Group Meeting	This was the first meeting of staff members from the affected jurisdictions, and where the different staff was introduced to the JLUS process.
10/30/08	Working Group Meeting	The Working Group shared data including GIS maps and discussed several of the JLUS issues and strategies.
01/05/09	CFRPC Presentation to BCC	Patricia Steed, Executive Director of the CFRPC presented to the BCC what a JLUS was and the issues concerning the APAFR JLUS as they related to Osceola County.
01/28/09	Policy Committee Workshop	General overview of the JLUS process and APAFR operations.
06/17/09	Policy Committee Workshop	General overview of the military airspace and operations, summary of The Nature Conservancy Buffer Study (10 mile buffer), introduction of consultants, and discussion of the statutory requirements.
10/23/09	Working Group Meeting	The Working Group reviewed and discussed JLUS issues and strategies.
11/6/09	Policy Committee Workshop	Specific discussion of GIS data collected and used for the JLUS that would ultimately aid in creation of the August 2010 JLUS Recommendations. Discussion about upcoming public workshops. Also there was discussion about the importance of the Department of Defense Readiness and Environmental Protection Inactive (REPI), and how REPI will provide matching funds to purchase land outside the range for conservation/buffer areas. Matching funds usually come from the Florida Forever and/or County land acquisition programs. Also, that having a JLUS helps in obtaining REPI funds.
01/19/10	Public Workshop in Kenansville	Some specific questions asked such as operations of drones (Colonel indicated these were not used at the base); the F-35 training, (Colonel indicated it was going through scoping then an Environmental Impact Statement (EIS) would be done prior to implementation); and the largest piece of ordnance used, (Colonel indicated a 2,000 pound concrete bomb, and a 105mm hellfire air to surface missile).
01/22/10	Working Group Meeting	The JLUS issues and strategies were discussed again, and the concerns regarding the recommendations and the restrictions to land uses these recommendations would cause were also discussed.
03/26/10	Policy Committee Workshop	Discussion of previous public workshop, clarification that the JLUS is different from the f-35 EIS, and that it wouldn't come out until approximately 2013 and possibly in Jacksonville. Next steps were discussed and that the Policy Committee would be asked to accept the JLUS at the end of June.

Appendix E

Date	Meeting/ Correspondence Type	Purpose of Meeting / Summary of Outcome
04/20/10	Public Workshop in Kenansville	The Colonel discussed the range's mission, then the CFRPC presented the draft JLUS, went over recommendations for the County, notified the attendees that the final JLUS would be available in June. The Colonel and County staff provided their contact information to attendees.
06/25/10	Policy Committee Workshop	The final draft of the JLUS was presented. There were concerns brought up that the noise study was 5 years old, that a Range/Air Installation Compatibility Zone Study had not been done for future active runways, that the JLUS may negatively affect property values. The CFRPC asked that comments be forwarded to them to be included in the final study. The policy committee unanimously agreed to complete and publish the Final Study results to include written comments received as an appendix to the document, and transmit to the jurisdictions for consideration.
09/16/10	Meeting with Property Owners	Meeting to discuss concerns with the August 2010 JLUS.
10/04/10	Comment Letter to CFRPC	This letter outlined the concerns mentioned above, indicated that future property owner meetings would be held over the next three months that would result in further comments, and the letter included 4 attachments: (Comments to the recommendations, Proposed text revisions, The current County Comprehensive Plan language relating to coordination with APAFR, and Adopted Map TRN 10 illustrating the Military Operation Areas). This letter was included as an appendix in the final JLUS, which County staff is referring to as the August 2010 JLUS.
10/11/10	Additional Property Owner Workshop	Specific questions regarding base operations, the JLUS recommendations, and statutory requirements were brought up. County staff responded to the questions/concerns and followed up with a letter to the CFRPC.
12/16/10	Meeting with CFRPC	Meeting to discuss concerns with the August 2010 JLUS.
01/14/11	Teleconference with CFRPC	Meeting to discuss concerns with the August 2010 JLUS.
01/27/11	Teleconference with CFRPC	Meeting to discuss concerns with the August 2010 JLUS.
02/17/11	Florida Farm Bureau Meeting	Meeting to discuss concerns with the August 2010 JLUS.
02/28/11	Response Letter from CFRPC	CFRPC stated that typical agricultural uses are quite compatible with military training activities. Also, that the JLUS is a snapshot of existing operations and future land uses at the time of the study. As new information becomes available, they said the Study will need to be updated. They clarify that it is a study and not an adopted plan; therefore it has no regulatory or binding authority, and should be used only as an advisory document for developing Comprehensive Plan and LDC regulations.
03/9/11	Final Comment Letter to CFRPC	This letter outlines the major concerns Osceola County has with the August 2010 JLUS due to its lack of clear and appropriate data, as well as the ambiguity of certain recommendation.
03/30/11	Kenansville Community Meeting	Meeting to discuss concerns with the August 2010 JLUS.

Appendix E

Date	Meeting/ Correspondence Type	Purpose of Meeting / Summary of Outcome
08/23/11	Teleconference with Economic Development Department, Farm Bureau, Ranching Community, and Cattlemen's Association	Meeting to discuss concerns with the August 2010 JLUS and Military Compatibility.
09/29/11	Meeting with the Cattlemen's Association	Meeting to discuss concerns with the August 2010 JLUS and Military Compatibility.

Osceola County Joint Land Use 2012

Date	Meeting/ Correspondence Type	Purpose of Meeting / Summary of Outcome
10/25/11	Meeting with APAFR Commanders	At this meeting there were discussions regarding Osceola County's implementation approach, CFRPC's August 2010 JLUS and a possible Osceola County JLUS 2012, reduction of the perimeter buffer, sharing of information, compatible uses, conservation lands, and next steps.
02/08/12	Meet and Greet with Ranchers & APAFR	At this Meet and Greet, County Staff was able to meet with the Ranching Community and the Range Lieutenant Colonel. There was general discussion regarding current and future operations at the ranches and the range. The Colonel explained the operations and how certain type of development could affect training activities. The rancher expressed their understanding of the need for the range operations, as well as the fact that they did not want their property rights taken away from them or future generations. County staff explained that the implementation approach would be to create a completely new Osceola County JLUS 2012 with recommendations specific to Osceola County that should accomplish both goals. It was also explained that open lines of communication between the County, Property Owners, and the APAFR would be maintained and crucial throughout the process. It was also determined that email would be the best method of communication, and that the confirmation regarding the next meeting on 03/07/12 would be emailed out to everyone on the list.
03/02/12	Meeting with APAFR	At this meeting there were discussions regarding Osceola County's JLUS 2012, sharing of information, compatible uses, conservation lands, discussions of specific concerns, and next steps.
03/07/12	Meeting with Community & APAFR	At this community meeting staff went over the Osceola County JLUS 2012 Implementation approach, the 6 recommendations the study is focusing on, and solicited community and stakeholder input.
05/03/12	Planning Commission Update	The Planning Commission was given an update of the progress of the Osceola County JLUS 2012 and the next steps.
05/24/12	Growth Management Task Force	At this meeting a summary of the draft Osceola County JLUS 2012 was presented and discussed.

Appendix E

Date	Meeting/ Correspondence Type	Purpose of Meeting / Summary of Outcome
06/04/12	BCC Update	The Board of County Commissioners was given an update of the progress of the Osceola County JLUS 2012 and the next steps.
06/07/12	Meeting with APAFR Commander	At this meeting Osceola County Staff and the APAFR Commander discussed concerns brought up in an email received from the Commander on 06/04/12, and how to best address those concerns both within the JLUS 2012 and the staff report.
06/07/12	Planning Commission Transmittal Hearing	The Final Osceola County JLUS 2012 as part of CPA12-0001 was presented to and received a favorable recommendation from the Planning Commission along with the recommended changes pursuant to the meeting earlier in the day with the APAFR Commander for approval to transmit to DEO for inter-agency review. (Couch/Romack, 7-0)
06/18/12	BCC Transmittal Hearing	The Osceola County JLUS 2012, with the Planning Commission's recommended changes, was presented to the Board of County Commissioners for approval to transmit to DEO for inter-agency review.
08/13/12	BCC Adoption Hearing	The Osceola County JLUS 2012 was presented as D&A for CPA12-0001 and ORD12-18 after receiving letters of no objection from the State Reviewing Agencies.