




Planning and Zoning Commission
March 5, 2026
Council Chambers
6:00 PM



- I Call to Order
- II Pledge of Allegiance
- III Minutes of Previous Meeting
 - 1 Minutes of the February 5, 2026 Planning and Zoning Commission
- IV Public Period
- V Public Hearing
 - 1 LDC Text Amendment: Reasonable Accommodation Requests for Certified Recovery Residences
 - 2 LDC Text Amendment: Changing Downtown Maitland zone district density and eliminating Downtown Maitland Planned Development zone district
- VI Old Business
- VII New Business
- VIII Adjournment

More than one member of the City Council may be present and speak at this meeting.

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.

MEETING DATE		AGENDA
March 5, 2026		Section: Minutes of Previous Meeting
Department/Office : Community Development	AGENDA REPORT	Item #: 1
Subject: Minutes of the February 5, 2026 Planning and Zoning Commission		
Requested Action or Motion: Approve the minutes of the 2/5/2026 Planning and Zoning Commission meeting.		
Summary Explanation & Background:		
Fiscal Impact: na		
Exhibits: 1. DRAFT 2_5_26_Planning and Zoning Commission_Minutes		
Commission/Board: Planning and Zoning Commission		
Contact Person: Barrett Chaix 407-539-6213		
Reviewed by City Attorney No.		



**Planning and Zoning
Commission
Minutes
February 5, 2026
Council Chambers
6:00 PM**



I CALL TO ORDER

Present: 5- Glen Jaffee (Chair), Greg Hardwick, Jody Barry, Eddie Baird, Ken Linehan

Absent: 0 -

Chair Glen Jaffee called the meeting to order at 6:00 pm on February 5, 2026. Staff in attendance included: Director of Community Development Mike Daniels, Attorney Ryan G. Knight, and Senior Planner Barrett Chaix.

II PLEDGE OF ALLEGIANCE

III ELECTION OF CHAIR AND VICE-CHAIR

Chair Glen Jaffee read an introduction describing the role of the Planning and Zoning Commission in City Government, and introduced the Commission's new member, Ken Linehan. Linehan introduced himself and provided a brief biography of himself and his work background.

Chair Jaffee opened the floor for nominations for the election of chair and vice-chair for the year 2026.

RESULT: Elect Glen Jaffee as Chair of Planning and Zoning Commission for 2026

MOVER: Baird

SECONDER: Hardwick

AYES: Baird, Linehan, Hardwick, Barry, Jaffee

NAYS: None

RESULT: Elect Jody Barry as Chair of Planning and Zoning Commission for 2026

MOVER: Baird

SECONDER: Hardwick

AYES: Baird, Linehan, Hardwick, Barry, Jaffee
NAYS: None

IV MINUTES OF PREVIOUS MEETING

1 MINUTES OF THE NOVEMBER 6, 2025 PLANNING AND ZONING COMMISSION

RESULT: Approve the Minutes of the November 6, 2025 Planning and Zoning Commission
MOVER: Hardwick
SECONDER: Baird
AYES: Baird, Linehan, Hardwick, Barry, Jaffee
NAYS: None

V PUBLIC PERIOD

Chair Jaffee opened the public period. Seeing no one in the audience who wished to speak, he then closed the public period.

VI PUBLIC HEARING

1 LDC TEXT AMENDMENT: REASONABLE ACCOMMODATION REQUESTS FOR CERTIFIED RECOVERY RESIDENCES

Mike Daniels provided a presentation on the proposed ordinance.

Senate Bill 954 ("Bill") was approved by the Governor on June 25, 2025, and became effective July 1, 2025. It amended Florida Statutes Section 397.487, to add a new subsection 15 which requires the governing body of each local government to "adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction." The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence. The Bill includes additional criteria required to be included in the Ordinance. This proposed Ordinance amending the Land Development Code (LDC) incorporates the requirements of SB 954 and establishes a process for the review and approval of reasonable accommodation requests for Certified Recovery Residences.

A new subsection 5.16 is proposed to be added to the LDC outlining how individuals may request accommodations from zoning or land use regulations when such accommodations are necessary for a certified recovery residence to operate. This includes application requirements,

review procedures, timelines, an appeal process and standards consistent with the Fair Housing Act. The applicant for a reasonable accommodation request can be any person who is disabled or a provider of services to disabled individuals.

The applicant is responsible for demonstrating that they, or those who are being provided services, are protected individuals under the FHA or ADA. Applications for certified recovery residence reasonable accommodations are reviewed by the Community Development Director, or designee, for consistency with the FHA or ADA and whether the applicant has shown the following:

- (1) They are protected under the FHA and/or ADA by demonstrating that they, or those being provided recovery services, are handicapped or disabled by showing:
 - a. A physical or mental impairment which substantially limits one (1) or more major life activities;
 - b. That they are regarded as having such impairment; and
 - c. A record of having such impairment.
- (2) The requested accommodation is reasonable and necessary to afford the applicant an equal opportunity to use and enjoy the dwelling, building or structure, or provides accessibility in another manner.
- (3) The requested accommodation would not impose an undue financial or administrative burden on the City.
- (4) The requested accommodation would not require a fundamental alteration in the nature of the land use and zoning regulations of the County.

Approvals or denials of requests are issued in writing and must include the applicant's right to appeal the determination to the City Manager. Granting a reasonable accommodation request does not alleviate the requirement for a Certified Recovery Residence to comply with all other applicable code requirements.

Staff recommends that the Planning and Zoning Commission recommend approval of the Land Development Code amendment to City Council, to establish a process for reasonable accommodations for Certified Recovery Residences.

Concluding the presentation, Chair Jaffee opened the public hearing. There being no one who wished to speak, he closed the public hearing, and opened the discussion for the commission.

Commissioner Hardwick asked for clarification on the effect of the statute on the process for variances from the code and appeals in court. Mike Daniels explained that the main difference is that variances have to

demonstrate a hardship, whereas reasonable accommodation does not have the same threshold. Commissioner Barry pointed out the similarities with the Live Local Act in that it sets up an administrative process instead of a public hearing.

Commissioner Baird asked about the process of revocation, and asked for examples of what conditions may be violated to trigger a revocation. Attorney Ryan Knight stated that some examples were lying on their application or losing their state license. Another instance, could be if the qualifying individual no longer lived there. Commissioner Baird asked about the process of revocation and which bodies could carry out the revocation. He stated that a final order is not required by statute. As drafted, a special magistrate or court order is required for a revocation. Baird suggested having the City Manager make a determination, with the applicant having a burden of overturning on appeal.

Hardwick suggested that the applicant need to re-apply every year. Daniels suggested that could be made a condition of approval for a reasonable accommodation. Knight suggested that cities have treated it more as a variance that runs with the property, or one that has to be re-visited.

Jaffee stated that the City needs to really think through this and this definition of disability, which is very broad. It reminded him of emotional support animals. He asked to imagine our neighborhoods with drug and rehab houses next door to you or across the street. With AirBnBs and Live Local Act, we tried to put up roadblocks and speed bumps to keep these out of residential areas, because everyone wants to control where these drug and rehab houses can go. We need to be able to make it very easy to immediately correct. Knight explained that there isn't much we can do in the way of speed bumps as the state has required the City to review and approve or deny in 30 days.

Commissioner Linehan asked for clarification on whether certified recovery residences were already allowed in the City. Daniels replied that they were, and five unrelated persons in a single family home were allowed by right. Jaffee asked if we could put restrictions in our code to cover these specific uses. Daniels replied that it would run afoul of Senate Bill 180. Hardwick stated he was more concerned about what cities could do to ensure they stayed in compliance. Daniels replied that the only requirement is that they follow the state requirements for certified recovery residences.

There was discussion with Knight to include provisions for annual verification of certified recovery residences and the timeline for potential changes. Jaffee asked to see more about the city's land development

code as it pertains to Certified Recovery Residences.

RESULT: Motion requesting that applicable staff continues to work with the City's legal council to further look into and to propose to us at the appropriate time potential options for recertification, reapplication and/or revocation of accommodations as contemplated within the proposed ordinance and compliance with Florida Statute 397.487 also to include the person or persons or body and or bodies that would make a determination that a violation has existed that would result in a revocation of accommodation.

MOVER: Baird

SECONDER: Hardwick

AYES: Hardwick, Baird, Barry, Linehan, Jaffee

NAYS: None

2 **LDC TEXT AMENDMENT: ADMINISTRATIVE REVIEW OF PLATS AND REPLATS**

Daniels provided a presentation on the item.

Senate Bill 784 took effect on July 1, 2025. This legislation requires that a subdivision plat or replat be approved administratively if the plat or replat complies with the requirements of Florida Statute 177.091. The bill requires local governments to designate, by ordinance or resolution, an administrative authority to receive, review, and process a plat or replat submittal, and designate an administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat. This legislation preempts the City's authority to prescribe the plat approval process as currently set forth within the City's Land Development Code, which requires board review and approval in a public hearing.

On August 25, 2025, Resolution 13-2025 was approved by City Council. The resolution stipulated:

1. The City's Community Development Department is hereby designated as the administrative authority to receive, review, and process plat or

replat submittals.

2. The City Manager, or his or her designee, is hereby designated as the administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat.

The adoption of Resolution 13-2025 was an interim step to meet the new statutory obligation to ensure that the platting process is administrative. The next step in the process is to amend the Land Development Code to meet the requirements of the statute. Due to the structure of the code and the multiple references to the platting process, the code amendment was more complex and required more time to compile into an ordinance. As a result, staff created a code amendment revising sections 2.25.2(b) and 6.4.2 of the City's Land Development Code which is presented in underline/strikethrough format.

At the meeting of January 15, 2025, staff recommends the Planning and Zoning Commission forward a recommendation of approval of the ordinance to City Council.

Hardwick asked what happens if you disapprove with staff. Daniels explained that staffs review is based on statute. Jaffee asked about the distinction between the neighborhood meeting and the community meeting in the presentation. Senior Planner Chaix described the current code description of the neighborhood meeting in the standard application process.

RESULT:	Recommend City Council approve the ordinance designating administrative authority to receive review and process plat and replat submittals pursuant to Chapter 177 Florida Statutes.
MOVER:	Baird
SECONDER:	Barry
AYES:	Hardwick, Baird, Barry, Linehan, Jaffee
NAYS:	None

VII OLD BUSINESS

Staff provided an update on the process of the grocer on Maitland Concourse North Lot 3 and other projects that had come before the Commission.

VIII NEW BUSINESS

IX OTHER BUSINESS THE COMMISSION DEEMS ADVISABLE

X ADJOURNMENT

Chair Jaffee adjourned the meeting at 7:25 P.M.

DRAFT

MEETING DATE	 MAITLAND FLORIDA	AGENDA
March 5, 2026		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 1

Subject:

LDC Text Amendment: Reasonable Accommodation Requests for Certified Recovery Residences

Requested Action or Motion:

Move to recommend approval to City Council to amend the Land Development Code to establish a process for reasonable accommodations for Certified Recovery Residences

Summary Explanation & Background:

Senate Bill 954 (“Bill”) was approved by the Governor on June 25, 2025, and became effective July 1, 2025. It amended Florida Statutes Section 397.487, to add a new subsection 15 which requires the governing body of each local government to “adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction.” The ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence. The Bill includes additional criteria required to be included in the Ordinance. This proposed Ordinance amending the Land Development Code (LDC) incorporates the requirements of SB 954 and establishes a process for the review and approval of reasonable accommodation requests for Certified Recovery Residences.

A new subsection 5.16 is proposed to be added to the LDC outlining how individuals may request accommodations from zoning or land use regulations when such accommodations are necessary for a certified recovery residence to operate. This includes application requirements, review procedures, timelines, an appeal process and standards consistent with the Fair Housing Act. The applicant for a reasonable accommodation request can be any person who is disabled or a provider of services to disabled individuals.

The applicant is responsible for demonstrating that they, or those who are being provided services, are protected individuals under the FHA or ADA. Applications for certified recovery residence reasonable accommodations are reviewed by the Community Development Director, or designee, for consistency with the FHA or ADA and whether the applicant has shown the following:

- (1) They are protected under the FHA and/or ADA by demonstrating that they, or those being provided recovery services, are handicapped or disabled by showing:
 - a. A physical or mental impairment which substantially limits one (1) or more major life activities;
 - b. That they are regarded as having such impairment; and
 - c. A record of having such impairment.
- (2) The requested accommodation is reasonable and necessary to afford the applicant an equal opportunity to use and enjoy the dwelling, building or structure, or provides accessibility in another manner.
- (3) The requested accommodation would not impose an undue financial or administrative burden on the City.

(4) The requested accommodation would not require a fundamental alteration in the nature of the land use and zoning regulations of the County.

Approvals or denials of requests are issued in writing and must include the applicant's right to appeal the determination to the City Manager. Granting a reasonable accommodation request does not alleviate the requirement for a Certified Recovery Residence to comply with all other applicable code requirements.

Staff recommends that the Planning and Zoning Commission recommend approval of the Land Development Code amendment to City Council, to establish a process for reasonable accommodations for Certified Recovery Residences.

At the Planning and Zoning Commission meeting of February 5, 2026, Commissioners requested that staff work with the City Attorney to propose revisions to the draft ordinance particularly regarding the revocation of reasonable accommodation section of the ordinance (Section 5.16.10). Staff has worked with the City Attorney to revise the draft ordinance, and it is included in this agenda packet and is highlighted in yellow for ease of reference. Proposed changes include:

- Requiring the applicant to provide annual confirmation to the City that all necessary state licenses or certifications remain active, and, if not provided, shall result in revocation of the reasonable accommodation.
- The applicant may appeal the determination of revocation to the City Manager.

Fiscal Impact:

Exhibits:

1. Certified Recovery Residence Ordinance -- DAS Revisions Md revisions 2.25.26

Commission/Board: Planning and Zoning Commission

Contact Person: Michael Daniels 407-539-6211

Reviewed by City Attorney
Drew Smith

ORDINANCE NO. 2025-XXX

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, RELATING TO THE LAND DEVELOPMENT CODE; AMENDING ARTICLE 5 – DEVELOPMENT STANDARDS TO ADD CODE OF ORDINANCES SECTION 5.16 ESTABLISHING A PROCESS FOR THE REVIEW OF REASONABLE ACCOMMODATION REQUESTS FOR CERTIFIED RECOVERY RESIDENCES PURSUANT TO FLORIDA STATUTES SECTION 397.487; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 397.487(15)(a), Florida Statutes, mandates that each municipality and county in the State of Florida must adopt an ordinance establishing procedures for the review and approval of certified recovery residences; and

WHEREAS, Section 397.487(15)(a), Florida Statutes, further mandates the inclusion within such ordinance of a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence; and

WHEREAS, Section 397.487(15)(b), Florida Statutes, provides that the regulation of the Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.) and Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131 et seq.); and

WHEREAS, the City of Maitland Planning and Zoning Commission held a public hearing, with all required public notice, to provide recommendations to the City Council on this Ordinance to amend the Land Development Code and recommend that the City Council adopt the Ordinance; and

WHEREAS, adoption of this Ordinance ensures that the City of Maitland complies with Section 397.487(15), Florida Statutes, and that the best interest of the public health, safety, and welfare is served.

NOW THEREFORE, BE IT ENACTED by the City Council of the City of Maitland, Florida, that: [NOTE: Words that are underlined constitute additions to the original text and strike through shall constitute deletions to the original text, and other text shall remain unchanged from the language existing prior to adoption of this Ordinance]

SECTION 1. The findings set forth in the recitals above are adopted and fully incorporated herein by reference.

SECTION 2. Article 5, Section 5.16, -Request for Accommodations for Certified Recovery Residences-of the City of Maitland Code of Ordinances, is hereby created to read as follows:

SECTION 5.16. – REQUEST FOR ACCOMMODATIONS FOR CERTIFIED RECOVERY RESIDENCES

5.16.1 - Purpose and applicability.

The purpose of this section is to establish procedures for review and approval of reasonable accommodation requests to the City’s land use and zoning ordinances, rules, regulations, policies, and procedures that may prohibit establishment of certified recovery residences pursuant to section 397.487, Florida Statutes. Facilitating reasonable accommodation requests ensures that individuals with a disability and/or handicap have equal opportunity to use and enjoy dwellings, buildings or structures, or to provide accessibility in another manner, as provided by the Federal Fair Housing Amendments Act (42 U.S.C. §§ 3601 et seq. (“FHA”) and Title II of the Americans with Disabilities Amendments Act (42 U.S.C. §§ 12131 et seq. (“ADA”). For purposes of this section, a “disabled” person is an individual who qualifies as disabled and/or handicapped under the FHA and/or ADA. Any person who is disabled (or qualifying entities) may request a reasonable accommodation with respect to the City’s Land Development Code, Code of Ordinances, rules, regulations, policies, or procedures as provided by the FHA and the ADA pursuant to the procedures set out in this section.

5.16.2 - Applicant.

Any person who is disabled or a provider of services to disabled individuals qualifying for a reasonable accommodation, collectively referred to as “Applicant” in this subsection, may request a reasonable accommodation to the City’s land use and zoning ordinances, rules, regulations, policies, and procedures that prohibit establishment of certified recovery residences. It is the responsibility of the Applicant to establish that they, or those who are being provided recovery services, are protected individuals under the FHA and/or ADA by demonstrating that the proposed accommodation is reasonable and necessary to afford the Applicant, or those who are being provided services, an equal opportunity to use and enjoy a residential dwelling.

5.16.3 - Application Procedure.

A request for reasonable accommodation shall be made to the

Community Development Director. An application for reasonable accommodation must, at a minimum, provide the following:

(a) Name and contact information of the Applicant or the Applicant's authorized representative;

(b) Property address and parcel identification number of where the reasonable accommodation is being requested. If the Applicant is not the owner of the property, then the contact information for the owner and an owner's authorization form is also required;

(c) A description of the accommodation and the specific regulation(s) and/or procedures from which the accommodation is sought;

(d) Reasons the accommodation may be necessary for the Applicant or those who are being provided services;

(e) A description of the qualifying disability or handicap;

(f) A certification signed by the Applicant stating: I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS REQUEST IS TRUE AND CORRECT. I UNDERSTAND THAT IF I KNOWINGLY PROVIDE FALSE INFORMATION WITH THIS REQUEST, MY REQUEST SHALL BECOME NULL AND VOID;

(g) A verification of disability status form executed by someone with personal knowledge of the Applicant's, or those who are being provided services', disability, such as a medical or social services professional;

(h) Any additional information or documentation the Applicant feels is necessary to supplement the request for reasonable accommodation.

(i) Signature of the Applicant and date.

The Community Development Director will date-stamp the application upon receipt and notify the Applicant, in writing, within 30 days if additional information is required. The Applicant must provide the additional information within 30 days. Failure of the Applicant to provide a response within 30 days will result in the application being denied, unless the

Applicant requests an extension of time in writing.

5.16.4 -Review.

Within 60 days of receiving a completed application, the Community Development Director, or designee, shall review the request for reasonable accommodation and make a determination consistent with the FHA and/or ADA, after considering all of the following:

- (a) Whether the Applicant has established that they are protected under the FHA and/or ADA by demonstrating that they or those being provided recovery services, are handicapped or disabled, as defined in the FHA and/or ADA. To do this, the following must be shown:
 - (1) A physical or mental impairment which substantially limits one (1) or more major life activities;
 - (2) That they are regarded as having such impairment; and
 - (3) A record of having such impairment.
- (b) Whether the requested accommodation is reasonable and necessary to afford the Applicant an equal opportunity to use and enjoy the dwelling, building or structure, or provides accessibility in another manner.
- (c) Whether the requested accommodation would impose an undue financial or administrative burden on the City.
- (d) Whether the requested accommodation would require a fundamental alteration in the nature of the land use and zoning regulations of the City.
- (e) If the Community Development Director, or designee, finds that the requested accommodation will impose an undue financial or administrative burden on the City or will require a fundamental alteration in the nature of the City's land use and zoning regulation, they may consider whether an alternative reasonable accommodation exists which would effectively meet the disability-related need. An alternative reasonable accommodation may be the requested accommodation with conditions. In conducting the review, the Community Development Director, or designee, may make a site visit to the property where the reasonable accommodation is being requested.

5.16.5 - Determination.

Once review of the request is complete, the Community Development Director, or designee, will make a determination in writing to:

(a) Approve the reasonable accommodation request in whole or in part, with or without conditions; or

(b) Deny the reasonable accommodation request, in accordance with state and federal law, and state the objective evidence-based reasons for denial and identify any deficiencies or actions necessary for reconsideration.

The written determination by the Community Development Director, or designee, shall also include the Applicant's right and method to appeal the determination. If the written determination is not issued within 60 days after receipt of the completed application, the reasonable accommodation request is deemed approved unless the parties agree in writing to a reasonable extension of time.

5.16.6 - Appeals.

Applicant shall have 30 days from the date of the Community Development Director, or designee's, written determination to appeal the determination or any conditions included therein, to the City Manager. Appeals must be made in writing and include the name of the Applicant, address and contact information, a written summary of the reason for the appeal, and an explanation of why the determination or condition is in error. Appeals shall be submitted to the City Manager. The City Manager shall issue a final decision on the appeal within 45 days of submitting the appeal to the City Manager.

5.16.7 - No Fee.

There shall be no fee imposed by the City for the reasonable accommodation request process outlined in this section.

5.16.8 - Stay of Enforcement.

While a request for reasonable accommodation, or its appeal, is pending, the City will not enforce any applicable land use and zoning ordinances, rules, regulations, policies, and procedures against the Applicant.

5.16.9 – Expiration of Approvals.

Approval of requests for reasonable accommodation shall expire within one hundred eighty (180) days if not implemented.

5.16.10 - Revocation of Reasonable Accommodation.

Any reasonable accommodation received shall be deemed revoked if the Applicant or the property upon which the accommodation is granted is found in violation of any conditions of the approval granting the reasonable accommodation by a court of law or by the special magistrate hearing code enforcement cases.

Failure to obtain state certification or a required state license, or failure to maintain state certification or a required state license or alternate certification permitted by this section, shall result in revocation of the reasonable accommodation and cessation of operations within sixty (60) days of termination of the license or certification. The Applicant shall provide confirmation and evidence to the City annually that all necessary state licenses or certifications remain active. Said annual confirmations shall be due by October 31 of each year. If not provided timely, failure to supply the required confirmation and evidence 30 days after written notice of delinquency has been provided by the City by certified mail to the last known address of the Applicant shall result in revocation of the reasonable accommodation.

Upon occurrence of any basis set forth herein for revocation of the reasonable accommodation, the Community Development Director, or designee, will notify the Applicant in writing of such revocation and the effective date of same. The written determination by the Community Development Director, or designee, shall also include the Applicant's right and method to appeal the revocation. Appeals of revocation shall be in accordance with Section 5.16.6, herein.

5.16.11 - Confidential Information.

Should the information provided by the Applicant to the City include medical information or records, including records indicating the medical condition, diagnosis, or medical history of the disabled individual(s), such individual(s) may, at the time of submitting such medical information, request that the City, to the extent allowed by law, treat such medical information as confidential information of the disabled individual(s).

5.16.12 General Provisions. The following general provisions are applicable to all reasonable accommodation requests:

(a) The Applicant may apply for a reasonable accommodation on their own behalf or may be represented at all stages of the reasonable accommodation process by an attorney, legally appointed guardian, or other person designated by Applicant as a power of attorney.

(b) In the event that a reasonable accommodation is granted, the Applicant shall continue to comply with any and all other applicable building and/or permitting

processes required by the City's Code of Ordinances and Land Development Code and all other state and federal laws.

(c) A reasonable accommodation is specific to the Applicant and does not run with the subject property.

SECTION 3. Conflicts. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. Codification. The City Clerk shall cause the Code of Ordinances of the City of Maitland to be amended as provided by this Ordinance and may renumber, re-letter, and rearrange the codified parts of this Ordinance if necessary to facilitate the finding of the law.

SECTION 5. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

MEETING DATE		AGENDA
March 5, 2026		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: 2

Subject:

LDC Text Amendment Downtown Maitland Zone District

Requested Action or Motion:

Recommend to the City Council that they approve the LDC text amendment to change Downtown Maitland zone district density and intensity and to eliminate the Downtown Maitland Planned Development zone district, DM-PD Edge, and the DICE program, to conform with the newly adopted Comprehensive Development Plan update.

Summary Explanation & Background:

At their meeting of November 10, 2025, City Council approved the Evaluation and Appraisal Report (EAR)-Based Comprehensive Development Plan amendments consistent with State Law. Within 12 months of adoption of the CDP, the Land Development Code must be updated for consistency with the newly adopted CDP.

Included with this amendment was a change to how residential density and commercial intensity are allocated in the Main Street Future Land Use designation. This CDP update eliminated the *Density Incentive for Community Enhancement* (DICE) program which was the method established in the CDP (and implemented in the Land Development Code) to achieve maximum density/intensity in Downtown Maitland. It provided a mechanism by which prospective developers could propose raising the density on properties, if they could provide a community enhancement approximately equal to the value of the benefit they would receive for that increased density.

Prior to this revision, the CDP had granted the higher residential densities and commercial intensities to larger parcel sizes in Downtown Maitland. The DICE program was implemented by the creation of a Planned Development zone district, in Article 3, Zone Districts, and was reserved for the Main Street (downtown) future land use designation: the Downtown Maitland Planned Development (DM-PD) district. The only things that distinguished this district from the Planned Development district available to the rest of the city, were the provision of the density incentive (DICE) program and limiting certain uses in the Main Street Future Land Use designation.

The proposed LDC text amendment implements the changes made to the adopted 2050 CDP, by modifying the standards for density/intensity of Downtown Maitland parcels, from ones based on parcel size, to a uniform density for all parcels regardless of size. It also deletes the DM-PD district and any references throughout the LDC, while folding the use restrictions of the Main Street Future Land Use into the Principal Use, Accessory Use, and Temporary Use tables of Article 4.

Since the DICE program was introduced in 2019 with the CDP 2035, no applicant has elected to use the program to achieve higher density/intensity in downtown Maitland. Therefore, no properties are affected by the elimination of this zone district from the LDC. Similarly, no properties in the Downtown Maitland zone district will have their potential maximum densities/intensities reduced by these

amendments. The only material change will be for parcels under 3 acres in size to potentially be able to potentially develop to the same density and intensity as parcels over 3 acres in size have been able to.

Fiscal Impact:

NA

Exhibits:

1. Draft LDC update for EAR (002)
2. Exhibit A -- Strikethrough Underline

Commission/Board: Planning and Zoning Commission

Contact Person: Sara Blanchard 407-539-6214

Reviewed by City Attorney

Drew Smith

ORDINANCE NO. 1457

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, AMENDING THE MAITLAND LAND DEVELOPMENT CODE, BASED ON THE ADOPTED 2050 COMPREHENSIVE DEVELOPMENT PLAN (CDP) EAR-BASED AMENDMENTS TO ELIMINATE ALL REFERENCES TO DOWNTOWN MAITLAND PLANNED DEVELOPMENT DISTRICT, (DM-PD), INCLUDING THE DENSITY INCENTIVE COMMUNITY ENHANCEMENT PROGRAM (DICE), DOWNTOWN MAITLAND PD-EDGE (DMPD-E), AND MODIFYING DOWNTOWN MAITLAND INTENSITY AND DIMENSIONAL STANDARDS TO REFLECT DENSITY AND FLOOR AREA RATIO CONSISTENT WITH THE 2050 CDP AND, MORE PARTICULARLY DESCRIBED AS FOLLOWS: TABLE OF CONTENTS, ARTICLE I GENERAL PROVISIONS, ARTICLE 2. ADMINISTRATION, ARTICLE 3. ZONE DISTRICTS, ARTICLE 4. USE REGULATIONS, AND ARTICLE 5. DEVELOPMENT STANDARDS, AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Section 163.3187, Florida Statutes, provides for a local government to amend a comprehensive plan; and

WHEREAS, on November 10, 2025, the City Council of the City of Maitland adopted *Maitland Comprehensive Development Plan 2050*, pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the City of Maitland CDP 2050 included amendments identified as part of the City’s Evaluation and Appraisal Report process; and

WHEREAS, pursuant to F.S. 163.3202, Land Development Regulations are to be updated within 12 months of the adoption of a CDP Evaluation and Appraisal Report Amendments a.k.a., EAR-based amendments, to develop regulations that are consistent with and implement *Maitland Comprehensive Development Plan 2050*; and

WHEREAS, the Planning and Zoning Commission also sitting as the Local Planning Agency and Land Development Regulation Commission advertised and held a public hearing on March 5, 2026, to take public comment regarding the proposed ordinance; and

WHEREAS, the Maitland Local Planning Agency, at its meeting on March 5, 2026 recommended approval of the amendment and found the proposed amendment of the Maitland City Code to be consistent with the CDP 2050; and

WHEREAS, the Maitland City Council introduced this Ordinance on March 24, 2026 and subsequently in accordance with Section 166.041, Florida Statutes the Maitland City Council advertised and held a public on this ordinance on April 13, 2026 to take public input; and

WHEREAS, the Maitland City Council adopts the foregoing “Whereas” clauses as its legislative findings and finds that the proposed amendments to the Maitland City Code will promote the public health, safety, welfare, economic order and aesthetics of both the region and the community.

NOW, THEREFORE, BE IT ENACTED by the City Council of the City of Maitland, Florida, that:

[NOTE: Words with single underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text.

SECTION 1. The Maitland Land Development Code, is amended as follows in Exhibit A, attached.

SECTION 2: Conflicts. All ordinances or parts thereof in conflict herewith are and the same are hereby repealed.

SECTION 3: Severability. If any section, paragraph, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4: Codification. The provisions of this Ordinance shall be codified as and become and be made a part of the *Maitland Land Development Code*. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 5: This Ordinance shall take effect immediately upon its adoption.

ADOPTED by the City Council of the City of Maitland, Florida, this ____ day of 2026.

CITY OF MAITLAND, FLORIDA

BY: _____
JOHN P. LOWNDES
MAYOR

ATTEST: _____
LORI S. HOLLINGSWORTH
CITY CLERK

Exhibit A

Table of Contents

[...]

3.5.5. ——— DM-PD: Downtown Maitland — Planned Development District

[...]

1.8.1. Transition to New Zone Districts.

On March 1, 2022, land zoned with a zone district classification under the previous LDC shall be translated to one of the zone district classifications in this LDC, in accordance with Table 1.8.1: Transition to New Zone Districts. The zone districts are established in Article 3: Zone Districts.

Table 1.8.1: Transition to New Zone Districts	
Zone District in Previous LDC	Zone District in this LDC
Residential Districts	
RS-1: Residential Single-family	RSF-1 Residential Single Family 1
RS-1A: Residential Single-family	
RS-2: Residential Single-family	RSF-2 Residential Single Family 2
RS-3: Residential Single-family	
RS-5: Residential Single-family	RSF-3 Residential Single Family 3
UU: Undeveloped Urban	[DELETED]
RS-D: Residential Single-family and Duplex	RSF-D Residential Single Family and Duplex
RS-D1: Residential Single-family and Duplex	
RG-2: Residential Multifamily	R-MF Residential Multifamily
RG-3: Residential Multifamily	
Mixed-Use Districts	
RS-4: Residential Single-family	MX Mixed Multifamily
RG-1: Residential Multifamily	
PO-1: Professional & Office	
PO-2: Professional & Office	

PO-3: Professional & Office	
OC: Office & Commercial	WS: West Side District <ul style="list-style-type: none"> • WS Research Technology Subdistrict • WS New Market Subdistrict
OC-1: Office & Commercial	
OC-3: Office & Commercial	
DM Downtown Maitland <ul style="list-style-type: none"> • DM Subdistrict • DM-E Edge Subdistrict 	DM Downtown Maitland <ul style="list-style-type: none"> • DM Subdistrict • DM-E Edge Subdistrict
Nonresidential Districts	
CC: Cultural Corridor	[DELETED]
	GAP Government, Arts, and Public [new]
	NC Neighborhood Commercial [new]
Planned Development Districts	
PD: Planned Development	PD Planned Development
	DM-PD Downtown Maitland Planned Development [new] <ul style="list-style-type: none"> • DMPD Subdistrict • DMPD-E Edge Subdistrict
Overlay Districts	
	CHA-O: Culture, History, and Arts Overlay

[...]

2.5.1. - Discretionary Approvals.

[...]

(f) *Planned Development.*

- (1) *Purpose.* Planned developments are amendments to the Official Zone District Map that accommodate developments that are planned and developed under unified control. They allow for flexible standards and procedures conducive to creating more mixed-use, pedestrian-oriented, and otherwise higher quality development than could be achieved through base zone district regulations, as well as offering enhanced community benefits and amenities. The purpose of this subsection is to provide a uniform mechanism for amending the Official Zone District Map to reclassify land to either the PD district (Section 3.5.4, PD: Planned Development District) or the DM-PD district (Section 3.5.5, DM-PD: Downtown Maitland—Planned Development District).

- (2) *Scope.* A planned development is established by amendment of the Official Zone District Map to a planned development zone district classification (PD or ~~DM-PD~~) that is defined by a PD Plan and PD Agreement. Subsequent development within the PD or ~~DM-PD~~ district occurs through the approval of a site plan (major or minor) and subdivision (plat) review, as appropriate, which ensure substantial compliance with the PD Plan/PD Agreement.

[...]

(L) *Post-Decision Limitations and Actions.* Applicable, see Section 2.4.11. In addition:

1. If a planned development amendment to the Official Zone District Map is adopted by the City Council, the Community Development Director shall place the amendment on the Official Zone District Map within a reasonable period of time after its adoption. Designation of a PD or ~~DM-PD~~ district on the Official Zone District Map shall note the ordinance approving the zoning district classification.
2. Lands amended to a PD or ~~DM-PD~~ zone district shall be subject to the approved PD Plan/PD Agreement. The PD Plan/PD Agreement is binding on the land as an amendment to the Official Zone District Map, shall be binding on the landowners and their successors and assigns, and shall constitute the development regulations for the land. Development of the land shall be limited to the uses, intensity and density, configuration, and all other elements and conditions set forth in the PD Plan/PD Agreement. The applicant may apply for and obtain subsequent development approval and permits necessary to implement the PD Plan/PD Agreement in accordance with the appropriate procedures and standards set forth in this LDC. Any subsequent development approvals or permits shall be in substantial compliance with the PD Plan/PD Agreement.

[...]

3.1.2. Establishment of Zone Districts.



This LDC establishes the zone districts identified in Table 3.1.2: Establishment of Zone Districts. The boundaries of each zone district are identified on the Official Zone District Map (see Section 1.7, Official Zone District Map).

Table 3.1.2: Establishment of Zone Districts
Zone Districts
Residential Districts
RSF-1: Residential Single Family 1
RSF-2: Residential Single Family 2
RSF-3: Residential Single Family 3
RSF-D: Residential Single Family and Duplex
R-MF: Residential Multifamily
Mixed-Use Districts
MX: Mixed Multifamily and Office
WS: West Side
<i>WS-RT: West Side Research and Technology Subdistrict</i>
<i>WS-NM: West Side New Market Subdistrict</i>
DM: Downtown Maitland
<i>DM: Downtown Maitland Subdistrict</i>
<i>DM-E: Downtown Maitland — Edge Subdistrict</i>
Nonresidential Districts
GAP: Government, Arts and Parks
NC: Neighborhood Commercial
Planned Development Districts

PD: Planned Development
DM-PD: Downtown Maitland Planned Development
Overlay Districts
CHA-O: Culture, History, and Arts Overlay

[...]

3.3.5. DM: Downtown Maitland District.

(a) Purpose	
<p>The purpose of the DM: Downtown Maitland zone district is to implement the comprehensive development plan and Downtown Maitland Master Plan by providing lands that accommodate downtown Maitland as the center of commerce, government, entertainment, and culture in the City. Principal types of development include higher intensity government, commercial, entertainment, and employment uses, as well as higher density residential and mixed use development, all in a form that is pedestrian friendly, architecturally attractive, consistent with the desired character of the city, supportive of multiple modes of mobility, and protective of the character of adjacent residential lands. Allowed uses include retail services, personal services, recreation/entertainment, offices, hotels and motels, restaurants, microbreweries, health care, multifamily and townhome dwellings, and mixed-use development.</p>	
<p>The Downtown Maitland (DM) zone district consists of two subdistricts. The Downtown Maitland (DM) subdistrict supports pedestrian-friendly, mixed-use development at the greatest intensities and densities in the City. The Downtown Maitland Edge (DM-EDGE) Subdistrict, which is located on lands adjacent and proximate to existing residential neighborhoods is supportive of pedestrian-friendly, mixed use, and other similar types of development as the DM subdistrict, but at less intense densities/intensities, and in a form that ensures the character of the adjacent residential neighborhoods is maintained.</p>	



(b) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations. In a PD located in the DM district, an ongoing use that existed prior to June 22, 2020 may continue. However, any change to a use in a planned development that existed prior to June 22, 2020 shall only be to a use allowed in the DM-PD district in accordance with Table 4.2.2: Principal Use Table.

(c) Intensity and Dimensional Standards

(1) Unless exempted in subsections (2) or (3) below, all development in the DM zone district shall comply with the following intensity and density standards.

(2) The expansion or alteration of development existing prior to June 22, 2020 that is not approved as a planned development, that increases the building's floor area by less than 50 percent or alterations that involve less than 50 percent of the building's gross floor area, over the five years prior to the submission of an application, is exempt from the requirements of this section, except for the following:

(A) The existing building that is expanded or altered is first expanded or altered toward the street frontage if it does not comply with the build-to-zone standards of this section, to bring the building into greater compliance with those standards;

(B) The expansion or alteration makes reasonable efforts to comply with the building width in build-to zone and building façade fenestration/transparency standards of this section; and

(C) The expansion or alteration complies with the maximum density and maximum FAR standards.

(3) A planned development existing prior to June 22, 2020 may continue to develop consistent with the terms and conditions of approval of the approved planned development, except that any expansion or alteration that increases the building's floor area by less than 30 percent or alterations that involve less than 30 percent of the building's gross floor area over the five years prior to the submission of an application, shall comply with the following:

(A) The existing building that is expanded or altered shall first be expanded or altered toward the street frontage, to the maximum extent practicable, if it does not comply with the build-to-zone standards of this section, to bring the building into greater compliance with those standards;

(B) The expansion or alteration shall make reasonable efforts to comply with the building width in the build-to

zone and building façade fenestration/transparency standards of this section; and

(C) The expansion or alteration shall comply with the maximum density/intensity requirements of the approved planned development, but under no circumstances shall exceed the maximum density and maximum FAR standards of this section.

(4) A planned development existing prior to June 22, 2020 that expands or is altered in a way that increases the building's floor area by 30 percent or more, or alters the building's gross floor areas by 30 percent or more over the five years prior to the submission of an application, shall comply with all of the following intensity and dimensional standards.

Standard		DM	DM-EDGE
❶	Block length, min. max. (ft.)	330 660	
❷	Build-to zone (ft.) [1]		
	Type I Street	26 41	
	Type II Street	25 40	
	Type III Street	18 33	
	Front yard setback, min. (ft.)	—	
	Side yard setback, min. (ft.)	—	
	Rear yard setback, min (ft.)	—	
	Building width in build-to zone, min. (% of lot width) [2]	75	60
	Building façade fenestration/transparency, min. (percentage of street-level façade area) [3]	50	40 for non-residential and mixed use 25 for residential
Density, min. max. (du/acre of net lot area) [4] [5]			
	— Parcels less than 2 acres	10 20 <u>67</u>	5 14 <u>47</u>
	— Parcels 2 acres or greater and less than 3 acres	12 30	8 21
	— Parcels 3 acres or greater	16 40	12 28
Floor Area Ratio (FAR), min. max. [6]			
	— Parcels less than 2 acres	0.60 1.20 <u>3.0</u>	0.40 0.85 <u>2.10</u>
	— Parcels 2 acres or greater and less than 3 acres	0.70 1.40	0.50 1.00
	— Parcels 3 acres or greater	1.00 2.00	0.70 1.40

①	Building height, max. (ft)	78 (6 stories) [7]	48 (3 stories) [7]
	Open space set-aside, min. (%)	10	15
	Impervious surface, min. max. (%)	50 90	40 80
<p>NOTES: sf = square feet; ft = feet; min.= minimum; max.= maximum</p> <p>[1] The area between the minimum and maximum build-to lines that extends the width of the lot constitutes the build-to zone. The minimum and maximum build-to lines are measured from back of curb. They differ based on the street type on which the building fronts. The area between the minimum build-to-line and curb shall include the parkway, the sidewalk, and the activity area. See Table 3.3.5(e)(4)(B): Public Frontage Standards. If the minimum required parkway and/or activity area width is reduced in accordance with Sec. 3.3.5(e)(4)(B), Public Frontage Standards, the minimum build-to line shall be reduced accordingly.</p> <p>[2] The remaining build-to zone width may be occupied by outdoor gathering spaces, walkways, landscaped areas, stormwater management facilities that use environmental site design techniques.</p> <p>[3] Window and door openings counting toward meeting this transparency requirement shall consist of glass that is relatively clear and non-reflective, with a minimum visible light transmittance of 0.65 and maximum visible light reflectance of 0.2.</p> <p>[4] Maximum density varies based on parcel size as outlined in the comprehensive development plan.</p> <p>[4-5] A development can potentially achieve maximum residential densities and maximum nonresidential FARs. For purposes of calculating permitted density, a group home use shall be considered as a nonresidential use subject to the FAR requirements.</p> <p>[6] Maximum FAR varies based on parcel size as outlined in the comprehensive development plan.</p> <p>[5-7] The first floor of all buildings shall be a minimum of 14 feet in height.</p>			

[...]

3.5.1. General Purpose of Planned Development Districts.

The purpose and intent of the Planned Development zone districts is to encourage land uses and designs that are innovative, integrated, and incorporate multiple uses in a way that makes efficient use of land and allows for creative site planning.

3.5.2. Established Planned Development Zone Districts.

The Planned Development zone districts established by this LDC are identified in Table 3.5.2: Established Planned Development Zone Districts.

Table 3.5.2: Established Planned Development Zone Districts
PD: Planned Development
DM-PD: Downtown Maitland — Planned Development

3.5.3. General Provisions for All Planned Development Districts.

(a) *Classification of Planned Development Zone Districts.* Land shall be classified into a Planned Development zone district only in accordance with the procedures and standards set forth in Sec. 2.5.1(f), Planned Development, and this section.

(b) *Organization of Planned Development Zone District Regulations.* The following general standards apply to all types of Planned Development zone districts. ~~Sec. 3.5.4, PD: Planned Development District, and Sec. 3.5.5, DM-PD: Downtown Maitland — Planned Development District~~ and include additional provisions and standards for each of the different types of Planned Development districts.

[...]

3.5.4. PD: Planned Development District.

(a) Purpose	
The purpose of the PD: Planned Development zone district is to provide increased flexibility for land development, in particular for larger-scale and phased projects. It is designed to achieve a high quality of development that demonstrates environmental sensitivity, energy efficiency, and adequate provision of public facilities and services, along with other goals, by:	
1)	Allowing greater flexibility from base zone district standards in the form and design of development, the ways by which pedestrians and traffic circulate, how the development is located and designed to respect the natural features of the land and protect the environment, the location and integration of open space and civic space into the development, and design amenities;
2)	Encouraging a greater mix of land uses within the same development, and where appropriate, walkability;
3)	Allowing more efficient use of land, with smaller networks of streets and utilities that lower development and housing costs;
4)	Encouraging an increase in the amount and usability of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional development practices;
5)	Permitting more effective adaptation of development to the natural soils, vegetation, and topography of an area;
6)	Preserving natural amenities and environmental assets by encouraging the retention and improvement of scenic and functional open areas;
7)	Encouraging the phasing of large-scale, multiple-use development which can aid the City in controlling the timing and sequence of growth by maintaining a balance of land uses in conjunction with the provision of municipal facilities and services needed to serve the development;
8)	Providing pedestrian connections within the site and to the public right-of way, as well as to external connections; and
9)	Promoting development forms and patterns that respect the character of established surrounding neighborhoods and other types of land uses.
(b) Use Standards	

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations. The allowed uses are only permitted for development if they are included in the PD Plan that is approved as part of the PD District.	
(c) Intensity and Dimensional Standards [1]	
Standard	All Uses
District area, min. (acres)	2 [Except Main Street Future Land Use designation]
Lot area, min. (sf)	To be established in PD Plan
Lot width, min. (ft)	
Front yard setback, min. (ft)	
Side yard setback, min. (ft)	
Rear yard setback, min. (ft)	
Building height, max. (ft)	
Building stories, max. (ft)	
Density, max. (du/acre)	
Intensity (FAR)	
Open space, min. (percent)	
Buffer/yard building separation, min. (ft)	
<p>NOTES: sf = square feet; ft = feet; du = dwelling units; min.= minimum; max.= maximum</p> <p>[1] The density/intensity based on gross residential/commercial acreage permitted in each PD development shall be established by the City Council upon recommendation of the Planning and Zoning Commission. The criteria for establishing the appropriate density/intensity includes existing surrounding density/intensity, density/intensity permitted by the existing zone district classification, adequacy of existing and proposed public facilities and services, conformance with the adopted comprehensive development plan, and site characteristics. In no case shall density/intensity exceed the maximum density/intensity allowed under the comprehensive development plan or other standards included in the comprehensive development plan for the land subject to the PD district.</p>	

[...]

3.5.5. DM-PD: Downtown Maitland — Planned Development District.

(a) Purpose
The purpose of the Downtown Maitland Planned Development (DM-PD) District is to implement the comprehensive development plan and Downtown Maitland Master Plan by providing lands that accommodate downtown Maitland as the highest density/intensity mixed use center of commerce, government,

entertainment, and culture in the city. To assist in achieving this goal the district regulations provide flexibility from some of the standards of the DM base zone district to encourage innovative, integrated, and efficient land planning and physical design concepts, and where sufficient community enhancements are provided, additional density/intensity through the Density Incentive Community Enhancement (DICE) regulation. Principal types of development in the DM-PD district include higher intensity government, commercial, entertainment, and employment uses, as well as higher density residential and mixed use development, in a form that is pedestrian friendly, architecturally attractive, consistent with the desired character of the city, supportive of multiple modes of mobility, and protective of the character of adjacent residential lands.

The Downtown Maitland Planned Development (DM-PD) zone district consists of two subdistricts. The Downtown Maitland Planned Development (DMPD) subdistrict accommodates the most intense development in the city. The Downtown Maitland Planned Development Edge (DMPD-E) subdistrict, which is located on lands adjacent and proximate to existing residential neighborhoods, supports pedestrian-friendly mixed use and other similar types of development as the DMPD, but at less intense densities/intensities, and in a form that ensures the character of the adjacent residential neighborhoods is maintained. The boundaries of the DMPD and DMPD-E subdistricts are coterminous with the boundaries of the DM and DM-EDGE base subdistricts.

(b) Use Standards

Allowed uses and use specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations. The allowed uses are only permitted for development if they are included in the DM-PD Concept Plan that is approved as part of an approved DM-PD classification.

(c) Intensity and Dimensional Standards

Standard	DMPD	DMPD-E
— Block length, min. max. (ft.)	330	660
— Build to zone (ft.) [1]		
— Type I Street	26 41	
— Type II Street	25 40	
— Type III Street	18 33	
— Front yard setback, min. (ft.)	—	
— Side yard setback, min. (ft.)	—	
— Rear yard setback, min (ft.)	—	
— Building width in build to zone, min. (percentage of lot width) [2]	75	60
— Density, min. max. [3] max. with DICE [4] (du/acre of net lot area)		
— Parcels less than 2 acres	10 20 45	5 14 30

— Parcels 2 acres or greater and less than 3 acres	12 30 55	8 21 39
— Parcels 3 acres or greater	16 40 67	12 28 470
— Floor Area Ratio (FAR), min. max. [5] max. with DICE [6]		
— Parcels less than 2 acres	0.60 1.20 1.40	0.40 0.85 1.00
— Parcels 2 acres or greater and less than 3 acres	0.70 1.40 1.75	0.50 1.00 1.25
— Parcels 3 acres or greater	1.00 2.00 2.40	0.70 1.40 1.70
— Building height, max (ft)	6 stories maximum height; for a particular site, to be determined as part of PD Plan approval [7]	
— Impervious surface, min. max (%)	50 90	40 80
— Open space set aside, min (%)	10 (May be modified as part of PD Plan approval)	
<p>NOTES: sf = square feet; ft = feet; min.= minimum; max.= maximum</p> <p>[1] The area between the minimum and maximum build-to-lines that extends the width of the lot constitutes the build-to-zone. The minimum and maximum build-to-lines are measured from the curb. They differ based on the street type on which the building fronts. The area between the build-to-line and curb shall include the parkway, the sidewalk, and the activity area.</p> <p>[2] The remaining build-to-zone width may be occupied by outdoor gathering spaces, walkways, landscaped areas, open space, and stormwater management facilities that use environmental site design techniques.</p> <p>[3] Maximum density/intensity that may be approved as part of the DM-PD without bonus in accordance with Sec. 3.5.5(d)(2), Density Incentive Community Enhancement (DICE).</p> <p>[4] Maximum density/intensity that may be approved as part of the DM-PD with bonus in accordance with Sec. 3.5.5(d)(2), Density Incentive Community Enhancement (DICE).</p> <p>[5] Maximum density/intensity that may be approved as part of the DM-PD without bonus in accordance with Sec. 3.5.5(d)(2), Density Incentive Community Enhancement (DICE). For purposes of calculating permitted density, a group home use shall be considered as a nonresidential use subject to the FAR requirements.</p> <p>[6] Maximum density/intensity that may be approved as part of the DM-PD with bonus in accordance with Sec. 3.5.5(d)(2), Density Incentive Community Enhancement (DICE). For purposes of calculating permitted density, a group home use shall be considered as a nonresidential use subject to the FAR requirements.</p> <p>[7] Maximum height for development in the DMPD-E district may be limited by the restrictions on building height adjacent to certain residential development in Section 5.10, Residential Compatibility Standards.</p>		

(d) — DM-PD Zone District Development Standards. In addition to the general standards in Sec. 3.5.3, General Provisions for All Planned Development Districts, development in the DM-PD district shall comply with the following:

(1) — *Design and Form Standards.* Development in the DM-PD district shall comply with the design and form standards of the DM district in Sec. 3.3.5(e), Design and Form Standards, unless they are modified in an approved PD Plan, except for the following standards which shall not be modified:

(A) — Sec. 3.3.5(e)(2), Building Placement and Orientation;

(B) — Sec. 3.3.5(e)(4), Public Frontage Standards; and

(C) — Sec. 3.3.5(e)(7), Parking Lot Location.

(2) — *Density Incentive Community Enhancement (DICE).* The DICE program provides landowners/developers the opportunity to obtain density and intensity enhancements through approval of a DM-PD District in accordance with the procedures and standards of this section and Sec. 2.5.1(f), Planned Development, if the following types of community enhancements or benefits are provided to sufficiently offset any impacts from the increase in density and intensity, and the landowner/development appropriately mitigates all other impacts:

(A) — Regional stormwater ponds;

(B) — Shared parking structures;

(C) — Street extensions;

(D) — Bicycle/pedestrian connectivity;

(E) — Quality public active/passive open spaces; and/or

(F) — Undergrounding of downtown utilities.

(e) — *Density Incentive Community Enhancement Program (DICE).* The DICE program is a voluntary program providing applicants with the opportunity for density and intensity enhancements in planned developments within the Downtown Maitland district if the applicant is able to sufficiently offset the impacts from the increase in density and intensity consistent with one (1) or more of the six (6) general priorities identified in policy 1.1.16 of the 2035 Comprehensive Development Plan, including regional stormwater ponds, shared parking structures, street extensions, bike/pedestrian connectivity, quality public active/passive open spaces, and/or undergrounding of downtown utilities. While the city has identified six (6) general priorities, the applicant volunteering to participate in the DICE program is responsible for: (a) creating a specific proposal to offset the impacts of any increased density and/or intensity on public infrastructure, facilities, and/or utilities; (b) demonstrating there is an essential nexus between the applicant's specific proposal for public enhancements and the applicant's development; and (c) demonstrating the cost and/or public benefits derived from the applicant's specific proposal for public enhancements are roughly proportional to the cost and/or actual impact on public infrastructure, facilities, and/or utilities arising from the increased density and intensity of the development. No DICE application or request will be approved unless there is an essential nexus between the specific public benefits proposed by the applicant and the development; and the public benefits proposed by the applicant are roughly proportional to the increased density and/or intensity of the development. All DICE applications or requests made in conjunction with a planned development and approved by city council shall be reduced to writing in an enforceable development agreement.

(1) — *Purpose and intent.* The purpose of the density incentive community enhancement (DICE) program is to provide applicants an opportunity to apply for an increase in base-level density and intensity entitlements within the main street future land use designation of the Downtown Maitland district whereby the applicant offers to

offset the impact from such increases in exchange for the provision of public improvements. The intent of the DICE program includes:

(A) — To provide for a voluntary program whereby the applicant has the incentive, discretion and flexibility to create a specific proposal for public enhancements, facilities, infrastructure, or utilities to offset the actual impact of the applicant's request for increased density and/or intensity on existing public infrastructure, facilities, or utilities;

(B) — To provide applicants with a general, non-comprehensive list of the city's priorities, as identified in the 2035 Comprehensive Development Plan, including regional infrastructure improvements such as stormwater ponds, shared parking structures, street extensions, bicycle and pedestrian connectivity, active and passive open spaces, and undergrounding of utilities, to aid applicants in the development of their specific proposal; and

(C) — To ensure there is an essential nexus between the applicant's specific proposal for public enhancements and the development; and the cost of the public enhancement is roughly proportional to the impact from the applicant's increased density and/or intensity.

(2) — *Density and Site Floor Area Ratio.* The maximum residential density and site floor area ratio (FAR) entitlements for properties in the main street future land use designation of the Downtown Maitland district are codified in subsection (c) above. As an option to applicants who wish to obtain increased densities and floor area ratios up to a maximum cap set forth in subsection (c) above, the DICE program allows such applicants to develop or contribute to the development of public enhancements in exchange for such increases in density and/or floor area ratios.

(3) — *Operation.* The DICE program shall be a voluntary program. No applicant for development of any kind shall be required to participate in the program. An applicant applying for the DICE program shall be responsible for:

(A) — Initiating and requesting the community development department place the applicant on a city council workshop agenda per Sec. 2.5.1(f)(3)(C) Initial City Council Review, whereas the applicant will discuss its intent to apply for participation in the DICE program, the anticipated increase in density or site FARs that will be requested, and the applicant's general plan to offset those impacts through the provision of specific public enhancements. At the workshop, the applicant should also be prepared to discuss how the applicant intends to demonstrate a nexus between the applicant's proposed public enhancement and the applicant's development, and how the applicant intends to demonstrate that the cost of the applicant's proposed public enhancement is roughly proportional to the cost and/or impact on public infrastructure, facilities or utilities from the increased density or site FAR the applicant intends to request;

(B) — Although the 2035 Comprehensive Development Plan provides a list of general public enhancement priorities for the city, the applicant is solely responsible for creating a specific proposal to offset the impact from the requested increase in densities and FARs through public enhancements;

(C) — Demonstrating an essential nexus exists between with applicant's development and the applicant's proposed public enhancement, and that the cost of the public enhancement is roughly proportional to the actual impact and/or cost from the increased densities and/or site FARs;

(D) — Entering into a development agreement with the city as part of the final planned development site plan approval process; and

(E) — Payment of any expenses incurred by the city for the services of outside professional engineers, architects, appraisers, attorneys, or others with respect to the DICE application through the city's pass-through ordinance.

(4) — *DICE Program Approval.* The city council shall approve or deny an applicant's DICE program application as part of the applicant's final planned development. A development agreement between the city and the applicant shall also be required at the time the final planned development is approved by city council. In addition to the requiring consistency with the 2035 Comprehensive Development Plan and the Land Development Code, the city council shall not approve an application for the DICE program unless it determines that the applicant has (1) demonstrated an essential nexus between the applicant's development and the applicant's proposed public enhancement; and (2) demonstrated a rough proportionality between the cost of the proposed public enhancement and the actual cost or impact of the increased densities and/or site FAR on existing public infrastructure, facilities or utilities.

(5) — *DICE Funds.* The city manager shall establish a DICE program fund account whereby applicants may deposit funds in lieu of providing a specific public enhancement where the applicant deems it appropriate. If funds are deposited in lieu of a specific public enhancement, the applicant will still be required demonstrate compliance with the essential nexus and rough proportionality requirements of subsection (4) above. Amounts on deposit in the DICE fund account shall be specifically designated for each project and shall be promptly used by the city for specific public enhancements detailed within the terms of the development agreement. If funds deposited by an applicant/developer are not utilized by the city within five years from the date of deposit, the city shall refund all remaining funds to the applicant/developer upon written request.

[...]

Table 3.6.5(c)(2): CHA-O District Dimensional and Development Standards	
Standard	All Uses
Front yard setback, min. (ft)	15
Side yard setback, min. (ft)	3 [1]
Rear yard setback, min. (ft)	15 [2]
Floor area ratio, max.	0.66 [3]
Building height, max. (ft)	35 [4]
NOTES: ft = feet; min. = minimum; max. = maximum [1] No side setback for properties abutting Maitland Avenue. [2] No rear setback for properties abutting Maitland Avenue or a nonresidential zone district. [3] Floor area ratio restrictions may not be exceeded by the DICE program in the DM district. [4] Height limitations do not apply within the Main Street designation on the FLUM of the comprehensive development plan.	

[...]

4.2.1. General.

[...]

(2) Abbreviations in Principal Use Table.

Table 4.2.2: Principal Use Table, uses the following abbreviations to designate whether and how a principal use is allowed in a particular zone district.

P	A "P" under a base zone district column indicates that the use is allowed as a permitted principal use in the district, subject to any use-specific standards referenced in the right-most column in the row and all other applicable provisions of the LDC.
C	A "C" under a base zone district column indicates that the use is allowable as a principal use in the district only upon approval of a conditional use permit in accordance with Sec. 2.5.1(g), Conditional Use Permit, and subject to any use-specific standards referenced in the right-most column in the row and all other applicable provisions of the LDC.
A	An "A" under the planned development district indicates that the use may be allowed as a part of the PD Concept Plan for a planned development in accordance with Sec. 2.5.1(f), Planned Development, and, as applicable, Sec. 3.5.4, PD: Planned Development District, or Sec. 3.5.5, DM-PD: Downtown Maitland — Planned Development District. <u>An "*" next to an "A" in a PD district represents a prohibition in the Main Street Future Land Use Designation.</u>

[...]

4.2.2. Principal Use Table.

Table 4.2.2: Principal Use Table																
P = Permitted by right		A = Allowed subject to an approved PD Concept Plan														
C = Allowed subject to conditional use permit		Blank cell = Prohibited														
Use Category	Use Type	Residential Districts					Mixed-Use Districts					Non-Res.		Planned Dev.		Use-Specific Standards
		RSF-1	RSF-2	RSF-3	RSF-D	R-MF	MX	WS-NM	WS-RT	DM	GAP	NC	PD	DM-PD		
Household Living	Dwelling, single-family detached	P	P	P	P		P			P			A	A	4.2.4(b)(1)(A)	
	Dwelling, townhouse					P	P	P	P	P			A	A		
	Dwelling, two-family (duplex)				P		P			P			A	A	4.2.4(b)(1)(B)	
	Dwelling, three-family (triplex)					P	P	P	P				A ₋ *		4.2.4(b)(1)(C)	
	Dwelling, four-family (fourplex)					P	P	P	P				A ₋ *		4.2.4(b)(1)(D)	
	Dwelling, multifamily					P	P	P	P	P			A	A	4.2.4(b)(1)(E)	
	Dwelling, live-work							P	P	P		P	A	A	4.2.4(b)(1)(F)	

	Dwelling, unit within professional office building for owner or custodian					C	C						A*		
Group Living	Assisted care community	C	C	C	C	C	C	C	C				A	A	4.2.4(b)(2)(A)
	Foster care home	P	P	P	P	P	P						A*		4.2.4(b)(2)(B)
	Group dwelling or lodging home	C	C	C	C	C	C						A*		
	Group home, small	P	P	P	P	C	P						A*		4.2.4(b)(2)(C)
	Group home, large					C	C								4.2.4(b)(2)(C)
Community Service	Cemetery							C			P				
	Child care center					P	C			C			A	A	
	Community center/civic club					P	P	P	P	P	P		A	A	
	Community service facility					P	C	P	P	C	P		A	A	
	Cultural facility						P	P	P	P	P		A	A	
	Government building					P	P	P	P	P	P		A	A	

	Post office						P	P	P	P			A	A	
	Religious Institution	C	C	C	C	C	C	C	P	C	P		A	A	4.2.4(c)(1)(A)
Education	School, higher education (college or university)					C	C	P	P	C			A	A	
	School, secondary (K-12)	P	P	P	P	P	P	P	P	C	P	P	A	A	
	School, vocational or trade						C	P	P	C			A	A	
Health Care	Clinic and laboratory						P	P	P	P			A	A	
	Hospital							P	P	C			A	A	4.2.4(c)(2)(A)
	Nursing home					C	C	C	P	C			A	A	4.2.4(c)(2)(B)
	Outpatient care facility						P	P	P	P			A	A	
	Pain management clinic							C	P						4.2.4(c)(2)(C)
Parks and Open Space	Arboretum/botanical garden	P	P	P	P	P	P	P	P	C	P		A	A	
	Aviary/bird sanctuary	C	C	C	C	C	C				P		A*		
	Community garden	P	P	P	P	P	P	P	P		P		A	A	

	Park, community	P	P	P	P	P	P	P	P	P	P		A	A	
	Park, neighborhood	P	P	P	P	P	P	P	P	P	P		A	A	
Utility, Transportation , and Communicatio n	Bus or rail terminal, private							P		P	P		A	A	
	Newspaper/periodic al publishing establishment							P	P	P			A	A	
	Park-and-ride lot						C	C	C		P		A*		
	Parking facility, private					C	C	C	C	P	P		A	A	
	Parking facility, public						P	P	P	P	P		A	A	
	Solar energy collection facility, large-scale							C	C		P		A*		
	Television and radio station							P	P	C			A	A	4.2.4(c)(3)(A)
	Transportation terminal and station							P	P	P	P		A	A	
	Utility facility, major	C	C	C	C	P	C	P		P	P		A	A	4.2.4(c)(3)(B)
	Utility facility, minor	P	P	P	P	P	P	P	P	P	P	P	A	A	

	Wireless communication facility/tower (*see Ch. 17.5, Communications, in the City Code)	*	*	*	*	*	*	*	*	*	*	*	*	*	4.2.4(c)(3)(C)
Animal Uses	Animal kennel						P	P		C			A	A	4.2.4(d)(1)(A)
	Veterinary hospital or clinic						P	P	P	P			A	A	4.2.4(d)(1)(B)
Business Support Services	Call center							P	P	P			A	A	
	Conference or training center							P	P	P			A	A	4.2.4(d)(2)(A)
	Employment agency							P	P	P			A	A	
Eating, Drinking, and Entertainment	Bars, taverns, and nightclubs						P	P	P	P		C	A	A	
	Limited service eating and drinking establishments						P	P	P	P	P	P	A	A	
	Microbrewery or microdistillery						P	P	P	P			A	A	4.2.4(d)(3)(A)
	Restaurant, take-out/delivery only						P	P	P	C		P	A	A	

	Restaurant, sit-down						P	P	P	P		P	A	A	
Funeral and Mortuary Services	Crematory						C	C	C				A*		
	Funeral home						P	C	C				A*		
Office	Contractors' office						P	P	P	P			A	A	4.2.4(d)(4)(A)
	General business office					C	P	P	P	P			A	A	
	Professional office					C	P	P	P	P			A	A	
Personal Services	Arts, performing arts, and craft studios						P	P	P	P	P		A	A	
	Beauty salon, barber shop, nail salon						P	P	P	P		P	A	A	
	Interior decorating shop						P	P	P	P				A	
	Laundry or dry cleaning establishment						P	P	P	P		P	A	A	
	Laundry, self-service						P	P	P	C			A	A	
	Lawn care, pool, or pest control service						P	P	P				A*		

	Massage therapy establishment						P	P	P	P			A	A	
	Personal or household goods repair shop						P	P	P	P			A	A	
	Personal training studio						P	P	P	P		P	A	A	
	Print shops, job printing, bindery, silk screening						C	P	P	P			A	A	4.2.4(d)(5)(A)
	Travel agency						P	P	P	P			A	A	
Recreation and Lodging	Arena, stadium, or amphitheater							C	C		P		A*		4.2.4(d)(6)(A)
	Hotel or Motel							P	P	P			A	A	
	Recreation facility, indoor						P	P	P	P			A	A	
	Recreation facility, outdoor						C	C	P	C			A	A	
	Short-term rental unit	P	P	P	P	P	P	P	P	P	P	P	A	A	4.2.4(d)(6)(B)
	Theater							P	P	P	P		A	A	
Retail Sales	Alcoholic beverage retail sales						P	P	P	P			A	A	4.2.4(d)(7)(A)

	Bank or financial institution						P	P	P	P	P		A	A	
	Computer hardware service						P	P	P	P			A	A	
	Consumer goods establishment (10,000 square feet or less)						P	P	P	P	P	P	A	A	
	Consumer goods establishment (more than 10,000 square feet)							P	P	P			A	A	
	Drugstore/pharmacy						C	C	P	C			A	A	4.2.4(d)(7)(B)
	Grocery store and food market						P	P	P	P		P	A	A	
	Shopping center						P	P	P	P			A	A	
Vehicle Sales, Rental, Service, and Repair	Automobile repair and service garage												A*		4.2.4(d)(8)(A)
	Automobile service station							C	C				A	A	4.2.4(d)(8)(B)
	Mobility services						C	C	C	C			A	A	
	Personal vehicle rentals						P	P	P	P			A	A	4.2.4(d)(8)(C)

	Personal vehicle sales												A*		4.2.4(d)(8)(D)
Industrial Service	Educational, scientific, or industrial research or development							P	P						4.2.4(e)(1)(A)
Manufacturing and Production	Manufacturing, assembly or fabrication, light							P	P						4.2.4(e)(2)(A)
Warehouse and Freight Movement Uses	Moving and storage facility												A*		
	Warehouse, distribution												A*		
	Warehouse, storage												A*		

[...]

4.2.4. Standards Specific to Principal Uses.

[...]

(b) *Residential Use Classification.*

(1) *Household Living Uses.*

(A) *Dwelling, Single-Family Detached.*

1. In the DM and ~~DM-PD~~ districts, new single-family detached dwellings are prohibited. Detached single-family dwellings existing prior to June 22, 2020 shall be deemed conforming and shall be allowed to be repaired or remodeled, but not enlarged, notwithstanding the limitations of Section 8.2, Nonconforming Uses, and Section 8.3, Nonconforming Structures.
2. New single-family uses are not permitted in the Corridor District identified in the comprehensive development plan except as part of an approved PD district.

(B) *Dwelling, Two-Family (Duplex).*

1. In the DM and ~~DM-PD~~ districts, new two-family (duplex) dwellings are prohibited. Two-family (duplex) dwellings existing prior to June 22, 2020 shall be deemed conforming and shall be allowed to be repaired or remodeled, but not enlarged, notwithstanding the limitations of Section 8.2, Nonconforming Uses, and Section 8.3, Nonconforming Structures.

[...]

(E) *Dwelling, Multifamily.*

1. In the Corridor District identified in the comprehensive development plan, new multifamily uses are not permitted except as part of an approved PD district.
2. In the DM and ~~DM-PD~~ districts, multifamily dwellings are permitted only in a mixed-use building that has no residential uses on the ground floor and incorporates nonresidential and non-parking uses along at least sixty (60) percent of the ground-floor building frontage along a public right-of way.

[...]

(5) *Personal Services Uses.*

- (A) *Print Shops, Job Printing, Bindery, Silk Screening.* In the DM, ~~DM-PD~~, and MX districts, this use shall only accommodate small- and medium-sized businesses that do not exceed four thousand (4,000) square feet in area, and provide services to individual customers and small businesses. An allowed establishment would typically include not only general printing and copying services, but services that allow individual customers to copy their own documents, mail services like federal express and DHL, and the like. The use shall not include industrial-type printing operations in the DM, ~~DM-PD~~, and MX districts.

[...]

- (C) *Personal Vehicle Rentals.* Personal vehicle rental uses in the DM and ~~DM-PD~~ districts shall comply with the following standards:

1. The only type of vehicles that may be rented at the site shall be automobiles, sport utility vehicles, or minivans. No type of trucks shall be rented or kept on site.

2. Rental vehicles shall be parked and located in an area that is clearly delineated for that purpose, and shall not be parked in any spaces that are used for off-street parking purposes for the uses on the site.
3. There shall be no advertising or other signage placed on the automobiles, sports utility vehicles, or minivans rented at the site.

[...]

4.3.2. Accessory Use and Structure Table.

- (a) *Organization of Accessory Uses and Structures.* The Accessory Use and Structure Table in this subsection lists accessory uses and structures alphabetically.
- (b) *Abbreviations in Accessory Use or Structure Table Cells.* The abbreviations in this subsection apply to Table 4.3.2(e): Accessory Use and Structure Table. Each cell is located at the intersection of a row and a column, which are referenced in each subsection below.

P	A "P" under a base zone district column indicates that the accessory use or structure is allowed by right in the zone district, subject to any use-specific standards referenced in the right-most column in the row and all other applicable regulations of this LDC.
C	A "C" under a base zone district column indicates that the accessory use or structure is allowed in the zone district only on approval of a conditional use permit in accordance with Sec. 2.5.1(g), Conditional Use Permit, and subject to any use-specific standards referenced in the right-most column in the row and all other applicable regulations of this LDC.
A	An "A" under the planned development district indicates that the accessory use or structure use may be allowed as a part of the PD Concept Plan for a planned development in accordance with Sec. 2.5.1(f), Planned Development, and, as applicable, Sec. 3.5.4, PD: Planned Development District, or Sec. 3.5.5, DM-PD: Downtown Maitland — Planned Development District , subject to subject to any use-specific standards referenced in the right-most column in the row and all other applicable regulations of this LDC. An "*" next to an A indicates that the use or structure is prohibited as part of a PD in the <u>Main Street Future Land Use designation.</u>
	A blank cell under a base or the planned development district column indicates that the accessory use or structure is prohibited in the zone district.

[...]

Table 4.3.2(e): Accessory Use and Structure Table

P = Permitted by right

C = Allowed subject to conditional use permit

A = Allowed subject to an approved PD Concept Plan

Blank cell = Prohibited

Accessory Uses and Structures	Residential Districts					Mixed-Use Districts				Non-Res.		Planned Dev.		Use-Specific Standards
	RSF-1	RSF-2	RSF-3	RSF-D	R-MF	MX	WS-NM	WS-RT	DM	GAP	NC	PD	DM-PD	
Air conditioner compressor unit	P	P	P	P	P	P	P	P	P	P	P	A	A	4.3.4(a)
Amateur ham radio antenna	P	P	P	P										4.3.4(b)
Automated teller machine (ATM)						P	P	P	P	P	P	P	A	4.3.4(c)
Automatic car wash							P	P				A ₋ *		
Bicycle parking rack	P	P	P	P	P	P	P	P	P	P	P	A	A	
Boathouse	P	P	P		P							A ₋ *		

Boat dock	P	P	P		P									
Chicken keeping	P	P	P											4.3.4(d)
Childcare, home, five or fewer children	P	P	P	P	C	C								
Childcare, home, six or more children	C	C	C	C	C	C								
Clubhouse, as accessory to a residential development, golf, or tennis facility				P	P	P			P			A	A	
Community garden	P	P	P	P	P	P	P	P	P	P	P	A	A	
Cottage residence	P	P	P	P	P	P	P	P					A	4.3.4(e)
Composting, small-scale	P	P	P	P	P	P	P	P	P	P	P	A	A	
Donation center							P	P						4.3.4(f)
Drive-through facility						P	P	P				A	A	4.3.4(g)
Electric vehicle (EV) level 1 or 2 charging station	P	P	P	P	P	P	P	P	P	P	P	A	A	4.3.4(h)
Electric vehicle (EV) level 3 charging station							P	P	P	P		A	A	4.3.4(h)
Food dispensing vehicle	P	P	P	P	P	P	P	P	P	P		A	A	4.3.4(i)
Garage or carport	P	P	P	P	P	P						A	A	
Green roof	P	P	P	P	P	P	P	P	P	P	P	A	A	

Home garden	P	P	P	P	P	P						A	A	
Home occupation	P	P	P	P		P						A*		4.3.4(j)
Leasing office, as accessory to rental apartment complex					P	P	P	P	P			A	A	4.3.4(k)
Limited fuel/oil/bottled gas distribution							P	P	P		P		A	4.3.4(l)
Minor home structure	P	P	P	P	P	P								
Outdoor display of merchandise, as accessory to a retail sales use						P	P	P	P		P	A	A	4.3.4(m)
Outdoor mechanical equipment, residential	P	P	P	P	P	P								4.3.4(n)
Outdoor seating, as accessory to an eating, drinking, and entertainment use						P	P	P	P		P	A	A	4.3.4(o)
Outdoor storage, as an accessory use							P	P				A*		4.3.4(p)
Parking structure and lot, private, as an accessory use					P	P	P	P	P	P	P	A	A	
Rainwater cistern or barrel	P	P	P	P	P	P	P	P	P	P	P	A	A	4.3.4(q)

Satellite dish, accessory	P	P	P	P	P	P	P	P	P	P	P	P	A	A	4.3.4(r)
Solar energy collection facility, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	A	A	4.3.4(s)
Swimming pool and pool screen enclosure, as accessory to single-family or two-family use	P	P	P	P	P	P							A	A	4.3.4(t)

[...]

(p) *Outdoor Storage, as an Accessory Use.*

- (1) No outdoor storage is allowed for any principal use in the DM district and any DM-PD development.
- (2) In all districts other than the DM or DM-PD districts, outdoor storage areas shall be located to the rear of the development's principal building(s).
- (3) Where an outdoor storage area stores goods intended for sale or resale, such goods shall be limited to those sold on the premise in conjunction with the principal use of the lot.
- (4) Outdoor storage areas for shopping carts shall be located either contiguous to and at the entrance to the building, or in the vehicular parking area if the area set-off for shopping carts is clearly marked and includes an area where the carts may be safely parked and kept.
- (5) Flammable liquids or gases in excess of one hundred (100) gallons shall be stored underground.
- (6) No materials shall be stored in areas intended for vehicular or pedestrian circulation.
- (7) Building materials may only be stored on a lot in a Residential zone district in connection with active construction activities on the lot.

[...]

(c) *Temporary Uses and Structures Table.*

Table 4.4.2(c): Temporary Use and Structure Table															
P = Permitted by right															
S = Permitted with a Special Event Permit															
Blank cell = Prohibited															
Temporary Uses and Structures	Residential Districts					Mixed-Use Districts					Non-Res.		Planned Dev.		Use-Specific Standards
	RSF-1	RSF-2	RSF-3	RSF-D	R-MF	MX	WS-NM	WS-RT	DM	GAP	NC	PD	DM-PD		
Construction-related building, structure, or use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.4(a)
Farmers' market, temporary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	4.4.4(b)
Garage/yard sale	P	P	P	P											4.4.4(c)
Model sales home/unit	P	P	P	P	P	P							P	P	4.4.4(d)
Portable storage	P	P	P	P	P	P	P	P			P	P	P	P	4.4.4(e)
Seasonal Sales						S	S	S	S	S	S	S	S	S	4.4.4(f)
Special event	S	S	S	S	S	S	S	S	S	S	S	S	S	S	4.4.4(g)
Temporary Use of an Accessory Use or Accessory Structure as a	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.4(h)

Principal Dwelling after a Catastrophe														
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

[...]

Table 5.2.5(a): Minimum Number of Off-Street Vehicular Parking Spaces		
Principal Use Category/Type	Standards in all but DM and DM-PD Districts	Standards in DM and DM-PD Districts
<i>Residential</i>		
Household Living		
Dwelling, single-family detached	2/du	2/du
Dwelling, townhouse	1.75/du and 0.1/du for visitors	1/du
Dwelling, two-family (duplex)	2/du	2/du
Dwelling, three-family	5/building	N/A
Dwelling, four-family	7/building	N/A
Dwelling, live-work	1/du	1/du
Dwelling, multifamily	Studio apt: 1/ du Other units: 1.75/du and an additional 0.1/du for visitors	1/du
Dwelling, unit within professional office building for owner or custodian	1/du	N/A
Group Living		
Assisted care community	1/4 beds, and 1/500 sf of office	1/4 beds, and 1/1,000 sf of office
Foster care home	1/bedroom	N/A
Group dwelling or lodging home	1 + 1/guest room	N/A
Group home, small	1/2 beds	N/A
Group home, large		
<i>Public, Civic & Institutional</i>		
Community Service		
Cemetery	1/acre, up to 10 total	N/A
Child care center	1/10 children	1/15 children
Community center/civic club	4/1,000 sf	2/1,000 sf
Community service facility	4/1,000 sf	2/1,000 sf
Cultural facility	3/1,000 sf	1.5/1,000 sf
Government building	3/1,000 sf	1.5/1,000 sf
Post office	1/2 employees, plus 1/office vehicle, plus 4/service window	1/3 employees, plus 1/office vehicle, plus 6/service window
Religious Institution	1/4 seats in auditorium or chapel	1/5 seats in auditorium or chapel
Education		
School, higher education (college or university)	1/2 faculty/FTE, plus 2/1,000 sf classroom and research space	1/3 faculty/FTE, plus 1/1,000 sf classroom and research space

School, secondary (K—12)	K—9 th grades: 1/8 students (design capacity) 10 th —12 th grades: 1/3 students	K—9 th grades: 1/12 students (design capacity) 10 th —12 th grades: 1/3 students
School, vocational or trade	1/2 students, plus 1/employee	1/4 students, plus 0.5/employee
Health Care		
Clinic and laboratory	4/1,000 sf	2/1,000 sf
Hospital	1/4 beds, plus 1/doctor, plus 1/4 other employees	1/6 beds, plus 1/doctor, plus 1/6 other employees
Nursing home	2/1,000 sf	1.5/1,000 sf
Outpatient care facility (including urgent care)	3/1,000 sf	1.5/1,000 sf
Pain management clinic	3/1,000 sf	N/A
Parks and Open Space		
Arboretum/botanical garden	No minimum	No minimum
Aviary/bird sanctuary	No minimum	N/A
Community garden	No minimum	No minimum
Park, neighborhood	No minimum	No minimum
Park, community	No minimum	No minimum
Utility, Transportation, and Communication		
Bus or rail terminal, private	2/1,000 sf office facilities, plus 2.5/1,000 sf passenger waiting area	1/1,000 sf office facilities, plus 1/1,000 sf passenger waiting area
Newspaper/periodical publishing establishment	3/1,000 sf	1.5/1,000 sf
Park-and-ride lot	No minimum	N/A
Parking facility, private	No minimum	No minimum
Parking facility, public	No minimum	No minimum
Solar energy collection facility, large-scale	2/1,000 sf office facilities	N/A
Television and radio station	3/1,000 sf	1.5/1,000 sf
Transportation terminal and station	2/1,000 sf office facilities, plus 2.5/1,000 sf passenger waiting area	1/1,000 sf office facilities, plus 1/1,000 sf passenger waiting area
Utility facility, major	2/1,000 sf office facilities	1/1,000 sf office facilities
Utility facility, minor	No minimum	No minimum
Wireless communication facility/tower	No minimum	No minimum
<i>Commercial</i>		
Animal Uses		
Animal kennel	4/1,000 sf	2/1,000 sf
Veterinary hospital or clinic	3/1,000 sf	1.5/1,000 sf
Business Support Services		
Call center	4/1,000 sf	2/1,000 sf
Conference or training center	4/1,000 sf training or display space, plus 2/1,000 sf office or administrative space	2/1,000 sf training or display space, plus 1/1,000 sf office or administrative space
Employment agency	4/1,000 sf	2/1,000 sf
Eating, Drinking, and Entertainment		
Bars, taverns, and nightclubs	8/1,000 sf seating area	4/1,000 sf seating area

Limited service eating and drinking establishments	1/4 seats [1]	1/6 seats [1]
Microbrewery or micro-distillery	10/1,000 sf seating area	5/1,000 sf seating area
Restaurant, take-out/delivery only	5/1,000 sf	2.5/1,000 sf
Restaurant, sit-down	1/4 seats [1]	1/8 seats [1]
Funeral and Mortuary Services		
Crematory	No minimum	N/A
Funeral home	1/150 sf assembly area	N/A
Office		
Contractors' office	3/1,000 sf	1.5/1,000 sf
General business office	3/1,000 sf	1.5/1,000 sf
Professional office	3/1,000 sf	1.5/1,000 sf
Personal Services		
Arts, performing arts, and craft studios	3/1,000 sf	1.5/1,000 sf
Beauty salon, barber shop, nail salon	2.5/1,000 sf	1.5/1,000 sf
Interior decorating shop	2.5/1,000 sf	1.5/1,000 sf
Laundry or dry cleaning establishment	2/1,000 sf	1.5/1,000 sf
Laundry, self-service	2.5/1,000 sf	1.5/1,000 sf
Lawn care, pool, or pest control service	2.5/1,000 sf	N/A
Massage therapy establishment	3/1,000 sf	1.5/1,000 sf
Personal or household goods repair shop	2.5/1,000 sf	1.5/1,000 sf
Personal training studio	3/1,000 sf	1.5/1,000 sf
Print shops, job printing, bindery, silk screening	2.5/1,000 sf	1.5/1,000 sf
Travel agency	3/1,000 sf	1.5/1,000 sf
Recreation and Tourism		
Arena, stadium, or amphitheater	1/3 seats [1]	N/A
Hotel or Motel	1/guest room, plus 1/2 employees, plus 5/1,000 sf of restaurant space or meeting/ banquet area	0.5/guest room, plus 1/4 employees, plus 2.5/1,000 sf of restaurant space or meeting/ banquet area
Recreation facility, indoor	6/1,000 sf	3/1,000 sf
Recreation facility, outdoor	5/1,000 sf activity area	2.5/1,000 sf activity area
Short-term rental unit	1/2 guests	N/A
Theater	1/4 seats [1]	1/8 seats [1]
Retail Sales		
Alcoholic beverage retail sales	3/1,000 sf	1.5/1,000 sf
Bank or financial institution	2.5/1,000 sf	1.5/1,000 sf
Computer hardware service	3/1,000 sf	1.5/1,000 sf
Consumer goods establishment (10,000 square feet or less)	4/1,000 sf	2/1,000 sf
Consumer goods establishment (more than 10,000 square feet)	3.75/1,000 sf	2/1,000 sf
Drugstore/pharmacy	4/1,000 sf	2/1,000 sf

Grocery store and food market	4/1,000 sf	2/1,000 sf
Shopping center	4/1,000 sf	2/1,000 sf
Vehicle Sale, Rental, Service, and Repair		
Automobile repair and service garages	4/1,000 sf	N/A
Automobile service station	3.5/1,000 sf	N/A
Mobility services	3/1,000 sf office space	3/1,000 sf office space
Personal vehicle rentals	3/1,000 sf	1.5/1,000 sf
Personal vehicle sales	3/1,000 sf	N/A
<i>Light Industrial, Research and Development, and Warehousing</i>		
Industrial Service		
Educational, scientific, or industrial research or development	2/1,000 sf	N/A
Manufacturing or Production		
Manufacturing, assembly or fabrication, light	2/1,000 sf	N/A
Warehouse and Freight Movement Uses		
Moving and storage facility	2/1,000 sf office	N/A
Warehouse, distribution	2/1,000 sf office	N/A
Warehouse, storage	2/1,000 sf up to 5 spaces, plus 0.3/1,000 sf thereafter	N/A
gfa = Gross Floor Area NOTES: [1] If seating is fixed, the number of seats is based on actual number of seats within the use. If seating is not fixed, the number of seats is based on maximum capacity per fire code.		

(b) *Maximum Number of Off-Street Vehicular Parking Spaces.*

- (1) For residential uses in the DM or DM-PD districts and all uses in the NC district, the maximum number of vehicular parking spaces that may be provided is 1.2 times the minimum number of parking spaces required in accordance with Table 5.2.5(a): Minimum Number of Off-Street Vehicular Parking Spaces.
- (2) For non-residential uses in the DM or DM-PD districts, the maximum number of vehicular parking spaces that may be provided is the same as the minimum number of off-street vehicular parking spaces required to be provided outside the DM and DM-PD Districts in accordance with Table 5.2.5(a): Minimum Number of Off-Street Vehicular Parking Spaces. Additional vehicular parking spaces may be provided if all spaces in excess of the maximum are made available for use by the general public.

[...]

Table 5.2.7(a): Bicycle Parking Standards		
Use Categorization	DM, DM-PD, and WS Districts	All Other Districts
Any multifamily residential use	0.2 per dwelling unit (minimum 2)	0.1 per dwelling unit (minimum 2)
All other uses	10 percent of minimum requirement for vehicular parking	4 percent of minimum requirement for vehicular parking spaces in Sec.

	spaces in Sec. 5.2.5, Off-Street Vehicular Parking Standards, including any applicable reductions (minimum 2)	5.2.5, Off-Street Vehicular Parking Standards, including any applicable reductions (minimum 2)
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[...]

5.4.1. Purpose and Intent.

Open space set-asides are intended for the use and enjoyment of a development's residents, employees, or users. Open space set-asides serve numerous purposes, including preserving natural resources, ensuring resident access to open areas and active recreation, reducing the heat island effect of developed areas, providing civic and meeting spaces, enhancing storm water management, and providing other public health benefits.

5.4.2. Applicability.

- (a) *General.* Except as exempted in accordance with subsection (b) below:
 - (1) *New Development.* All new developments shall comply with the standards in this section.
 - (2) *Existing Development.* Any expansion or alteration of development existing prior to March 1, 2022 shall comply with the standards of this section to the maximum extent practicable if the expansion increases the building's floor area by fifty (50) percent or more, or the alteration involves fifty (50) percent or more of the building's floor area (including interior alterations), as measured over any five-year period.
- (b) *Exemptions.* The following development is exempt from the standards in this section:
 - (1) Single-family detached or two-family (duplex) dwellings on individual lots;
 - (2) Utility facility uses; and
 - (3) Development in the Downtown Maitland (DM) and the ~~Downtown Planned Development (DM-PD)~~ districts.

[...]

5.11.1. Multifamily, Townhouse, Three-Family, and Four-Family Form and Design Standards.

- (a) *Purpose and Intent.* The purpose and intent of these multifamily, townhouse, and three- and four-family form and design standards are to:
 - (1) Establish a minimum level of development quality for multifamily, townhouse, and three- and four-family development;
 - (2) Promote greater compatibility between multifamily, townhouse, and three- and four-family development and other allowable uses; and
 - (3) Provide landowners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land.
- (b) *Applicability.*
 - (1) *General.* Unless exempted in accordance with subsection (2) below, the standards of this section shall apply to:
 - (A) All new multifamily, townhouse, and three- and four-family development, unless expressly stated otherwise in the specific standards of this section; and

- (B) Any expansion or alteration of multifamily, townhouse, and three- and four-family development (unless expressly stated otherwise in the specific multifamily form and design standards) that existed prior to March 1, 2022, if the expansion increases the buildings' gross floor area by fifty (50) percent or more, or the alteration involves fifty (50) percent or more of the buildings' gross floor area (including interior alterations).
- (2) *Exemptions.* The standards in this section shall not apply to:
 - (A) Development in the Downtown (DM) and ~~Downtown Planned Development (DM-PD)~~ districts; and
 - (B) Any dwellings located above a nonresidential use.

[...]

5.11.2. Nonresidential and Mixed-Use Form and Design Standards.

- (a) *Purpose and Intent.* The purpose and intent of these nonresidential and mixed-use form and design standards are to ensure a minimum quality of form and design for commercial and mixed-use development outside the Downtown (DM) and Downtown Planned Development (DM-PD) districts. More specifically, the purposes of this section are to:
 - (1) Encourage the establishment of a stronger sense of place with vibrant commercial and mixed-use development;
 - (2) Encourage a more pedestrian-friendly environment through attention to human-scale design and site features to limit large, bulky buildings with few architectural details;
 - (3) Foster greater compatibility between adjacent residential and nonresidential development;
 - (4) Limit the impacts of automobile-oriented development in commercial and mixed-use areas; and
 - (5) Improve the aesthetics of the City.
- (b) *Applicability.*
 - (1) *General.* Unless exempted in accordance with subsection (2) below, the standards in this section shall apply to:
 - (A) All new nonresidential and mixed-use development; and
 - (B) Any expansion or alteration of a nonresidential or mixed-use building that existed prior to March 1, 2022, if the expansion increases the building's gross floor area by fifty (50) percent or more, or the alteration involves fifty (50) percent or more of the building's gross floor area (including interior alterations).
 - (2) *Exemptions.* The standards in this section shall not apply to development in the Downtown (DM) ~~and Downtown Planned Development (DM-PD)~~ districts.

[...]

5.11.3. Large Retail Establishment Form and Design Standards.

- (a) *Applicability.*
 - (1) *General.* Unless exempted in subsection (2) below, in addition to the general nonresidential and mixed-use form and design standards in Sec. 5.11.2, Nonresidential and Mixed-Use Form and Design Standards, single-tenant buildings that have a gross floor area of fifty thousand (50,000) square feet or more and devote sixty (60)

percent or more of the total floor area to retail sales activities shall also comply with the standards in this section. If there is a conflict between these standards and those in Sec. 5.11.2, these standards control.

(2) *Exemptions.* The standards in this section shall not apply to development in the Downtown (DM) ~~and Downtown Planned Development (DM-PD)~~ districts.

(3) *Timing of Review.* Review for compliance with the standards in this section shall occur during review of a development application for a site plan (Sec. 2.5.2(a), Site Plan) or building permit, whichever occurs first.

[...]

5.14.3. Applicability.

(a) *General.*

(1) Except as provided in subsection (b) below, no sign shall be erected, altered, or relocated until a sign permit has been issued in accordance with Sec. 2.5.3(a), Sign Permit, and, if required, a building permit in accordance with subsection (c) below.

(2) A sign lawfully displayed may be repainted, or have ordinary and customary repairs performed, including replacement of plastic or glass panels, without requiring a new sign permit; however, if the sign is to be relocated, increased in sign copy area, or structurally altered in any manner, a new sign permit shall be required and the altered sign shall meet all requirements of this section, this LDC, the City Code, the Florida Building Code, and the MUTCD, if applicable.

(3) A sign permit is not required to change the copy of a sign, as long as the sign copy area is not increased and no changes are made to the sign's height, size, location, structural design, or electrical elements.

(b) *Signs that Do Not Require a Sign Permit.* Signs in Sec. 5.14.6, Permitted Signs, that do not require a sign permit in accordance with Sec. 2.5.3(a), Sign Permit, remain subject to the other requirements of this section and any applicable provisions of the Florida Building Code, including any requirement to receive approval of a building permit. The exemption from the sign permit requirement does not waive any applicable limitation or restriction on the number, size, height, setback, placement, or duration of such signs regulated by this section or any limitation or restriction under any other applicable law or regulation.

(c) *Building Code.* It shall be unlawful for any person or business or the person in charge of the business to erect, construct, alter, or maintain a sign which is required to be constructed, altered, or maintained in accordance with the Florida Building Code, without first obtaining a building permit from the City. The requirement of a building permit under the Florida Building Code is separate and independent of the requirement for a sign permit under this section.

(d) *Development in the WS, ~~DM~~, or ~~DM-PD~~ Districts.* Development in the WS District is subject to the standards of this section to the extent they do not conflict with the standards that apply to development in the WS district in Sec. 3.3.4(e)(15), Signs. Development in the DM ~~or DM-PD~~ District is subject to the standards of this section to the extent they do not conflict with the standards that apply to development in the DM ~~and DM-PD~~ district in Sec. 3.3.5(e)(19), Signs, or the provisions of an adopted PD Plan.

[...]