

ARTICLE 4

DEVELOPMENT DESIGN STANDARDS

4.00.00 GENERAL

- 4.00.01 Purpose
- 4.00.02 Findings and Legislative Intent, Ordinance 2004-02
- 4.00.03 Responsibility for Improvements
- 4.00.04 Site Design Principles

4.01.00 LOT AREA, LOT COVERAGE, AND SETBACKS

- 4.01.01 Minimum Lot Area Requirements
- 4.01.02 Impervious Surface Coverage
- 4.01.03 Building Setback, Height and Site Regulations

4.02.00 LANDSCAPING

- 4.02.01 General Provisions
- 4.02.02 Land Clearing
- 4.02.03 Grading, Filling, and Excavating
- 4.02.04 Landscaping Requirements
- 4.02.05 Buffer Area Requirements
- 4.02.06 Maintenance and Enforcement

ARTICLE 4

DEVELOPMENT DESIGN STANDARDS

4.00.00 GENERAL

4.00.01 Purpose

Establish and articulate development design and improvement standards that will guide all development activity within the City.

4.00.02 Findings and Legislative Intent, Ordinance 2004-02.

WHEREAS, maintaining the viability of historic churches within the City of Lake Helen is a key element in maintaining the historic character and small town atmosphere of the City; and

WHEREAS, the application of sound planning principles has resulted in the conclusion that setbacks required for certain sized historic churches should be addressed to maintain their viability; and

WHEREAS, the application of existing land development regulations of the City with regard to required setbacks for non-residential structures require amendment in order to comport with sound land use practices and principles and in order to maintain the viability of certain sized historic churches and the historic character of the City; and

WHEREAS, the appropriate consideration of land development issues and the implementation of proper planning and zoning principles and practices are, therefore, vital to the health, safety, and welfare of the residents of the City of Lake Helen; and

WHEREAS, the City Commission, based upon the foregoing and the contents of the various documents presented to and deriving from the deliberations of the Planning and Land Development Regulation Commission finds that adopting an amendment to the Code of Ordinances of the City of Lake Helen is appropriate and will further the interests of the City and its citizens.

(Whereas, Ord. No. 2004-02, 2-5-04).

4.00.03 Responsibility For Improvements

All of the improvements called for in this Article are the sole responsibility of the Developer.

4.00.04 Site Design Principles

These provisions are designed to establish urban design standards that perpetuate

the positive design elements and residential and commercial development pattern found in the City. Through these standards, it is the City's intent to accommodate new development while maintaining compatibility with, and the integrity of, existing neighborhoods and preserving the town character.

4.01.00 LOT AREA, LOT COVERAGE, AND SETBACKS

4.01.01 Minimum Lot Area Requirements

A total land area sufficient to meet all development design standards in this Code is required. This shall include, but need not be limited to, land needed for setbacks from abutting rights-of-way, buffers, stormwater management off-street parking and circulation, protection of environmentally sensitive lands, and any other provisions which may require land area to be set aside.

For residential development the gross density of the area shall not exceed that specified in SECTION 2.02.04.

4.01.02 Impervious Surface Coverage

A. General

Impervious surface on a development site shall not exceed the ratios provided in the table in paragraph E of this Section.

B. Ratio Calculation

The impervious surface ratio is calculated by dividing the total impervious surface by the gross site area. Water bodies are impervious and shall be included as such in the impervious surface ratio calculation.

C. Clustering Development

Clustering development or other site design alternatives can result in individual lots within a development project exceeding the impervious surface ratio while other lots are devoted entirely to open space. Although this is permissible because impervious surface ratios are calculated for the gross site, the City may require deed restrictions or covenants that guarantee the maintenance of such open space in perpetuity.

D. Alternative Paving Materials

If porous paving materials are used, then the area covered shall not be counted as impervious surface.

E. Table of Impervious Surface Ratios

Land Use	Max. Impervious Surface Ratio
Low Density Residential (R1)(1 du./1.25 acres)	.30
Low Density Residential (R2)(3 du./1 acre)	.40
Medium Density Residential (R3)	.40
Mixed Commercial (C1)	.70
Large Commercial (C2)	.85
Industrial	.70
Recreation and Open Space	.10
Public Facilities	.50

(Ord. 97-4 § 3-20-97)

The above Table is the maximum impervious surface ratios allowed and said maximum impervious surface ratios are subject to all other provisions of this code including, but not limited to, stormwater, development standards, et cetera, and therefore, the maximum impervious surface ratios may be reduced in order to comply with any other provisions of this code.

4.01.03 Building Setback Requirements

A. Minimum Setbacks for Residential Development

The following front, rear and side yard setbacks apply to residential development within the Residential Land Use Districts:

Front Yard - Thirty (30) Feet

Rear Yard - Ten (10) Feet

Side Yard - Ten (10) Feet

On corner lots, a front yard of 30 feet must be maintained and a side yard of 30 feet shall be required on the street side.

B. Minimum Setbacks for Non-Residential Development

There are no minimum setbacks required except under the following condition:

1. If the development abuts either the side or rear of a lot in a residential land use district, there shall be a minimum thirty (30) foot setback required of the development, except that historic churches, as identified in the January 1993 Historic Properties Survey of Lake Helen, Florida, which is incorporated herein by this reference

thereto as if fully not forth herein verbatim, that are four thousand (4,000) square feet or less in size, including accessory structures, shall maintain a minimum front yard setback of twenty (20) feet and minimum side and rear yard setback of ten (10) feet.
(Ord. No. 2004-02, §2, 2-5-2004)

C. Minimum Setbacks Between Buildings

1. The minimum distance between adjacent buildings shall be twenty (20) feet except in those cases where an attachment easement has been granted by the adjacent property owner.
2. Distance shall be measured at the narrowest space between structures, including roof overhangs, whether a main living unit, principal structure, an allowable attachment, or an accessory use.

D. Building Height Regulations

1. No building shall exceed 45 feet in height unless otherwise provided herein.

E. Building Site Area Regulations

Each dwelling unit shall be located on a lot or parcel or tract of land having an area of not less than one third (1/3) of an acre. The minimum width of the lot or parcel shall be one hundred (100) feet.

1. A platted lot or parcel or tract of land platted prior to the adoption of these regulations, having an area not more than two percent (2%) less than one-third (1/3) acre may be approved for permitting by City administrative action.
(Ord. 96-5, § 5-23-96)

4.02.00 LANDSCAPING

4.02.01 General Provisions

A. Purpose

The purpose of these regulations is to establish minimum standards for the development installation and maintenance of landscaped areas without inhibiting creative landscape design. These requirements are provided to ensure that a portion of all development sites are devoted to landscape beautification and the preservation of natural plant growth. These regulations require specific water conservation measures including the preservation of native vegetation. Implementation will aid in improving environmental quality and the aesthetic appearance of public, commercial,

industrial and residential areas.

4.02.02 Land Clearing

A. Land Clearing Permit

A land clearing permit is required for the removal of underbrush other than that directly associated with a developed single-family home site of 1.25 acres or less, construction activities associated with a building permit already in effect, and land clearing necessary for surveying.

B. Tree Removal

No tree removal may occur unless a permit is issued in accordance with Sections 3.01.01 and 3.01.03 of these regulations.⁷

C. Prohibited Land Clearing

The indiscriminate bulldozing or clearing of land within the City not done in connection with the improvement of said land shall be prohibited.

4.02.03 Grading, Filling, and Excavating

A. Grading, Filling, and Excavating Permits

No person shall change, through modifying the grade, filling or excavating any land within the corporate limits of the City without having first obtained a permit from the City for such activity. Authorization for such work may be obtained through the issuance of a building permit for improvements on the property or through the issuance of a grading, filling, and excavating permit.

B. Burying of Material

The burying of rubbish, logs, lumber, building materials, underbrush, trash or other matter which would decompose or allow the land to settle is considered to be a change of the grade of land. No authorization or permit shall be issued for these activities except as authorized by these regulations.

C. Standards and Procedures

Any person having secured a grading, filling, or excavation permit shall comply with the following procedures.

⁷ **Cross-reference** – Article 3 Resource Protection Standards, Sections 3.01.01 and 3.01.03

1. All development activity shall be in strict conformity with the requirements of these regulations and any special conditions of the permit.
2. No authorization for a change of grade shall be issued when it is determined that such change will result in a hole or depression which will create a health or safety hazard through pooling of water, or will undermine property of others situated adjacent to the land involved.
3. No person shall change any grade to any greater extent than is allowed by the authorization or permit granted for such change.
4. Any authorized bulldozing, clearing or fill of lands which would loosen sand or topsoil and permit it to blow upon the land and premises of other residents of the City is hereby declared to be a nuisance. Such lands shall therefore, within thirty (30) days after completion of such bulldozing, be seeded or planted with shrubbery to minimize the tendency of the sand or topsoil to blow.
5. No less than twenty-four (24) hours prior to beginning the clearing operation, the permittee shall notify the City of the precise time at which any permitted operation will begin.

4.02.04 Landscaping Requirements

Landscaping plans shall be included as part of the overall site plans, conceived in a total pattern throughout the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site and creating a pleasing site character.

A. Landscaping Design Standards

The following design standards shall apply to all new development subject to the applicable site plan submittal requirements.

1. A landscape plan shall be submitted in conjunction with any development requiring site plan approval. The plan shall include all items related to trees and tree protection as well as the grade, type, size and location of plant materials.
2. In addition to the landscape plan, an irrigation plan shall be submitted. This plan shall show water sources, backflow prevention, location of lines and location and type of sprinkler heads. The irrigation system shall be underground and designed to provide adequate irrigation to all landscape areas. After installation, the system shall be regularly used and maintained.

3. A minimum of thirty-five percent (35%) of the total gross area of the site shall be left as open space with either existing native vegetation left in its natural state or, if no native vegetation exists on the site, planted with native vegetation. A list of native plant species is included in the *Xeriscape Plant Guide published* by the St. Johns River Water Management District. Landscape buffer areas and interior landscape areas shall be used to calculate this total area. The landscape areas shall be located in such a manner as to maximize preservation of existing trees, with priority given to specimen trees.
4. Stormwater retention areas more than two (2) feet in depth from finished grade shall not be credited toward meeting the minimum landscaping requirements unless they are heavily wooded, shown to remain at natural grade and are vegetated with plant types that have a high potential for survival.
5. Areas within a development may be designated as natural vegetation retention areas where the natural grade and existing vegetation is to remain predominantly undisturbed. Trees in such areas not listed as exempt and having a caliper of 4" or larger may be credited as replacement trees.
6. A minimum of one (1) landscaped island shall be provided for every ten (10) parking spaces. Each island shall contain a minimum of one (1) tree.
7. Where a sidewalk is not provided, a minimum of five (5) feet of landscaping, consisting primarily of shrubbery, shall be provided along the front of any building which abuts a parking area.
8. Landscape areas shall have a minimum of two (2) living plant materials other than trees. The total of all landscape areas on a site shall include a minimum of three (3) living plant materials other than trees.
9. All right-of-way areas as well as any existing landscaping disturbed by construction shall be restored in a manner approved by the City.

B. Plant Materials

1. All plant materials shall conform to the standards for Florida Number 1 or better as described in the current *Grades and Standards for Nursery Plants*, State of Florida, Department of Agriculture, Tallahassee.
2. Shrubs and hedges shall be self-supporting, woody evergreen

species normally grown in this area. All shrubs used in landscaping, with the exception of hedges used for screening, shall be a minimum of eighteen (18) inches in height at the time of planting. Screening hedges shall be twenty-four (24) inches in height at the time of planting. Screening hedges, when required, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen within one (1) year after time of planting.

3. Ground cover includes plant materials which normally reach a maximum height of twelve (12) inches. Ground cover may be used in lieu of grass. Ground cover must present a finished appearance and reasonably complete coverage within nine (9) months of planting.
4. Grass areas shall be planted in a species normally grown as permanent lawns in this area. They may be sodded, plugged, sprigged or seeded, except that solid sod shall be used in swales or other areas subject to erosion. In areas where other than solid sod is used, nursegrass seed shall be sown for immediate effect and protection until coverage is otherwise achieved. Grass sod shall be clean and reasonably free of weeds and noxious plants or diseases.
5. Certain plant materials are prohibited because of excessive or otherwise serious insect or disease problems, extremely poisonous qualities, allergenic effects, ecological considerations, or other reasons affecting the general welfare. A list of prohibited plant materials can be obtained from the City.

4.02.05 Buffer Area Requirements

A. Dimensional Standards

1. In order to reduce visual, light, noise and glare impacts, a landscape buffer area shall be established along the entire length of and contiguous to any property line.
2. Landscape buffers shall be provided for all land uses other than residential.
3. Where industrial and commercial uses will abut residential areas and a review of a proposed development indicates that adverse noise, odor or light impacts will be generated, a landscaped buffer sufficient in size to mitigate these impacts shall be required. At a minimum, a thirty (30) foot buffer shall be required of all industrial and commercial developments.

4. A buffer area with a minimum depth of ten (10) feet shall be provided adjacent to any parking area and any property line or any area that has been set aside for the protection of natural resources.

B. Screening and Materials

1. The landscaped buffer area shall include a minimum five (5) foot visual screen constructed of plant materials which are selected, located and maintained to provide a continuous solid visual barrier within three (3) years from the time of installation.
2. Buffer areas intended to screen parking areas, dumpster pads or other site features shall be designed to provide a continuous solid visual barrier within one (1) year from the time of installation.

4.02.06 Maintenance and Enforcement

A. Plant Material

1. The owner of the property shall be responsible for the maintenance of all plant materials as shown on the previously approved landscape plan. Plant material shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. Any dead or severely damaged plant materials shall be replaced by the owner as part of routine maintenance.
2. Failure to maintain plant materials in accordance with the plans approved under this section shall result in a hearing before the Code Enforcement Board, which may impose a fine.
3. Where replacement materials differ from a previously approved landscape plan, an amendment to the landscape plan shall be submitted to the City for review and approval.

B. Irrigation Systems

1. Irrigation systems shall be maintained in working condition at all times. Such systems may be inspected by the Code Enforcement Officer and if found to be defective, the owner shall be notified by certified mail and directed to repair the system within ten (10) days of the date of notification. Failure to make such repair or to submit a written interim proposal to the City for landscape maintenance shall result in a hearing before the Code Enforcement Board, which may impose a fine.

2. If a project is submitted for landscape approval with one-hundred (100) percent of the plantings determined to be xeric by the City; then only temporary irrigation during the establishment period will be required. The time frame for irrigation will be approved by the City, and the project will be inspected at the end of this period to determine whether irrigation can be removed.