

## **ORDINANCE 2017-01**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, AMENDING THE TEXT OF ARTICLE FOUR OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR INCLUSION OF THIS ORDINANCE IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Town of White Springs Land Development Regulations, as amended, hereinafter referred to as the Land Development Regulations, empowers the Planning and Zoning Board of the Town of White Springs, Florida, hereinafter referred to as the Planning and Zoning Board, to recommend to the Town Council of the Town of White Springs, Florida, hereinafter referred to as the Town Council, approval or denial of amendments to the Land Development Regulations, in accordance with said regulations; and

**WHEREAS**, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, empowers the Local Planning Agency of the Town of White Springs, Florida, hereinafter referred to as the Local Planning Agency, to recommend to the Town Council, approval or denial of amendments to the Land Development Regulations, in accordance with said statute; and

**WHEREAS**, pursuant to the Land Development Regulations and Section 163.3174, Florida Statutes, as amended, the Planning and Zoning Board, serving as the Local Planning Agency, held the required public hearing, with public notice having been provided, for an amendment to the Land Development Regulations, as described below, and considered all comments received during said public hearing concerning said amendment, as described below; and

**WHEREAS**, the Planning and Zoning Board, serving as the Local Planning Agency, has determined and found that approval of said amendments, as described below, are consistent with the purposes and objectives of the comprehensive plan program and the Comprehensive Plan; and

**WHEREAS**, the Planning and Zoning Board, serving as the Local Planning Agency, has determined and found that approval of said amendments, as described below, will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the Comprehensive Plan; and

**WHEREAS**, the Planning and Zoning Board, serving also as the Local Planning Agency, has recommended to the Town Council that said amendments, described below, be approved; and

**WHEREAS**, the Town Council finds that approval of said amendments, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare,

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, THAT:**

**Section 1.** The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

**Section 2.** The Code of the Town of White Springs is hereby amended by repealing Article Four, Land Development Regulations in its entirety and replacing it with the following:

TOWN OF WHITE SPRINGS

ARTICLE FOUR ZONING REGULATIONS

- SECTION 4.1 ZONING DISTRICTS
- SECTION 4.2 SUPPLEMENTARY DISTRICT REGULATIONS
- SECTION 4.3 “CSV” CONSERVATION
- SECTION 4.4 “ESA” ENVIRONMENTALLY SENSITIVE AREAS
- SECTION 4.5 “A” AGRICULTURAL
- SECTION 4.6 “RSF” RESIDENTIAL, SINGLE FAMILY
- SECTION 4.7 “RSF/MH” RESIDENTIAL (MIXED) SINGLE FAMILY/MOBILE HOME
- SECTION 4.8 “RMH” RESIDENTIAL MOBILE HOME
- SECTION 4.9 “RMH-P” RESIDENTIAL MOBILE HOME PARK
- SECTION 4.10 “RMF” RESIDENTIAL MULTI-FAMILY
- SECTION 4.11 “CN” COMMERCIAL, NEIGHBORHOOD
- SECTION 4.12 “CG” COMMERCIAL, GENERAL
- SECTION 4.13 “C-CBD” COMMERCIAL, CENTRAL BUSINESS DISTRICT
- SECTION 4.14 “I” INDUSTRIAL
- SECTION 4.15 “PRD” PLANNED RESIDENTIAL DEVELOPMENT
- SECTION 4.16 “PS” PUBLIC SERVICE
- SECTION 4.17 “PUD” PLANNED UNIT DEVELOPMENT

## **ARTICLE FOUR ZONING REGULATIONS**

### **SECTION 4.1 ZONING DISTRICTS**

#### **4.1.1. ESTABLISHMENT OF DISTRICTS**

In order to classify, regulate, and restrict the use of land, buildings, and structures; to regulate the area of yards and open spaces about buildings; to regulate the intensity of land use, and to promote orderly growth within areas subject to these land development regulations, the following zoning districts are established:

CSV	Conservation
ESA	Environmentally Sensitive Areas
A	Agricultural
RSF-1,2,3	Residential, Single Family
RSF/MH-1,2,3	Residential, (Mixed) Single Family/Mobile Home
RMH-1,2,3	Residential, Mobile Home
RMH-P	Residential, Mobile Home Park
RMF-1,2	Residential, Multi-Family
CN	Commercial, Neighborhood
CG	Commercial, General
C-CBD	Commercial, Central Business District
I	Industrial
PRD	Planned Residential Development
PS	Public Service
PUD	Planned Unit Development

#### **4.1.2. OFFICIAL ZONING ATLAS**

The land areas subject to these land development regulations are hereby divided into zoning districts as set out in this Article above and as shown on the Official Zoning Atlas of the Town. The Official Zoning Atlas, which may consist of one (1) or more maps, together with all explanatory material shown therein is hereby adopted by reference and declared to be part of these land development regulations. The Official Zoning Atlas is and shall remain on file in the office of the Land Development Regulation Administrator.

If, in accordance with the provisions of these land development regulations, changes are made in district boundaries or other subject matter portrayed on the Official Zoning Atlas

by the Land Development Regulation Administrator, such changes shall be made on the Official Zoning Atlas promptly after the amendment has been adopted.

All changes made on the Official Zoning Atlas or matter shown thereon shall be in conformity with the procedures set forth in these land development regulations.

The Official Zoning Atlas, which shall be located in a designated place easily accessible to the public, shall be the final authority as to the current zoning status of land and water areas, as well as, buildings and other structures in areas subject to these land development regulations.

Prior zoning atlases or remaining portions thereof, which have had the force and effect of official zoning maps or atlases for areas subject to these land development regulations, shall be retained as a public record and as a guide to the historical zoning of land and water areas.

#### **4.1.3. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES**

4.1.3.1. District regulations extend to all portions of districts surrounded by boundaries. Except as otherwise specifically provided, district symbols or names shown within district boundaries on the Official Zoning Atlas indicate that district regulations pertaining to the district extend throughout the entire area surrounded by the boundary line.

4.1.3.2. Rules where uncertainty exists. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Atlas, the following rules shall apply:

1. Centerlines. Boundaries shown as approximately following the centerlines of dedicated streets, highways, alleys, or rights-of-way shall be construed as following such center lines as they exist on the ground, except where variation of actual location from mapped location would change the zoning status of a lot or parcel, in which case the boundary shall be interpreted in such a manner as to avoid changing the zoning status of any lot or parcel. In case of a street vacation, the boundary shall be construed as remaining in its location except where ownership of the vacated street is divided other than at its center, in which case the boundary shall be construed as moving with the ownership.

2. Lot lines. Boundaries shown as approximately following lot lines or public property lines shall be construed as following such lines; provided, however, that where such boundaries are adjacent to a dedicated street, alley, highway, or right-of-way and the zoning status of the street, highway, alley, or right-of-way is not indicated, the boundaries shall be construed as running to the middle of the street, highway, alley, or right-of-way. In the event of street vacation, interpretation shall be as provided in (1) above.

3. Town. Boundaries shown as approximately following Town limits shall be construed to follow such Town limits.
  4. Railroad tracks. Boundaries shown as following railroad tracks shall be construed to be midway between the main tracks.
  5. Mean high water lines; centerlines of streams, canals, lakes, or other bodies of water. Boundaries indicated as following mean high water lines or centerlines of streams, canals, lakes, or other bodies of water shall be construed as following such mean high water lines or centerlines. In case of a change in mean high water line, or of the course or extent of bodies of water, the boundaries shall be construed to move with the change, except where such move would change the zoning status of a lot or parcel. In such case, the boundary shall be interpreted in a manner as to avoid changing the zoning status of any lot or parcel.
  6. Body of water. Boundaries shown as entering any body of water but not continuing to intersection with other zoning boundaries or with the limits of jurisdiction of the Town shall be construed to continue in the direction in which they enter the body of water and intersection with another zoning boundary or with the limits of jurisdiction of the Town.
  7. Boundaries parallel. Boundaries shown as parallel to or extensions of features indicated in (1) through (6) above shall be construed to be parallel to or extensions of such features.
  8. Measurement of district boundaries. Distances not specifically shown on the Official Zoning Atlas shall be determined by the scale of the map showing the property in question.
- 4.1.3.3. Cases not covered by Section 4.1.3.2. In cases not covered by Section 4.1.3.2 above, the Land Development Regulation Administrator shall interpret the Official Zoning Atlas in accord with the intent and purpose of these land development regulations. Appeal from the interpretation of the Land Development Regulation Administrator shall be only to the Board of Adjustment in conformity with Article 12 of these land development regulations.

#### **4.1.4. SCHEDULE OF DISTRICT REGULATIONS**

The restrictions and controls intended to regulate development in each zoning district are set forth in the Schedule of District Regulations within this Article and are supplemented by Section 4.2, Supplementary District Regulations and Section 2.3, Nonconformities.

#### **4.1.5. APPLICATION OF DISTRICT REGULATIONS**

The regulations, set by these land development regulations, within each district shall be minimum or maximum limitations, as appropriate to the use, and shall apply uniformly to each class or kind of structure, use, land, or water. Except as hereinafter provided:

4.1.5.1. Zoning affects use or occupancy. No structure, land, or water shall hereafter be used or occupied, and no structure or part thereof shall hereafter be erected, constructed, reconstructed, located, moved, or structurally altered except in conformity with the regulations specified in these land development regulations for the district in which it is located.

4.1.5.2. Zoning affects height of structures, population density, lot coverage, yards, and open spaces. No structure shall hereafter be erected or altered:

1. To exceed height, bulk, or floor area;
2. To provide a greater number of dwelling units per acre;
3. To provide less lot area per dwelling unit or to occupy a smaller lot; or
4. To occupy a greater percentage of lot area; or to provide narrower or smaller yards, courts, or open spaces; or lesser separation between buildings or structures or portions of buildings or structures, than herein required; or in any other manner contrary to the provisions of these land development regulations.

4.1.5.3. Multiple use of required space prohibited. No part of a required yard or other required open space, or off-street parking or off-street loading space, provided in connection with one (I) structure or use shall be included as meeting the requirements for any other structure or use, except where specific provision is made in these land development regulations.

4.1.5.4. Reduction of lot area prohibited. No lot or yard existing at the effective date of these land development regulations shall thereafter be reduced in dimension or area below the minimum requirements set forth herein, except by reason of a portion being acquired for public use in any manner such as dedication, condemnation or purchase. Lots or yards created after the effective date of these land development regulations shall meet at least the minimum requirements established by these land development regulations.

#### **4.1.6. DEFINITIONS OF GROUPINGS OF VARIOUS DISTRICTS**

Where the phrases "all conservation districts", "conservation districts", "zoned conservation", "conservation zone", or phraseology of similar intent are used in these land development regulations, the phrases shall be construed to include the following district:

CSV Conservation

Where the phrases "all environmentally sensitive area districts", "environmentally sensitive area districts", "zoned environmentally sensitive area", "environmentally sensitive area zone", or phraseology of similar intent are used in these land development regulations, the phrases shall be construed to include the following district:

ESA Environmentally Sensitive Areas

Where the phrases "all agricultural districts", "agricultural districts", "zoned agriculturally", "agricultural zone", "agriculturally zoned", or phraseology of similar intent are used in these land development regulations, the phrases shall be construed to include the following district:

A Agricultural

Where the phrases "one (1) family residential districts", "one (1) family residential district", "zoned for one (1) family residential purposes", or phraseology of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

- RSF-1,2,3 Residential, Single Family
- RSF/MH-1,2,3 Residential, (Mixed) Single Family/Mobile Home
- RMH-1,2,3 Residential, Mobile Home

Where the phrases "all residential districts", "residential district", "zoned residentially", "residentially zoned", "zoned for residential purposes" or phraseology of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

- RSF-1,2,3 Residential, Single Family
- RSF/MH-1,2,3 Residential, (Mixed) Single Family/Mobile Home
- RMH-1,2,3 Residential, Mobile Home
- RMH-P Residential, Mobile Home Park
- RMF-1,2 Residential, Multi-family

Where the phrases "commercial districts", "zoned commercially", "commercially zoned", "commercial zoning", or phrases of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

- CN Commercial, Neighborhood
- CG Commercial, General
- C-CBD Commercial, Central Business District

Where the phrases "industrial districts", "zoned industrially", "industrially zoned", "industrial zoned", or phraseology of similar intent, are used in these land development regulations, the phrases shall be construed to include the following districts:

I Industrial

Where the phrases "planned residential development", "zoned for planned residential development" or phrases of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

PRD Planned Residential Development

Where the phrases "public services", "zoned for public services" or phrases of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

PS Public Services

Where the phrases "planned unit development", "zoned for planned unit development" or phrases of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

PUD Planned Unit Development

## **SECTION 4.2 SUPPLEMENTARY DISTRICT REGULATIONS**

### **4.2.1 SCOPE**

Provisions set forth in this Section apply to all areas subject to these land development regulations, and all zoning districts therein, unless exceptions are specifically provided relating to one (1) or more zoning districts, or except as otherwise provided in these land development regulations.

### **4.2.2 ACCESSIBILITY FOR THE PHYSICALLY DISABLED OR HANDICAPPED**

The public interest, welfare, and safety requires that buildings and uses erected after the effective date of these land development regulations shall be accessible to the physically disabled and handicapped, in conformance with the Americans with Disabilities Act of 1990 (ADA), as amended.

4.2.2.1 Application. The requirements of Section 4.2 shall apply to all levels and areas of buildings and uses, and to all types of uses, with the exceptions that one (1) family and two (2) family (duplex) dwellings are exempted from these requirements.

#### 4.2.2.2 Requirements for access to buildings and uses.

1. Accessibility to buildings and uses shall be provided from rights-of-way and parking areas by means of a pathway leading to at least one (1) entrance generally used by the public. Such pathway shall have been cleared of all obstructions related to construction activity, prior to the opening of the building to the general public. Where curbs exist along such pathway, as between a parking lot surface and a sidewalk surface, inclined curb approaches or curb cuts having a gradient of not more than one (1) foot in twelve (12) feet and a width of not less than four (4) feet shall be provided for access by wheelchairs.
2. Except as otherwise specified herein, required off-street parking areas shall have off-street parking space reserved for the physically handicapped. (see Section 4.2.15.5, Off-street Parking: Handicapped Parking Spaces, for the number, dimensions, and other requirements for handicapped parking spaces).

#### 4.2.3 ACCESS CONTROL

In order to provide ease and convenience in ingress and egress to private property, but more importantly to provide the maximum safety with the least interference to the traffic flow on public streets, the number and location of curb breaks shall be regulated relative to the intensity or size of the property served and the amount of frontage which that property has on a given street.

Further, for roadways which are part of the State of Florida highway system the number and location of curb breaks shall be in conformance with Chapter 14-96 and 14-97, rules of the Florida Department of Transportation and the Departments Access Management Manual.

Access for roadways, which are part of the Florida Intrastate Highway System, shall be as required by the Florida Department of Transportation's Access Management manual, for such intrastate highways.

4.2.3.1 Number and location of curb breaks. A curb break is a driveway or any other point of access or opening for vehicles onto a public street. The number and location of curb breaks shall be regulated as follows:

1. One (1) curb break shall be permitted for ingress and egress purposes to a single property or development.

2. Two (2) curb breaks entering on a particular street from a single property or development may be permitted if all other requirements of this Section are met and if the minimum distance between the two curb breaks equals or exceeds twenty (20) feet.
3. Three (3) curb breaks entering on a particular street from a single property or development may be permitted if all other requirements of this Section are met and if the minimum distance between adjacent curb breaks equals or exceeds one hundred (100) feet.
4. More than three (3) curb breaks entering on a particular street will be permitted from a single property or development where the minimum distance between adjacent curb breaks equals or exceeds one thousand (1,000) feet.

4.2.3.2 Width of curb break.

1. The width of a curb break shall be within the minimum and maximum limits as specified below:

<u>LOCATION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Residential	12 feet	24 feet
Planned shopping centers, industrial developments, multi-family developments (with parking for 300 or more vehicles)	24 feet	60 feet
All other uses:		
One-way	12 feet	24 feet
Two-way	24 feet	40 feet

2. All curb break widths shall be measured at the street right-of-way line.
3. In no case shall a curb break width be less than twelve (12) feet.

4.2.3.3 Areas of limited street improvements.

1. No curb break shall be constructed in the radius return (curved arc between intersecting street pavements) of an intersection.
2. No curb break shall be constructed nearer than ten (10) feet from the intersection of street right-of-way lines.

3. No curb break shall be constructed nearer than five (5) feet from any interior property line.
4. To prevent vehicle overhang on private property in the vicinity of curb breaks, off-street parking areas, and off-street loading areas, a six (6) inch raised curb and/or parking stops shall be constructed a minimum distance of three (3) feet inside the street right-of-way line or property line.
5. No curb break shall be permitted to include any public facility such as traffic signal standards, catch basins, fire hydrants, utility poles, fire alarm supports, or other similar type structures.

4.2.3.4 Curb break permit. No curb break shall be established or altered without a permit issued by the Land Development Regulation Administrator.

#### **4.2.4 ACCESSORY USES AND STRUCTURES**

Unless otherwise provided in these land development regulations, in all districts accessory uses and structures shall not be located in required front, side, or waterfront yards but may be located in rear yards not less than ten (10) feet from the rear lot line; provided, however, (1) structures used for water related activities such as boat docks, boat houses, and similar uses may be located anywhere in a required waterfront yard; (2) fences walls and hedges to be located as provided within these land development regulations are permitted within the required yard; and (3) moveable structures, such as portable tool sheds, may be located within the required rear or side yard unless an easement is provided within said yard. No separate accessory building shall be located within five (5) feet of any building.

#### **4.2.5 ALCOHOLIC BEVERAGES**

Throughout the Land Development Regulations there are indications that the sale of alcoholic beverages is permitted in various zoning district shall not in any way be deemed to limit, qualify, or repeal any other local regulations, including the provision of distance requirements for the location of an establishment which serves or sells alcoholic beverages for on or off site consumption, as required within the Town's Code of Ordinances, or regulations of the State of Florida relating to the licensing, dispensing, or sale of such beverages or the location of alcoholic beverage establishments. Where applicable and appropriate to the context, definitions and provisions as set forth within F.S. Chs. 561-569, shall be used in conjunction with these terms and the requirements of the Land Development Regulations. Said uses are subject to a distance separation of 200 feet from all schools, churches, and parks from main entrance to main entrance.

In the event a prospective business is unable to meet the distance separation requirement; the owner must file an application for a variance with the Town's Board of Adjustments. It should be noted that Adult Entertainment Businesses are prohibited to sell or serve all forms of alcoholic beverages in the Town of White Springs.

#### **4.2.6 AUTOMOTIVE SERVICE AND SELF-SERVICE STATIONS**

The following regulations shall apply to the location, design, construction, operation, and maintenance of automotive service and self-service stations (with the exception that for automobile self-service stations where self-service gasoline pumps in conjunction with retail and commercial outlets for sale of food, hardware and drugs, there shall be no outside sales of oil, grease, parts or accessories for automobiles and no service except for self-service water, air or carwash).

- 4.2.6.1 Lot dimensions and area. An automotive service station lot shall be of adequate width and depth to meet all setback requirements, but in no case, shall a corner lot have less than one hundred fifty (150) feet of frontage on each street side, and an interior lot shall have a minimum width of at least one hundred fifty (150) feet. A corner lot shall have a minimum area of not less than twenty thousand (20,000) square feet and an interior lot a minimum area of not less than fifteen thousand (15,000) square feet.
- 4.2.6.2 Lighting. (1) All outdoor lights and lighting used to light the general area of an automotive service station shall be shielded to reduce glare and shall be so arranged so as to reflect lights away from all adjacent residential districts, adjacent residences or public thoroughfares; (2) All lighting used for external illumination of buildings, so as to feature said buildings, shall be placed and shielded so as not to interfere with the vision of motor vehicle operators or pedestrians.
- 4.2.6.3 Location of pumps and structures. No main or accessory building, no sign of any type, and no gasoline pump shall be located within twenty-five (25) feet of the lot line of any property that is zoned for residential purposes. No gasoline pump shall be located within fifteen (15) feet of any street right-of-way line; where a greater street setback line has been established, no gasoline pump shall be located within fifteen (15) feet of such setback line.
- 4.2.6.4 Curb breaks. A curb break is a driveway or any other point of access or opening for vehicles onto a public street. The number of curb breaks for each automotive service station shall not exceed two (2) for each one hundred fifty (150) feet of street frontage, each break having a width of no more than thirty (30) feet exclusive of transitions and located not closer than fifteen (15) feet of right-of-way lines of any intersection. Curb breaks shall not be closer than fifteen (15) feet to any other property line. There shall be a minimum distance of twenty (20) feet between curb breaks.
- 4.2.6.5 Trash storage. Adequate, enclosed trash storage facilities shall be provided on the site.

#### **4.2.7 ERECTION OF MORE THAN ONE PRINCIPAL STRUCTURE ON A PLATTED LOT**

Whenever any land is subdivided, a building permit for the construction of a building or other principal structure (excluding commercial buildings under common ownership or unified control) shall not be issued for any such structure on less than a lot as platted within such subdivided land.

#### **4.2.8 FUTURE LAND USE PLAN AMENDMENT FOR PUBLIC BUILDINGS AND FACILITIES**

Public buildings and facilities, which do not meet the definition of "essential services" as stated in Article 14 of these land development regulations, shall require an amendment to the Future Land Use Plan Map of the Town's Comprehensive Plan to "Public Land Use", prior to consideration for approval as a special exception.

Upon amendment to the Town's Comprehensive Plan public schools shall not require an amendment to the Future Land Use Plan Map prior to commencement of construction of a public school. Although, the location of such public schools shall be restricted to those zoning districts which permit such uses. A site plan conforming to the provisions of these land development regulations shall be submitted prior to commencement of construction for a public school in accordance with the procedures described in these land development regulations. The overall layout and site design of the school shall conform with the provisions of these land development regulations.

#### **4.2.9 EXCLUSIONS FROM HEIGHT LIMITATIONS**

Except as provided in in other areas of the Land Development Regulations and Code of Ordinances, no buildings or structures shall be constructed in excess of the maximum height as specified in the Schedule of Area, Height, Bulk and Placement Standards table at the end of Article 4. The height limitations contained in the Land Development Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shaft enclosures, airport control towers, observation towers, or other appurtenances usually required to be placed above the roof level and, excepting airport control towers and observation towers, not intended for human occupancy; however, the heights of these structures or appurtenances thereto shall not exceed any height limitations prescribed by the Federal Aviation Agency (FAA) or airport zoning regulations within the flight-approach zone of airports.

#### **4.2.10 FENCES, WALLS, AND HEDGES**

Notwithstanding other provisions of these land development regulations, fences, walls, and hedges may be permitted in any required yard or along the edge of any yard; provided that no solid fence, solid wall, or hedge located within the required front yard shall constitute

an obstruction to visibility between two and one half (2-1/2) and six (6) feet above the centerline grade of the adjacent street.

#### **4.2.11 LANDSCAPED BUFFER AREAS**

The use of properly planted and maintained buffer areas may reduce and ease potential incompatibility between or among different uses of land in proximity to each other.

4.2.11.1 Requirements. Where these land development regulations require a landscaped buffer area, the following requirements shall be met:

1. The landscaped buffer area width shall be measured at right angles to property lines and shall be established along the entire length of and contiguous to the designated property line or lines.
2. The area shall be so designed, planted, and maintained as to be eighty percent (80%) or more opaque between two (2) and six (6) feet above average ground level when viewed horizontally; provided, however, that plantings located in the required front yard shall not exceed two and one-half (2 ½) ft. in height.
3. Types and numbers of plantings for landscaped buffers shall be submitted with application for building permit. No building permit shall be issued without such data, where these land development regulations require a landscaped buffer area or areas.
4. Plantings shall be of a size and type which will insure the meeting of the eighty (80) percent opacity requirement within no longer than thirty (30) months of the date of first planting. Where questions may arise as to the suitability of proposed plant materials to meet this requirement, final determination of suitability shall be made by the Land Development Regulation Administrator.
5. The remainder of the required landscaped buffer area not covered by planting shall be landscaped with grass, ground cover, or other landscape treatment; except as otherwise provided herein, structures including buildings and off-street parking and loading areas shall not be located in any required landscaped buffer area.
6. The landscaped buffer area shall be maintained by the property owner and successors and continued so long as the main use continues. Failure to maintain the landscaped buffer area as set out above shall be a violation of these land development regulations.

4.2.11.2 Substitution for landscaped buffer area. Except when otherwise specifically provided by these land development regulations, a six (6) foot high masonry or wood opaque structure may be substituted for the six (6) foot high, planted buffer within these supplementary regulations; provided, however, that where the

masonry or wood opaque structure is located in the required front yard, it shall not exceed two and one-half (2 1/2) feet in height.

- 4.2.11.3 Waiver by Land Development Regulation Administrator. When the Land Development Regulation Administrator finds that the public safety requires, he or she may waive or modify the buffer requirements set out in Section 4.2 at street and alley frontages adjacent to any entrance; the finding of the Land Development Regulation Administrator shall be in writing and shall be filed with the approved building permit. The finding shall demonstrate that the buffer is not required for a certain number of feet back from the street or alley entrance in order to afford protection to pedestrian or vehicular traffic entering or leaving the lot on which the landscaped buffer area is required by these land development regulations.
- 4.2.11.4 Waiver by Board of Adjustment. Where by the terms of these land development regulations a non-residential use is required to provide a landscaped buffer along a property line which is contiguous to another non-residential use, the Board of Adjustment may waive the landscaped buffer requirements if evidence is presented to the Board that the buffer will serve no useful purpose. Such evidence shall be heard in the same manner as a request for other variances, and adjoining property owners must be notified in writing of the Board of Adjustment meeting when the request will be heard.
- 4.2.11.5 Application where these land development regulations set out different requirements. In those instances, where these land development regulations set out a different buffering requirement (e.g., greater height of landscaped buffer, or a different type of buffer), then the specific provisions of these land development regulations applicable to the particular type of use shall govern.

#### **4.2.12 MINIMUM LIVING AREA**

The Board of Adjustment may waive the minimum living area requirements if evidence is presented to the Board of Adjustment that such a waiver will not adversely affect the public interest or the character of the surrounding neighborhood. Such evidence shall be heard in the same manner as other variances, and each meeting will adhere to public noticing requirements. All dwellings shall be constructed in accordance with the Florida Building Code.

#### **4.2.13 MOBILE HOME - REPLACEMENT OF EXISTING MOBILE HOMES**

For the purposes of these land development regulations, the phrase “existing Mobile homes” shall mean Mobile homes which existed as of the effective date of adoption or amendment of these land development regulations. In those districts which do not permit the erection of new Mobile homes but do permit existing Mobile homes as a principal use, such existing Mobile homes may be removed and replaced by another mobile home, provided:

1. That a period of not greater than six (6) consecutive months elapses between the removal of one (1) mobile home and the erection of another mobile home; and
2. Where a mobile home is removed and is not replaced for a period greater than six (6) consecutive months for any reason (except where governmental action impedes access to the premises), such mobile home shall not be replaced and any subsequent use shall conform to the regulations for the district in which the use is located.

#### **4.2.14 MOVING OF BUILDINGS AND STRUCTURES**

No building or structure shall be moved from one (1) lot to another lot, or moved to another location on the same lot, unless such building or structure shall thereafter conform to all of the applicable provisions of these land development regulations and to all other regulations and ordinances of the Town.

#### **4.2.15 OFF-STREET PARKING AND LOADING**

It is the intent of these land development regulations that the public interest, welfare, and safety requires that buildings and uses erected after the effective date of these land development regulations shall be provided with adequate off-street parking facilities (including in certain specified cases, off-street parking facilities for the handicapped) for the use of occupants, employees, visitors, customers, or patrons. It is also the intent of these land development regulations that the public interest, welfare, and safety require that certain uses provide adequate off-street loading facilities. Such off-street parking and off-street loading facilities shall be maintained and continued so long as the main use continues. (For definitions of "loading space, off-street", "parking space, handicapped", and "parking space, off-street", see Definitions, Section 2.1)

##### **4.2.15.1 Off-street parking and off-street loading: General.**

1. Off-street parking and loading facilities shall be provided as set out in these land development regulations. Conforming buildings and uses existing as of the effective date of these land development regulations may be modernized, altered, or repaired without providing additional off-street parking or off-street loading facilities, providing there is no increase in floor area or capacity.
2. Where a conforming building or use existed as of the effective date of these land development regulations and such building or use is enlarged in floor area, volume, capacity, or space occupied, off-street parking and off-street loading as specified in these land development regulations shall be provided for the additional floor area, volume, capacity, or space so created or used.

3. Change in use of a building or use existing as of the effective date of these land development regulations shall require additional off-street parking and/or off-street loading facilities to the extent that the use shall provide additional parking spaces and/or off-street loading facilities amounting to the difference between the required number of parking spaces and/or off-street loading facilities for the new use and the required number of parking spaces for the previous use.
4. The design, construction, and arrangement regulations herein set out for off-street parking and off-street loading facilities do not apply to one (1) and two (2) family (duplex) dwellings.
5. Required off-street parking areas shall not be used for sales or display, dead storage, repair, dismantling, or servicing of any type or kind, nor shall areas devoted to such activities count as meeting off-street parking requirements.
6. Unless otherwise specified and subject to meeting required landscaped buffer requirements, all required yards may be used for off-street parking.

4.2.15.2 Off-street parking and off-street loading facilities: Identification, Surfacing, Drainage, Lighting, Access. The required off-street parking and off-street loading facilities shall be:

1. Identified as to purpose and location when not clearly evident.
2. Surfaced with one and one-quarter (1 ¼) inch of super-pave asphaltic concrete surface course or crushed rock as approved as meeting standards established by the Town and maintained in a smooth, well-graded condition. Up to one-third (1/3) of the required driveways, access aisles, and parking spaces may be surfaced with grass or lawn in Commercial Neighborhood Districts. Driveways, access aisles, and parking spaces for public schools, private schools, and churches may be surfaced with grass or lawn).

4.2.15.3 Off-street parking: Location. The required off-street parking facilities shall be located on the same lot or parcel of land they are intended to serve, provided, however, that the Board of Adjustment may allow the establishment of such off-street parking facilities within three hundred (300) feet of the premises they are intended to serve when: (1) practical difficulties prevent the placing of the facilities on the same lot as the premises they are designed to serve; (2) the owner of the said parking area shall enter into a written agreement with the Town with enforcement running to the Town providing that the land comprising

the parking area shall never be disposed of except in conjunction with the sale of the building which the parking area serves so long as the facilities are required; and (3) the owner agrees to bear the expense of recording the agreement and agrees that the agreement shall be voided by the Town if other off-street facilities are provided in accord with these land development regulations.

- 4.2.15.4 Off-street parking: Dimensional Standards. Each off-street parking space, with the exception of handicapped parking spaces, shall be a minimum of ten (10) feet by twenty (20) feet in size.

Minimum drive aisle width shall be as follows:

Angle of Parking	Aisle Width	
	One Way	Two Way
Parallel	12 ft.	20 ft.
30°	12 ft.	22 ft.
45°	12 ft.	22 ft.
60°	18 ft.	24 ft.
90°	22 ft.	24 ft.

For purposes of rough computation, an off-street parking space and necessary access and maneuvering room may be estimated at three hundred (300) square feet. However, off-street parking requirements will be considered to be met only where actual spaces meeting the requirements above are provided and maintained, improved in the manner required by these land development regulations, and in accordance with all ordinances and regulations of the Town.

- 4.2.15.5 Off-street parking: Handicapped Parking Spaces. Except as otherwise specified herein, required off-street parking areas shall have a number of level parking spaces, as set forth in the following table, identified by above-grade signs as being reserved for physically handicapped persons. Each parking space so reserved shall be not less than twelve (12) feet in width and twenty (20) feet in length.

Parking Spaces for Handicapped

Total Spaces in Lot	Required Number of Required Spaces
up to 25	1

26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
over 1,000	20 plus 1 for each 100 over 1,000

Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, walkways, and entrances. These parking spaces should be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach entrances, ramps, walkways, and elevators. (See Section 4.2.2 for additional provisions regarding accessibility for physically handicapped persons.)

4.2.15.6 Off-street parking: Plans Required. A plan shall be submitted with every application for a building permit for any building or use that is required to provide off-street parking. The plan shall accurately designate the required parking spaces, access aisles, and driveways, and the relation of the off-street parking facilities to the uses or structures such facilities are designed to serve.

4.2.15.7 Off-street parking: Combined Off-street Parking. Two (2) or more owners or operators of buildings or uses requiring off-street parking facilities may make collective provision for such facilities, provided that the total of such parking spaces when combined or used together shall not be less than the sum of the requirements computed separately. Any arrangement for combined off-street parking shall be subject to the filing of a legal instrument satisfactory to the Town Attorney insuring that such off-street parking will be maintained in the future so long as a use or uses requiring such off-street parking continue.

No part of an off-street parking area required for any building or use shall be included as a part of an off-street parking area similarly required for another

building or use unless the Board of Adjustment shall find that the type of use indicates that the period of usage will not overlap or be concurrent with each other.

- 4.2.15.8 Off-street parking: Fractional Measurements. When units or measurements determining number of required off-street parking spaces result in requirement of a fractional space, then such fraction equal or greater than one half (1/2) shall require a full off-street parking space.
- 4.2.15.9 Off-street parking: Minimum Requirement. Irrespective of any other requirement of these land development regulations, each and every separate individual store, office, or other business shall be provided with at least one (1) off-street parking space, unless specific provision to the contrary is made herein.
- 4.2.15.10 Off-street parking: Landscaping Requirements. Wherever in any zoning district off-street parking facilities are provided, such off-street parking facilities shall conform to the minimum landscaping requirements set forth in this section, except that one (1) family and two (2) family (duplex) residential dwellings and multi-level parking structures shall be exempt from such requirements.
1. Except as otherwise noted herein, a minimum of ten percent (10%) of any off-street parking area shall be landscaped with grass, plants, shrubs, and/or trees. Required landscaping may, in part, be located around the periphery of the off-street parking area; however, where possible a portion of the required landscaping shall also be located within the interior of the off-street parking area and shall be located in such a manner as to divide and break up the expanse of paving and guide traffic flow and direction.
  2. Each separate landscaped area shall contain a minimum of fifty (50) square feet and shall have a minimum dimension of at least three (3) feet, and shall include at least one (1) tree, with the remaining area adequately landscaped with shrubs, ground cover, or other landscaping material.
  3. The total number of trees shall not be less than one (1) for each two hundred (200) square feet or fraction thereof of required landscaping. Trees shall be a minimum of four (4) feet overall height and 4" in diameter at breast height (DBH) immediately after planting. Trees shall not be planted closer than six (6) feet to any public street or other public works, unless the tree root system is completely contained within a barrier for which the minimum interior dimensions shall be five (5) feet square and five (5) feet deep, and for which the construction requirements shall be four (4) inch thick concrete reinforced with #6 road mesh (6 x 6 x 6) or equivalent.

4. Required landscaped areas shall be maintained by the property owner and continued so long as the main use continues. Failure to maintain required landscaped area shall be a violation of these land development regulations.
5. See also Section 4.2.24. Visibility at Intersections and Curb Breaks.

4.2.15.11 Off-street loading: Specifications Amounts. Off-street loading facilities are required by these land development regulations so that vehicles engaged in unloading will not encroach on or interfere with public use of streets and alleys by pedestrians and so that goods, materials, or things for delivery and shipping. Off-street loading facilities supplied to meet the needs of one (1) use may not be considered as meeting the needs of another use. Off-street parking facilities may not be used or counted as meeting off-street loading requirements. When the use of a structure or land or any part thereof is changed to a use requiring off-street loading facilities, the full amount of off-street loading space required shall be supplied and maintained. When any structure is enlarged or any use extended so that the size of the resulting occupancy requires off-street loading space, the full amount of such space shall be supplied and maintained for the structure or use in its enlarged or extended size.

Each off-street loading space shall be directly accessible from a street or alley without crossing or entering any other required off-street loading space. Such loading space shall be arranged for convenient and safe ingress and egress by motor truck and/or trailer combination.

4.2.15.12 Off-street loading: Dimensional Standards. Each off-street loading space shall have clear horizontal dimensions of twelve (12) feet by thirty (30) feet exclusive of platforms and piers and a clear vertical dimension of fourteen (14) feet.

4.2.15.13 Off-street loading: Plans Required. A plan shall be submitted with every application for a building permit for any use or structure required to provide off-street loading facilities. The plan shall accurately designate the required off-street loading spaces, access thereto, dimensions, and clearance.

4.2.15.14 Off-street loading: Combined off-street loading. Collective, joint, or combined provisions for off-street loading facilities for two (2) or more buildings or uses may be made, provided that such off-street loading facilities are equal in size and capacity to the combined requirements of the several buildings or uses and are designed, located, and arranged to be usable thereby.

Any arrangement for combined off-street loading shall be subject to the filing of a legal instrument satisfactory to the Town Attorney insuring that such off-street loading will be maintained in the future so long as a use or uses requiring such off-street loading continue.

4.2.15.15 Off-street loading: Requirements. Off-street loading spaces shall be provided and maintained as follows:

1. Each retail commercial store, service establishment, storage warehouse, wholesale establishment, research or industrial plant, factory, freight terminal, restaurant, dry cleaning and laundry package plant, funeral home, or similar use which has an aggregate floor area of:

Sq. Ft.	No. of Space
Over 5,000 but not over 24,999	1
25,000 to 59,999	2
60,000 to 119,999	3
120,000 to 199,999	4
200,000 and over	5

Plus, one (1) additional off-street loading space for each additional ninety thousand (90,000) sq. ft. over two hundred ninety thousand (290,000) sq. ft. or major fraction thereof.

2. For each multiple dwelling unit having at least twenty (20) dwelling units but not over fifty (50) dwelling units: two (2) spaces. For each multiple dwelling unit having over fifty (50) dwelling units: two (2) spaces, plus two (2) spaces for each additional fifty (50) dwelling units, or major fraction thereof.
3. For each auditorium, convention hall, exhibition hall, museum, motel, hotel, bank or financial institution, office building, sports arena, stadium, hospital, or similar use which has an aggregate floor area of: over ten thousand (10,000) square feet but not over forty (40,000) square feet: one (1) space; plus, for each additional sixty thousand (60,000) square feet over 40,000 square feet or major fraction thereof: one (1) space.
4. For any use not specifically mentioned, the requirements for off-street loading facilities for a use which is so mentioned and to which the unmentioned use is similar shall apply.

**4.2.16 PARKING, STORAGE OR USE OF MAJOR RECREATIONAL EQUIPMENT**

Major recreational equipment is hereby defined as including boats and boat trailers, travel trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, houseboats, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No major recreational equipment shall be used for living, sleeping, or housekeeping purposes when

parked or stored on a lot in a residential district, or in any other location not approved for such use except as provided herein. In residential districts, major recreational equipment may be parked or stored in a rear or side yard, but not in a required front yard; provided however, that such equipment may be parked anywhere on residential premises for a period not to exceed seven (7) days during loading and unloading or temporary use.

**4.2.17**     **PERFORMANCE STANDARDS** All uses and activities permitted in any district within these land development regulations shall conform to the standards of performance described below:

1.     Fire and explosion hazards. In any zoning district, all uses shall comply with applicable standards set forth in the rules and regulations of the State Fire Marshal.
2.     Emissions. Regulations controlling smoke, dust, dirt, visible emissions, and open burning. Regulations controlling smoke, dust, dirt, or visible emissions shall be the same as those contained in Chapter 62, Florida Administrative Code, as amended. Regulations controlling open burning shall be the same as those contained in Chapter 62, Florida Administrative Code, as amended.
3.     Fumes, vapors, and gases. Regulations controlling the emission of any fumes, vapors, or gases of a noxious, toxic, or corrosive nature shall be the same as those contained in Chapter 62, Florida Administrative Code, as amended.
4.     Heat cold, dampness, or movement of air. Activities which may produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted, with the exception that in the Industrial District (I), this standard shall be applied at the boundaries of the Industrial District and not at the lot lines of the individual properties located within the Industrial District.
5.     Noise. The permitted level of noise or sound emission at the property line of the lot on which the principal use is located shall not at any time exceed the average noise level prevailing for the same hour, as generated by street and traffic activity, with the exception that in the I-Industrial district, this standard shall be applied at the boundaries of the I district and not at the lot lines of the individual properties located within the I district. The determination of noise level shall be measured with a sound level meter that conforms to specifications published by the American National Standards Institute (ANSI).
6.     Odor. Regulations controlling the emission of objectionable odorous gases or other odorous matter, except those associated with normal agricultural practices, shall be the same as those contained in Chapter 62, Florida Administrative Code, as amended.

7. Glare. There shall be no direct glare visible from any residential district caused by unshielded floodlights or other sources of high intensity lighting.

**4.2.18 RAILROAD RIGHT-OF-WAY** Existing railroad right-of-way, but not including switching, freight, or storage yards and railroad buildings or maintenance structures, is a permitted use in all zone districts. Switching, freight, or storage yards and railroad buildings or maintenance structures are permitted only where expressly allowed by these land development regulations.

**4.2.19 SIGNS** The provisions of these land development regulations shall govern the sizes, location, and character of signs which may be permitted as a principal or accessory use. No signs shall be permitted in any location except in conformity with these land development regulations.

4.2.19.1 Intent. Signs may unreasonably distract the attention of motorists and interfere with traffic safety. Indiscriminate erection and maintenance of signs seriously detract from the enjoyment and pleasure in the natural scenic beauty of the areas subject to these land development regulations and, in turn, injuriously affects the economic well-being of the citizenry. Thus, it is the intent of these regulations to prevent the uncontrolled erection of signs. The provisions of this section are intended to provide for the regulation of types, sizes, and locations of signs in relation to the identification of various uses and activities on premises, to provide for certain types and locations of off-site signs, and to supplement the regulations set out in the Schedule of District Regulations.

4.2.19.2 Applicability of other code or regulatory requirements. Signs or other advertising structures shall be constructed and maintained in accordance with the building and electrical codes of the Town, and all other applicable ordinances and regulations of the Town, as well as other, State and Federal rules and regulations.

4.2.19.3 Definitions. Definitions for the purposes of sign regulation under these land development regulations are set out in the definitions section of these land development regulations under Sign, etc. Sections 2.1.

4.2.19.4 Prohibited signs. It shall be a violation of these land development regulations punishable as provided by these land development regulations, to erect or maintain:

1. Traffic or pedestrian hazard. Any sign which constitutes a traffic hazard or a detriment to traffic safety by reason of its size, location, movement, content, coloring, or method of illumination, or by obstructing the vision of drivers, or by obstructing or detracting from the visibility of any official traffic control device by diverting or tending to divert the attention of moving vehicles from the traffic movement on streets, roads, or access facilities; nor shall any sign be erected in such a manner as to obstruct the vision of pedestrians. The use of flashing or revolving lights or digital animated signs are prohibited in any sign as constituting a hazard to traffic. Any sign which by glare or method of illumination

constitutes a hazard to traffic is prohibited. No sign may use the words "Stop", "Look", "Drive-in", "Danger", or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic.

2. Obscenities. Signs which are obscene, indecent, or immoral.
3. Rights-of-way. Signs erected on the right-of-way of any street, road, or public way, except as specifically provided by these land development regulations.
4. Public property. Signs erected on public property, other than signs erected by a public authority for public purposes, unless otherwise authorized by these land development regulations.
5. Ingress or egress to buildings. Signs so located as to prevent free ingress or egress from any door, window, or fire escape.
6. Yard areas. Signs in required yard areas except as specifically permitted by the terms of these land development regulations.
7. Roof signs. Signs erected, constructed, and maintained wholly upon or over the roof structure.
8. Height/Area. Signs which are higher than eighteen (18) feet from established grade or larger than thirty-two (32) feet in area.
9. Glare. Illuminated signs which result in glare or reflection of light on residential property in the surrounding area.
10. Minimum clearance. Canopy, marquee, projecting, or hanging signs with less than a nine (9) ft. minimum clearance between the bottom of the sign and the ground surface.

4.2.19.5 Sign permits. Within areas subject to these land development regulations, it shall be unlawful for any person to erect, maintain, or replace any sign not specifically exempted by these land development regulations, without first securing from the Land Development Regulation Administrator a building permit to do so.

4.2.19.6 Exemptions. Except as otherwise provided, the following signs may be erected without a permit, subject, however, to all remaining requirements of these land development regulations. All exempt signs may be located within front yard, but shall not be located within twenty (20) feet of any adjacent property line. Signs under item (3) below may be located on or may overhang or infringe upon the required right-of-way of streets, roads, or public ways.

1. Signs not exceeding one (1) square feet in area and bearing only property numbers, mail box numbers, names of occupants of premises, or other identification of premises not having commercial connotations.
2. Flags and insignia of any government except when displayed in connection with commercial promotion.
3. Traffic or other municipal, Town, State, or Federal signs, legal notices, railroad crossing signs, danger signs, and such temporary, emergency, or non-advertising signs as may be approved by the Town.
4. Integral decorative or architectural features of buildings except letters, trademarks, moving parts, or moving lights.
5. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
6. Signs within buildings.
7. One (1) "For Sale" or "For Rent" sign per parcel of property, unless such property fronts on more than one (1) street, in which case two (2) signs may be erected, one (1) on each frontage. The size of any such sign shall not be in excess of eight (8) square feet, and such sign shall be removed within one (1) month after the premises have been sold or rented.
8. Occupational signs denoting only the name, street number, and business of an occupant, which do not exceed two (2) square feet in surface area.

4.2.19.7 On-site Signs. Unless otherwise specified in these land development regulations, the following regulations shall govern on-site signs (see Section 2.1 for definition of on-site signs):

1. On-site signs may be erected in any zone district.
2. On-site signs may be located in the required front yard; provided, however that any such sign shall not obstruct visibility at intersections and curb breaks (see Section 4.2.24).
3. On-site signs shall not exceed a height above established grade of eighteen (18) feet, nor exceed a width of 32 square feet.

4.2.19.8 Off-site Signs. Unless otherwise specified in these land development regulations, the following regulations shall govern off-site signs (see Section 2.1 for definition of off-site signs):

1. Off-site Signs are prohibited, except where specifically permitted by these land development regulations.
2. Off-site signs may be erected in the required front yard, provided:
  - (a) Off-site signs shall have a fifteen (15) foot setback from the right-of-way (ROW).
  - (b) No off-site sign shall be erected so as to obstruct visibility at intersections and curb breaks. (See Section 4.2.24).
3. Off-site signs may not be erected within one hundred (100) feet of any church, school, cemetery, public park, public reservation, public playground, State or National forest, or railroad intersection.
4. Off-site signs shall not exceed a height above established grade of eighteen (18) feet, nor exceed a width of 32 square feet.

#### **4.2.20 TRANSITIONAL USE AREA REQUIREMENTS**

It is the intent of these requirements to ease the frictions between residential and non-residential uses by creating a transition area in which certain intensive non-residential uses are prohibited.

Where a commercial or industrial district abuts a residential district, along the same frontage and without an intervening street, the following uses shall not be located within one hundred (100) feet of the residential district:

1. Drive-in restaurants or refreshment stands.
2. Bars, taverns, and cocktail lounges.
3. Car washes.
4. Outdoor storage yards, wrecking yards, automobile wrecking yards, junk yards, yards used in whole or in part for scrap or salvage operations, or for processing, storage, display, or sales of any scrap, salvage, or second-hand building materials, junk automotive vehicles, or second-hand automotive parts.
5. Bulk storage of flammable liquids or explosives.

#### **4.2.21 TRAVEL TRAILER PARKS AND CAMPGROUNDS**

The following regulations apply to the construction and operation of travel trailer parks and campgrounds.

1. Sites in travel trailer parks and campgrounds shall be occupied primarily by travel trailers, pickup coaches, tents, camping trailers, and other vehicular accommodations.
2. Each site in a travel trailer park or campground shall be at least twelve hundred (1,200) sf in area. No part of a travel trailer or other unit placed on a travel trailer or campground site shall be closer than twenty-five (25) feet to any lot line.

#### **4.2.22 USE OF LAND IN A RESIDENTIAL DISTRICT FOR ACCESS**

No land in a residential district shall be used for drive-way, walkway, or access purposes to any land which is in a commercial or industrial district, or used for any purpose not permitted in a residential district except for ingress and egress to an existing use which does not abut on a street.

#### **4.2.23 VISIBILITY AT INTERSECTIONS AND CURB BREAKS**

- 4.2.23.1 Visibility at intersections. On a corner lot in all zoning districts, no fence, wall, hedge, landscaping, or structure shall be erected, placed, planted, or allowed to grow in such a manner as to obstruct vision between a height of two and one-half (2-1/2) feet and six (6) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines twenty-five (25) feet from the point of such intersection.
- 4.2.23.2 Visibility at curb breaks. In all zone districts, where a curb break intersects a public right-of-way, no fence, wall, hedge, landscaping, or structure shall be erected, placed, planted, or allowed to grow in such a manner as to obstruct cross-visibility between a height of two and one-half (2-1/2) and six (6) ft. within the areas of property on both sides of the curb break formed by the intersection of each side of the curb break and public right-of-way lines with two (2) sides of each triangle being ten (10) ft. in length from the point of intersection and the third being a line connecting the end of the two (2) other sides.
- 4.2.23.3 Retaining Walls. The requirements of this Section shall not be deemed to prohibit any necessary retaining wall.
- 4.2.23.4 Trees. Trees shall be permitted in the clear space provided that foliage is cut away within the prescribed heights.

#### **4.2.24 WATERFRONT YARDS - MINIMUM REQUIREMENT**

No structure shall be located closer than fifty (50) feet to the mean high water line (see Section 4.2.4 for exceptions for certain accessory structures).

#### **4.2.25 YARD ENCROACHMENTS**

Every part of every required yard shall be open and unobstructed from the ground to the sky except as hereinafter provided or as otherwise permitted in these land development regulations:

1. Sills and belt courses may project not over twelve (12) inches into a required yard.
2. Movable awnings may project not over three (3) feet into a required yard, provided that where the yard is less than five (5) feet in width the projection shall not exceed one-half (1/2) the width of the yard.
3. Chimneys, fireplaces, bay windows, or pilasters may project not over two (2) feet into a required yard.
4. Fire escapes, stairways, and balconies which are unroofed and unenclosed may project not over five (5) feet into a required rear yard, or not over three (3) feet into a required side yard of a multiple dwelling, hotel, or motel.
5. Hoods, canopies, roof overhangs, or marquees may project not over three (3) feet into a required yard, but shall not come closer than one (1) foot to the lot line.
6. Fences, walls, and hedges are permitted in required yards, subject to the provisions of this Section.
7. Cornices, eaves, or gutters may project not over three (3) feet into a required yard, provided that where the required yard is less than six (6) feet in width, such projection shall not exceed one-half (1/2) of the width of the yard.
8. Except as provided herein, nothing in these land development regulations shall be so construed as to prohibit any type of landscaping or private, non-profit, gardening on any lot.

#### **4.2.26 AIRPORT LAND USE RESTRICTIONS**

Use Restrictions. Notwithstanding any other provisions of these land development regulations, no use may be made of land or water adjacent to any airport which will interfere with the operation of an airborne aircraft. The following special requirements shall apply to each permitted use.

1. All lights or illumination used in conjunction with street, parking, signs, or use of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating from the airport or in vicinity thereof.
2. No operations from any land use type shall produce smoke, glare, or other visual hazards within three (3) statute miles of any usable runway of the airport.
3. No operations from any land use type shall produce electronic interference with navigation signals or radio communication between the airport and aircraft.
4. Use of land for residential uses, schools, hospitals, storage of explosive material, assemblage of large groups of people, or any other use that could produce a major catastrophe as a result of an aircraft crash, shall be prohibited within five-thousand (5,000) feet of the approach or departure end of a runway.
5. No structure exceeding one-hundred fifty (150) feet in height above the established airport elevation shall be permitted within five-thousand (5,000) feet of the approach or departure end of a runway.

#### **4.2.27 SPECIAL RIGHT-OF-WAY REQUIREMENTS**

- 4.2.27.1 For all new arterial and collector roadways extra right-of-way, as provided within the Florida Department of Transportation (FDOT) authority, Florida Statutes, and the Florida Administrative Code, as amended and shall be provided for integrated or parallel bicycle ways or lanes.
- 4.2.27.2 All new structures shall provide a minimum setback of seventy-five (75) feet as measured from the center line of the right-of-way for new or realigned collector or arterial roads.

#### **4.2.28 HOME OCCUPATION REQUIREMENTS**

1. Only one (1) additional person other than members of the family residing on the premises shall be engaged in such occupation.
2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character thereof.
3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated, mounted flat against the wall of the principal building at a position not more than two (2) feet distance from the main entrance to the residence.
4. In all zone districts except agricultural districts, no home occupation shall be conducted in an accessory building. In agriculture districts, home occupations may

be conducted in an accessory building, provided that the floor area devoted to the home occupation does not exceed 1,000 square feet.

5. No home occupation shall occupy more than twenty percent (20%) of the first floor area of the residence, exclusive of the area of any open porch or attached garage or similar space not suited or intended for occupancy as living quarters. No rooms which have been constructed as an addition to the residence, nor any attached porch or garage which has been converted into living quarters, shall be considered as floor area for the purpose of this definition until two (2) years after the date of completion thereof.
6. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in the required front yard.
7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
8. For purposes of illustration, the following uses shall not be considered home occupations: (1) studio for group instruction, (2) dining facility or restaurant, (3) antique or gift shop, (4) photographic studio, (5) outdoor repair, (6) food processing (except catering for off premises consumption), (7) retail sales, and (8) child care center.
9. For purposes of illustration, the following uses may be considered home occupations, provided they meet all the requirements listed in subparagraphs a-h above and all other provisions of these land development regulations: (1) the giving of individual instruction to one (1) person at a time such as art or music teacher; (2) fabrication of articles such as are commonly classified under the terms arts and handicrafts, providing no retail sales are made in the home; (3) custom dressmaking, seamstress, milliner; (4) tutoring for not more than one (1) student at a time; (5) answering telephone; (6) barber or beauty shop; (7) catering for off premises consumption and (8) professional offices.
10. A home occupation shall be subject to all applicable occupational licenses and other business taxes.

#### **4.2.29 SPECIAL SEPTIC TANK REQUIREMENTS**

Existing septic tanks shall be allowed to remain in service until such time as a centralized sanitary sewer service is accessible, conditioned on the following requirements:

1. A building permit shall not be issued for construction of a building or facility where sanitary sewage is proposed to be disposed using an onsite sewage disposal system

in an area zoned industrial on the Town's official zoning atlas, or used for industrial or manufacturing purposes, or its equivalent, where the Town's centralized sanitary sewer system is available within 1/4 mile of the area used or zoned industrial or manufacturing, or where a likelihood exists that the onsite sewage disposal system may receive toxic, hazardous or industrial waste;

2. An occupational license shall not be issued to the owner or tenant of a building located in an area zoned industrial on the Town's official zoning atlas, or used for industrial or manufacturing purposes, or its equivalent, when such site is served by an onsite sewage disposal system without first obtaining an annual operating permit from the Health Department; and
3. A certificate of land development regulation compliance shall not be issued to a new owner or tenant of a building located in an area zoned industrial on the Town's official zoning atlas, or used for industrial or manufacturing purposes, or its equivalent, or who operates a business which has the potential to generate toxic, hazardous or industrial wastewater, when such site is served by an onsite sewage disposal system without first obtaining an annual operating permit for an onsite sewage disposal system from the Health Department.

#### **4.2.30 PROVISIONS FOR RESIDENTIAL DESIGN MOBILE HOUSING**

Residential Design Mobile Homes as defined in Section 2.1 shall be installed in accordance with the following:

1. A permanent foundation and anchoring according to the Florida Administrative Code, as amended;
2. Underfloor area of the home shall be permanently enclosed (e.g. masonry block stem wall);
3. All transportation equipment shall be removed.

#### **4.2.31 SPECIAL COMMUNITY RESIDENTIAL HOME REQUIREMENTS**

The Town shall facilitate the provision of group homes or foster care facilities as licensed or funded by the Florida Department of Health and Rehabilitative Services within residential areas or areas of residential character.

- 4.2.31.1 The Town shall permit group homes with six or fewer residents which otherwise meet the definition of a community residential home as provided in Chapter 419, Florida Statutes, in effect upon adoption of the Comprehensive Plan, as a single-family noncommercial use to be allowed in all residential land use districts provided that such homes shall not be located within a radius of 1,000 feet of another existing home with six or fewer residents.

4.2.31.2 The Town shall permit group homes of more than six residents which meet the definition of a community residential home as provided in Chapter 419, Florida Statutes within medium and high density residential land use categories. The Town shall approve the siting of a community residential home, unless the Town determines that the siting of the home at the site selected based upon the following criteria:

1. The site selected does not meet applicable licensing criteria established and determined by the Florida Department of Health and Rehabilitative Services, including requirements that the home be located to assure the safe care and supervision of all clients in the home.
2. The site selected would result in such a concentration of community residential homes in the area in proximity to the site selected, or would result in a combination of such homes with other residences in the community, such that the nature and character of the area would be substantially altered. (A home that would be located within a radius of 1,200 feet of another existing community residential home shall be considered to be an over concentration of such homes that substantially alters the nature and character of the area. A home that would be located within a radius of 500 feet of a low or moderate density residential land use category shall be considered to substantially alter the nature and character of the area).

#### **4.2.32 BED AND BREAKFAST ESTABLISHMENT REQUIREMENTS**

Bed and Breakfast Establishments may be permitted as provided within these land development regulations in accordance with the following criteria:

1. The owner may live on or off the premises;
2. Separate toilet and bathing facilities for the exclusive use of guests must be provided;
3. Rentals shall be on a daily basis. The maximum stay for an individual guest shall be thirty (30) days in a 12-month period;
4. No cooking facilities shall be allowed in guest rooms;
5. Bed and Breakfast establishments must comply with appropriate health permits, building and fire codes and business licenses as applicable to such use;
6. Signage, excepting historical markers located by federal, state, county or Town agencies, shall be limited to one (1) sign, not exceeding six (6) square feet in area, with characters not exceeding eight (8) inches, non-illuminated (excepting flood lighting on each side of the sign);

7. The maximum number of rooms for guests shall be as follows:

Building Size (Gross Floor Area)	Maximum Guest Rooms
Less than or equal to 1,200 sq. ft.	1
1,201 - 1,800 sq. ft.	2
1,801 - 2,400 sq. ft.	3
2,401 - 3,000 sq. ft.	4
3,001 - 3,600 sq. ft.	5
over 3,600 sq. ft.	6

8. No structure shall be constructed for the sole purpose of being utilized as a bed and breakfast establishment except by special exception approval by the Board of Adjustment, whereby the owner shall provide plans of the proposed new construction. No existing structure shall be enlarged or expanded for the purpose of providing additional rooms for guests, except by special exception approval by the Board of Adjustment, whereby the owner shall provide plans of the proposed enlargement or expansion construction. Such plans for proposed new construction, enlargements or expanded additions to existing structures shall be prepared by an architect or civil engineer for approval by the Board of Adjustment. Any new construction or new additions must be in character with existing structures located within the Historical District.
9. An accessory structure located on the same premises may be used as a residence for the owner for providing rooms for guests, but in no case shall the total number of rooms for guests allowed by this section exceed the maximum allowable number of rooms as provided for herein.
10. In zoning districts where bed and breakfast establishments are permitted as a principal use, receptions or parties on the premises shall be allowed, subject to the following conditions:
- (a) all parking for guests of the reception or party shall be provided off-street, either on site or at a satellite off-street parking site; and
  - (b) the requirements of the National Fire Prevention Association Code #101 shall govern the total number of guests allowed.
11. The catering of food to guests on the premises, as well as the catering of food for service off the premises, shall be allowed.
12. Breakfast, lunch and dinner food service for guests may be provided at a bed and breakfast establishment. Meals may be provided for persons other than overnight guests of the bed and breakfast establishment, provided that the total number of persons to be served does not exceed the total number allowed to be served as established by the Florida Hotel and Restaurant Commission and the Fire

Marshall at the time a license for a bed and breakfast establishment with a commercial kitchen is granted.

#### **4.2.33 TREE PROTECTION REGULATIONS**

4.2.33.1 Unlawful Activity. It shall be unlawful for any person to remove or effectively remove through damaging any regulated tree without first obtaining a permit to do so as hereinafter provided. This section shall apply to all land uses and zoning districts unless specifically exempted herein. Prior to the issuance of a certificate of occupancy all residentially zoned property, including single family residential, shall comply with this section. Only regulated trees not included in the buildable area of right-of-ways, utility easements, drainage improvements, driveways, and the required setbacks of buildings shall be protected.

4.2.33.2 Public Agencies. All public agencies and utilities shall comply with this section. All public utilities, governmental agencies and their subcontractors shall comply with the National Arborist Association Standards for Pruning of Shade Trees when pruning trees on public or private property. Notice shall be provided to landowners at least one week in advance of pruning and/or removing landowner's trees on private property.

Emergency removal requiring immediate action to protect the health and safety of the public are not subject to this section.

4.2.33.3 Site Plans. Site plans, development plans, or subdivision plats shall include consideration of tree preservation and the approval shall constitute the issuance of a tree permit consistent with the approved plan.

1. Applicants for Site plans, development plans, and subdivision plats shall be required to have a predesign, onsite meeting with the Land Development Regulation Administrator to approximately show the location on any site plan, development plan and subdivision plat of any champion trees or heritage trees and to discuss protection methods for regulated trees to be retained or relocated. The Land Development Regulation Administrator will determine the health of such trees. The applicant will mark and locate, all champion and all heritage trees deemed healthy enough to provide substantial long-term benefits. The applicant shall locate additional regulated trees as deemed appropriate by the Land Development Regulation Administrator based on species type, rarity, - and unique significance.
2. Site plan, development plan, or subdivision plat approval requires the retention of at a minimum ten (10) percent of the existing tree canopy of the square area of the property in question, for all zoning districts and platted single family subdivisions. The Town shall grant the application

with less than ten (10) percent tree canopy if one or more of the conditions listed in this section are met.

3. If the applicant is unable to meet the minimum ten (10) percent tree canopy requirement with existing trees, the landscaping plan shall be required to provide proof that this minimum shall be accomplished by, new landscape material prior to the issuance of a certificate of occupancy.

#### 4.2.33.4 Permit Process.

1. Any person wishing to obtain a permit to remove a tree shall make application with the Land Development Regulation Administrator on such form as shall be prescribed. No permits shall be issued for the removal of champion trees.
2. The Land Development Regulation Administrator, utilizing such other technical assistance as he or she may require, shall review all applications for tree removal and determine what effect the removal will have upon the drainage, topography, natural resources, and ecology of the area and shall consider these factors in granting or denying said application.
3. The City shall, within seven (7) working days of the filing of an application for tree removal (except for site plan, development plan, or subdivision plat approvals) attempt to verify the information contained in the application and shall either approve or deny the application as to each regulated tree proposed to be removed or relocated.
4. Permit Approval Conditions. The City shall grant the tree removal permit if it finds one or more of the following conditions are met:
  - (a) That the tree is an immediate safety hazard, either to persons who reasonably may be physically harmed by the tree, or to domestic animals, buildings, or other constructions, or motor, bicycle, or pedestrian traffic.
  - (b) That the tree is infected with an infestation of harmful insects or fungi that are not generally present on other trees of the species and may reasonably be expected to spread to other trees not so infested.
  - (c) That the tree, by its location, prevents reasonable use or development of the site, and that no other reasonable alternative to such use or development is possible.

- (d) That the tree, by the normal growth of its branches or roots, is causing progressive damage to buildings, structures, or other more desirable trees and that no reasonable correction or prevention is available other than the tree's removal.
  - (e) That the tree, by its growth pattern, has not developed as a typical tree of the same species.
5. As an additional condition of the granting of a permit, the applicant may be required to relocate the trees proposed for removal or replace the removed trees with other trees planted elsewhere on the site. Replacement trees may be required on a more than one-for-one basis if the replacement trees are smaller than the tree being removed.

4.2.33.5 Protection/Preservation. It is the intent of this section to ensure the survival of existing trees during development and alteration of a site. Recognizing the impossibility of protecting all trees, the developer, with the approval of the City, shall designate those trees to be preserved and the level of protection to be afforded them based on the following categories:

1. Category I Trees. Those trees identified during the predesign on-site meeting as being healthy heritage trees which are required to be retained in accordance with the approved site plan. Trees so designated will be protected from construction activities within the full drip-line of the tree. All champion trees will be protected at least to Category I standards.
2. Category II Trees. Those trees identified during the predesign meeting which are desirable to keep but due to location and development activities, cannot be protected to the level of Category I trees. Construction activities will be kept at a minimum of ten (10) feet from the trunk of Category II trees.

Alternative construction techniques such as pervious pavements, jacking and boring, bridging over large roots, and root aeration systems may be used to protect these trees.

3. Category III Trees. Those trees which, due to number or location, cannot receive the level or protection afforded Category I and II trees, yet add to the landscape and may survive development activities.

4.2.33.6 Exemptions.

1. Forestry. All bona fide commercial forestry operations, including natural, planted and hardwood forest are exempt from this section provided the following provision is met: All commercial forestry

operations must be conducted in accordance with the Silviculture Best Management Practices Manual and the Management Guidelines for Forested Wetlands in Florida. Failure to comply will terminate the exemption as provided herein from this section.

2. Agricultural. Lands that are zoned Agriculture are exempt from this section subject to the following provision: Require permits for removal of heritage trees in all agricultural districts within fifty (50) feet of property ownership boundaries.
3. Residential. Except for champion and heritage trees, this section excludes lots of two (2) acres or less in existing single-family residential use or shown on the Official Zoning Atlas as a single family residential district; and the developed areas of lots larger than two (2) acres in existing single family residential use. New subdivisions shall be subject to the provisions as stated above for subdivisions.

#### **4.2.34 ADULT ENTERTAINMENT AND SERVICE FACILITIES**

In order to provide clear and consistent, content neutral regulations for adult entertainment or service facilities, the following regulations govern the placement and design of these types of businesses. These regulations are based on the secondary effects associated with adult entertainment or service facilities, while recognizing the rights of citizens to obtain constitutionally protected speech guaranteed under the First Amendment of the U.S. Constitution. Nothing in this section shall be construed as permitted or allowing a violation of any state or federal law, including F.S. Chapter 847, relating to obscenity.

##### **4.2.34.1 General Media Store.**

1. A store that sells or rents media in which less than ten percent (10%) of the numbers of items in inventory are sexually explicit media and in which less than ten percent (10%) of the retail floor area is devoted to sexually explicit media shall be considered a general media store unless it is an adult media/bookstore as defined in Section 2.1. A general media store meeting these inventory and floor area limits shall not be considered an adult entertainment or service facilities.
2. A general media store which devotes more than ten percent (10%) of its floor area or ten percent (10%) of the number of items in inventory to sexually explicit media, but devotes less than thirty percent (30%) of its floor area or less than thirty percent (30%) of the number of items in inventory to sexually explicit media shall be treated for zoning purposes as a general media store and not as a sexually oriented media store or other adult entertainment or service facility, provided that it continuously meets the following

conditions:

- (a) All sexually explicit media shall be maintained in a room that is separated from other media by an opaque wall that extends to the ceiling or eight (8) feet above the floor, whichever is less;
- (b) Access to the room containing the sexually explicit media shall be through an opaque, solid door;
- (c) The room containing sexually explicit media shall be posted with a notice indicating that only persons eighteen (18) years of age or older are allowed in the room;
- (d) Access to the room will be physically limited to adults through control of access by an employee of the store, through the use of an access release located at least sixty-six (66) inches off the floor, or through constant monitoring of the room by an employee on duty through electronic means or through a window or mirror providing visibility into the room from the manager's or cashier's work station. If either the thirty percent (30%) threshold of either gross floor area or number of items in inventory is exceeded, then the use shall be classified as an adult entertainment or service facility.

#### 4.2.34.2 Adult Entertainment Media Store.

- 1. Adult Entertainment media stores shall be considered adult entertainment or service facilities.
- 2. Adult Entertainment media stores shall not be located within five hundred (500) feet of churches and houses of worship, public parks and playgrounds, day care centers, existing residences, and residentially zoned districts. Adult Entertainment media stores shall not be located within five hundred (500) feet of any other adult Entertainment business.
- 3. Sexually explicit media shall not be displayed publicly.
- 4. Window glazing shall be frosted or opaque.
- 5. A sign shall be placed on the front door of the store prohibiting persons under eighteen (18) years of age from entering the store.
- 6. None of the following may be co-located as an accessory use; motion picture arcade booths, massage parlors, lingerie modeling or nude photography studios.

#### 4.2.34.3 Adult Commercial Establishment.

1. Adult commercial establishment that have principal, business purposes that involve the offering for sale of material depicting or describing "specified sexual activities" or "specified anatomical areas" shall be considered adult commercial establishment. Adult commercial establishment shall not be located within five hundred (500) feet of churches and houses of worship, public parks and playgrounds, day care centers, existing residences, and residentially zoned districts. Adult commercial establishment shall not be located within five hundred (500) feet of any other adult entertainment establishment.
2. Window glazing shall be frosted or opaque.
3. A sign shall be placed on the front door of the store prohibiting persons under eighteen (18) years of age from entering the store.
4. Sexually explicit media and sexually oriented toys or novelties shall not be displayed publicly.
5. None of the following may be co-located as an accessory use; motion picture arcade booths, massage parlors, lingerie modeling or nude photography studios.

#### 4.2.34.4 Adult Cabarets.

1. Adult cabarets shall be considered adult entertainment or service facilities. Adult cabarets shall not be located within five hundred (500) feet of churches and houses of worship, public parks and playgrounds, day care centers, existing residences, residentially zoned districts, or within five hundred (500) feet of businesses that sell alcohol for on-premises consumption. Adult cabarets shall not be located within five hundred (500) feet of any other adult entertainment establishment.
2. Security lighting shall be installed on the building and in the parking lot.
3. Window glazing shall be frosted or opaque.
4. A sign shall be placed on the front door of the cabaret prohibiting persons under eighteen (18) years of age from entering the cabaret.
5. There shall be a minimum separation of two (2) feet between any stage feature and the customer seating or standing area. Stages shall be a minimum of two (2) feet high.
6. Alcohol sales in adult cabarets shall be prohibited.
7. Private booths or private dancing rooms shall be prohibited.

8. None of the following may be co-located as an accessory use; motion picture arcade booths, massage parlors, lingerie Modeling or nude photography studios.

#### 4.2.34.5 Adult Motion Picture Theaters.

1. Adult motion picture theaters shall be considered adult entertainment or service facilities. Adult motion picture theaters shall not be located within five hundred (500) feet of churches and houses of worship, public parks and playgrounds, daycare centers, existing residences, residentially zoned districts, and five hundred (500) feet of businesses that sell alcohol for on-premises consumption. Adult motion picture theaters shall not be located within five hundred (500) feet of any other adult entertainment or service facilities.
2. A sign shall be placed on the front door of the theater prohibiting persons under eighteen (18) years of age from entering the theater.
3. Security lighting shall be installed on the building and in the parking lot.
4. Theaters shall remain lit at a minimum five-tenths (.5) foot candle at all times, and constant monitoring of the theaters by an employee on duty shall be achieved through electronic means or through a window or mirror providing visibility into the room from the manager's or cashier's work station.
5. Alcohol sales in Adult movie theaters are prohibited.
6. Seating in adult oriented movie theaters shall be individual seating with chair arms that do not rise. Bench seating or sofa seating is prohibited.
7. Theaters shall be a minimum of six hundred (600) square feet in size.
8. None of the following may be co-located as an accessory use; motion picture arcade booths, massage parlors, lingerie modeling or nude photography studios.

#### 4.2.34.6 Adult Entertainment or Service Facilities, Generally:

Separation from Schools, Churches and Houses of Worship, and Day Care Centers:

1. All adult entertainment or service facilities, as defined and described herein, shall comply with the provisions of Section 847.0134, Florida Statutes, which prohibits the location of adult entertainment establishment that sells, rents, loans, distributes, transmits, shows, or exhibits any obscene material, as described in s.847.0133, or presents live entertainment or a motion picture, slide, or other exhibit that, in whole or

in part, depicts nudity, sexual conduct, sexual excitement, sexual battery, sexual bestiality, or sadomasochistic abuse and that is harmful to minors, as described in s.847.001, may not be located within 2,500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the Town Council approves the location under proceedings as provided in s.166.041(3)(c), for municipalities.

2. The separation requirement from a school will apply only if one (1) or more of the following applies: (i) if it is a public school; or (ii) if the school has been in operation at the same location for one year or more; or (iii) if the location at which the school is now operating is owned by the organization operating the school.
3. The separation requirement from a church or house of worship as defined in preceding sections will apply only if one (1) or more of the following applies: (i) if the church or house of worship has been in operation at the same location for one (1) year or more; or (ii) if the location at which the church or house of worship is now operating is owned by the organization operating the house of worship.
4. The separation requirement from a day care center as defined in preceding sections will apply only if one (1) or more of the following applies: (i) if the day care center has been in operation at the same location for one (1) year or more; or (ii) if the location at which the day care center is now operation is owned by the organization operating the day care center.

#### 4.2.34.7 Measurement of Separation Distances

For purposes of the distance limitations, the measurement shall be made by extending a straight line from the main entrance of the building of the regulated use to the front door of the main building occupied by any other regulated use or any established church or house of worship or to the nearest property line of any existing residential use, residentially zoned district, public park and playground, school or day care center.

#### 4.2.34.8 Adult Entertainment or Service Facilities, Generally: Restrictions on Co-Location

1. No more than one (1) adult entertainment or service facilities, may be located in a single building or on a single lot;
2. No adult entertainment or service facilities, may be established as an accessory use to another business;
3. No adult entertainment or service facilities, may offer any of the following products or services to customers, whether or not for a fee:
  - (a) Gasoline or other fuels;

- (b) Showers or baths;
- (c) Alcoholic beverages for off-premises consumption.

4.2.34.9 Motion Picture Arcade Booths Prohibited.

Motion picture arcade booths either as an accessory use to any permitted adult entertainment or service facilities, as defined herein, or as a principal use are prohibited.

4.2.34.10 Massage Parlors, Lingerie Modeling and Nude Photography Studios Prohibited.

Massage parlors, lingerie modeling establishments and nude photography studios are prohibited.

4.2.34.11 Regulation of licensed massage therapists.

It is not the intent of this section to legislate with respect to licensed massage therapists regulated by state law, F.S. Ch. 480, the Department of Business and Professional Regulation, and the Board of Massage Therapy.

**4.2.35 URBAN AGRICULTURE REGULATIONS**

Purpose and Intent. The purpose and intent of this section to legalize historic and traditional agricultural and livestock uses within in the Town's city limits, to promote and maintain the safety and welfare of the Town by establishing agricultural and livestock use limitations, to minimize nuisances to the Town and privately owned properties and to implement the Goals, Objectives and Policies stated in the Town's Urban Agriculture Element of its Comprehensive Plan. The intent of this section is to allow and promote limited agricultural uses within the urbanized areas of the Town's city limits. The limitations or prohibitions in this section do not apply to land within an Agricultural zoning district.

4.2.35.1 Permitted Uses:

1. Community Gardens
  - a. Definition. Community Gardens shall be defined as areas of land managed and maintained to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for use, consumption or donation by those maintaining the Community Garden. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.
  - b. Zoning. Community Gardens shall be permitted in the following zoning districts:

- i. All residential uses
  - ii. Commercial Use
  - iii. Public Services
  - iv. Compound Use
- c. Restrictions. Community Gardens shall be subject to the following restrictions:
  - i. Setbacks. Community Gardens shall comply with same setback requirements as those required for the zoning district in which the Home Garden is located.
    - a. Residential: Setback requirements shall comply with the same setback requirements in each zoning district where the property is located.
    - b. Commercial: Setback requirements shall comply with the same setback requirements in each zoning district where the property is located.
  - ii. Greenhouses shall have a maximum square footage of 200 square feet. However; on property zoned agriculture, this square footage limitation on the size of Greenhouses shall not apply. Permanent, semi-permanent and, non-permanent irrigation practices are allowed. Best irrigation practices, such as drip irrigation, shall be encouraged. Greenhouses shall comply with buffer and setback requirements as listed in the preceding section.
- d. Environmentally friendly uses of land such as rain barrels, cisterns, use of native plant species, and plant species that require less water are encouraged as long as they do not create a nuisance to the Town or neighboring properties.
- e. Best practices for Community Gardens. Best agricultural practices for Community Gardens shall be encouraged, such as environmentally friendly pest management, fertilizer, pesticides, and drip irrigation.

## 2. Home Gardens

- a. Definition. Home Gardens shall be defined as areas of privately owned land managed and maintained by the property owner to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal use or consumption.
- b. Zoning. Home Gardens shall be permitted in the following zoning districts:

- i. All residential uses
  - ii. Compound uses.
- c. Restrictions. Home gardens shall be subject to the following restrictions:
  - i. Setbacks. Home Gardens shall comply with same setback requirements as those required for the zoning district in which the Home Garden is located.
    - a. Residential, setback requirements shall comply with the same setback requirements in each zoning district where the property is located.
    - b. Commercials, setback requirements shall comply with the same setback requirements in each zoning district where the property is located.
    - c. Greenhouses shall have a maximum square footage of 200 square feet. However, on property zoned agriculture, this square footage limitation on the size of Greenhouses shall not apply. Permanent, semi-permanent and, non-permanent irrigation practices are allowed. Best irrigation practices, such as drip irrigation, shall be encouraged. Greenhouses shall comply with buffer and setback requirements as listed in the preceding section.
  - d. Environmentally friendly uses of land such as rain barrels, cisterns, use of native plant species, and plant species that require less water are encouraged as long as they do not create a nuisance to the Town or neighboring properties.
  - e. Best practices for Home Gardens. Best agricultural practices for Home Gardens shall be encouraged, such as environmentally friendly pest management, fertilizer, pesticides, and drip irrigation.

### 3. Permitted Keeping of Livestock

- a. Definition. Livestock shall be defined as including only rabbits, poultry, pigs, goats, sheep, cattle, horses and donkeys. Poultry shall be defined as chickens, ducks, pigeons, turkeys, and geese.
- b. Zoning. Livestock shall be permitted in the following zoning districts:
  - i. All residential
  - ii. Compound uses

- iii. Livestock shall be prohibited in mobile home park zoning districts.
- c. Restrictions. The permitted keeping of livestock shall be subject to the following restrictions:
- i. Livestock waste must be removed from the property and disposed of lawfully. The waste removal responsibility belongs to the livestock owner or property owner.
  - ii. Keeping of livestock shall not be allowed to become a nuisance to Town or neighboring properties.
  - iii. Livestock shall not be located within 25 feet from property lines or right of ways.
  - iv. Fencing. Fencing shall be required to contain livestock, excluding poultry which shall be contained by an enclosure. Fencing shall not be located within 25 feet from property lines or right of ways. Fencing shall consist of a structure sufficient to contain livestock on the livestock owner's property.
  - v. Enclosures. Enclosures shall be used to contain livestock which is not necessarily contained by fencing. Enclosures shall not be located within 25 feet of property lines or right of ways.
  - vi. Number of Livestock:
    - a. Poultry. Poultry may not exceed 10 number per 1/4 acre. The total number of poultry shall not exceed 20.
    - b. Rabbits. Rabbits may not exceed 10 number per 1/4 acre. The total number of rabbits shall not exceed 20.
    - c. Pigs. Pigs may not exceed 1 number per 1 acre. The total number of pigs shall not exceed 5.
    - d. Goats. Goats may not exceed 1 number per 1 acre. The total number of goats shall not exceed 5.
    - e. Sheep. Sheep may not exceed 1 number per 1 acre. The total number of sheep shall not exceed 5.
    - f. Cattle. Cattle may not exceed 1 number per 5 acre. The total number of cattle shall not exceed 5.
    - g. Horses. Horses may not exceed 1 number per 5

acre. The total number of horses shall not exceed 5.

- h. Donkeys. Donkeys may not exceed 1 number per 5 acre. The total number of horses shall not exceed 5.

4. Apiculture (Permitted Keeping of Bees)

- a. Preemption. Apiculture is controlled by Chapter 586 Honey Certification and Honeybees, Florida Statutes which expressly preempts local government regulation of apiculture, Fla. Stat. § 586.10 (2013).
- b. Compliance. The keeping of bees in any zoning district shall not be prohibited as long as it is in compliance with Chapter 586, Florida Statutes, as amended.

5. Permitted Keeping of Domesticated Pets

- a. Definition. Domesticated Pets shall be defined to include, but not be limited to, any historically domesticated animal kept for hobby or companionship rather than utility such as dogs, cats, birds, fish and certain non-venomous reptiles.
- b. Restrictions. The permitted keeping of Domesticated Pets shall be subject to the following restrictions:
  - i. Domesticated Pet waste must be removed from property and disposed of lawfully. The waste removal responsibility belongs to the owner or property owner.
  - ii. Keeping of Domesticated Pets shall not be allowed to become a nuisance to Town or neighboring properties.
  - iii. Enclosures and Fencing. If enclosures or fencing are used to contain Domesticated Pets, then enclosures and fencing must comply with setback requirements as required for that zoning district.
- c. Compliance. The keeping of Domesticated Pets in any permitted zoning district shall not be prohibited as long as it is in compliance with Chapter 828, Florida Statutes, as amended.

#### **4.2.36 SCHEDULE OF AREA, HEIGHT, BULK AND PLACEMENT STANDARDS**

Purpose and Intent. The purpose and intent of this section to present, define and expound upon the schedule of area, height, bulk and placement of new development as provided for in Articles 2 and 4, Supplementary Regulations and, respectively, of this Ordinance. No buildings or structures shall be constructed, and no use shall be established, on a lot having less buildable land area than the minimum amount indicated in the Table of Dimensional below.

TABLE OF DIMENSIONAL

Base District	Principal Use of the Lot	Minimum Lot Widths (feet)	Minimum Lot Area (sq. ft.)	Minimum Setback Requirements ⊗			Maximum Lot Coverage (%)	Maximum Height (feet)	Max. Floor Area Ratio (FAR)	Impervious Surface Ratio (%)
				Front (feet)	Side (feet)	Rear (feet)				
				CSV	Any permitted use	N/A				
ESA	Any permitted use	400 ☀	10 acres	30	25	25	20	35	N/A	
A	Any permitted use	125 ☀	1 Acre	30	25	25	60	35	N/A	
RSF-1	Any permitted use	100 ☀	20,000 ☀	25	10	15	40	35 [	1	
RSF-2	Any permitted use	85 ☀	10,000 ☀	20	10	15	40	35 [	1	
RSF-3	Any permitted use	50 ☀	7,500 ☀	15	10	15	40	35 [	1	
RSF / MH-1	Any permitted use	100 ☀	20,000 ☀	25	10	15	40	35 [	1	
RSF / MH-2	Any permitted use	85 ☀	10,000 ☀	25	10	15	40	35 [	N/A	
RSF / MH-3	Any permitted use	50 ☀	4,500 ☀	25	10	15	40	35 [	N/A	
RMH-1	Any permitted use	100 ☀	20,000 ☀	25	10	15	40	35 [	1	
RMH-2	Any permitted use	85 ☀	10,000 ☀	25	10	15	40	35 [	1	
RMH-3	Any permitted use	50 ☀	4,500 ☀	25	10	15	40	35 [	1	
RMH-P	Manufactured / Mobile Home Park	400 feet at entrance and min 5,445 sq. ft. land area per du☀	10 acres for Manufactured / Mobile Home Park and 3,500 sq. ft. for each Mobile Home stand ☀	35	25	25	30	35	8	70

TABLE OF DIMENSIONAL REGULATIONS CONTINUED

Base District	Principal Use of the Lot	Minimum Lot Widths	Minimum Lot Area	Minimum Setback Requirements ⊗			Maximum Lot Coverage	Maximum Height	Max. Floor Area Ratio υ	Impervious Surface Ratio υ
				Front	Side	Rear				
				(feet)	(feet)	(feet)				
RMF-1	Single Family	75 feet ☼	7,500 sq. ft.☼	25	10	15	40	45 [	8	
RMF-2	Duplexes	85 feet ☼	10,000 sq. ft.☼	25	10	15	40	45 [	15	
RMF	Multi-Family	80 feet ☼	16,335 sq. ft.☼	30	15	20	20	45 □	8	
CN	Any permitted use	N/A	N/A	25	10	15	40	35 [	1	
CG	Any permitted use	N/A	N/A	20	10	15	40	35 [		
C-CBD	Any permitted use	N/A	N/A	20	10	15	N/A	72 *# ◊+[		
I	Any permitted use	N/A	N/A	20	10	15	N/A	35 *# ◊+[	1	
PRD	Planned Residential Development	Comply with Article 4.2	1 acre							
PS	Typical Public Services	Comply with Article 4.2	N/A	-	-	-	N/A	35 [		
PUD	Planned Unit Development	Comply with Article 4.2	1 acre					35 [		

*N/A = Not Applicable*

- ⊗ See specific section under Article Four for more detail.
- \* Maximum height of Structures within Airport Fly-Zone Districts is regulated by Federal Aviation Regulations Part 77 and height/distance requirements.
- ◇ The Structure may exceed the prescribed maximum height. Five (5) feet additional setback shall be required for each five (5) feet of Structure height above the prescribed maximum height up to a maximum increase of twenty (20) feet.
- # Maximum height of Structures in the River/Coastal Area is limited to thirty-five (35) feet.
- + Maximum height of Structures is thirty-five (35) feet unless protected with an automatic sprinkler system designed and installed in accordance with the latest edition adopted by the Florida Fire Prevention Code and NFPA 13.
- ⊗ Yard requirements may be modified by additional setback requirements contained throughout this Code.
- [ Maximum height of Structures measured from established grade as provided in Height Regulation part of this Code.
- ∪ Refer to Article Eleven for Property Owners who restore and preserve a qualified historic structure.

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## **LOT COVERAGE**

Lot Coverage is the size of the footprint(s) of a building(s) and/or structure(s) on a lot divided by the size of the parcel, expressed as a decimal number. The lot coverage is used in calculating the intensity of use of a parcel for development project. For example, a footprint of 1,000 sf. on a 5,000 sf. lot results in lot coverage of .20 or 20% ( $1,000\text{sf} / 5,000\text{sf} = .20$ ).

1. Lot coverage is basically the total square footage of all structures covering a lot from a bird's eye view.
2. The following areas are to be included for the purpose of computing Lot Coverage:
  - a. All buildings including single, two or multi-family dwellings.
  - b. All buildings of a nonconforming use.
  - c. Accessory structures including sheds, garages, pools, carports, decks, roof overhangs exceeding 20", platform walkways and similar structures.
3. The following areas are to be excluded for the purpose of computing Lot Coverage:
  - a. Existing grade level walkways and driveways.
  - b. Retaining walls and fences.

## **FLOOR AREA RATIO**

Floor Area Ratio (FAR) is the size of a building divided by the size of its parcel, expressed as a decimal number. For example, a 5,000 square foot building on a 5,000 square foot lot has a floor area ratio of 1.00 or 100% while the same building on a 10,000 square foot lot would have a floor area ratio of .50 or 50%. The FAR is used in calculating the building intensity of a development project.

1. Gross floor area is basically the area within the surrounding exterior walls of a building.
2. The following areas are to be included in gross floor area for the purpose of computing FAR:
  - a. Exterior and interior walls (that is, the thickness of the wall is included)
  - b. Laundry rooms, mechanical rooms, closets, storage rooms, built in cabinets and media niches.
  - c. Mezzanines and lofts.
  - d. Floor areas used by interior stairways, elevators and similar features. The floor area of each stairway shall be counted once (not twice by counting floor levels).
  - e. Usable spaces (generally defined as having a 5' minimum height) such as rooms and closets shall also be counted.
  - f. Attic spaces not meeting the state building code definition of habitable and clearly having the sole purpose of storage or utilities.
  - g. Porches, patios and breezeways with a "solid" cover.
  - h. Accessory buildings that are deemed habitable space, including but not limited to guest houses and second units.
3. The following areas are to be excluded in gross floor area for the purpose of computing FAR:
  - a. Attached or detached garages and carports.
  - b. Porches, balconies, patios, breezeways and decks which do not have "solid" cover.

Air spaces within buildings such as vaulted ceilings. More specifically, the floor area shall be counted at the actual floor area only and not in the air spaces above.

## **SECTION 4.3 "CSV" CONSERVATION**

### **4.3.1. DISTRICTS AND INTENT**

The "CSV" Conservation category includes one (1) zone district: CSV. Lands within this district are devoted to the conservation of the unique natural functions. To conserve these lands, no use other than non-intensive resource based recreation activities and native vegetative community restoration shall be permitted.

#### **4.3.2. PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Non-intensive resource based recreation activities.
2. Native vegetative community restoration

#### **4.3.3. PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to non-intensive resource based recreation activities.
2. Examples of permitted accessory uses and structures include:
  - (a) Forestry stations and scientific stations for the study of the natural resources within the conservation district.
  - (b) Residential facilities for caretakers.
  - (c) Boat docks and boat ramps.

#### **4.3.4. PROHIBITED USES AND STRUCTURES**

1. Residential uses (except forestry stations or scientific stations for the study of the natural resources within the conservation district and residential facilities for caretakers);
2. Any use or structure not specifically, provisionally or by reasonable implication permitted herein or permissible as a special exception.

#### **4.3.5. SPECIAL EXCEPTIONS** (See also Articles 12 and 13)

1. Recreational activities such as campsites and similar uses.

#### **4.3.6. MINIMUM LOT REQUIREMENTS**

None, except to meet other requirements as set out herein.

#### **4.3.7. MINIMUM YARD REQUIREMENTS** (See Section 4.2 for right-of-way setback requirements)

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds.

The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

**4.3.8. MAXIMUM HEIGHT OF STRUCTURES SHALL NOT EXCEED**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

**4.3.9. MINIMUM LOT COVERAGE**

None

**4.3.10. MINIMUM LANDSCAPED BUFFERING REQUIREMENTS**

None

**4.3.11. MINIMUM OFF-STREET PARKING REQUIREMENTS**

None

**SECTION 4.4 “ESA” ENVIRONMENTALLY SENSITIVE AREAS**

**4.4.1 DISTRICTS AND INTENT**

Lands in this “ESA” Environmentally Sensitive Area district are considered in need of special planning and treatment regarding land development regulation. This is not a preservation districts, but land uses permitted within this district are to provide mitigating measures to protect the natural functions of the environmentally sensitive areas as designated within the Comprehensive Plan, with a special emphasis on the planning and treatment of land development within the 100-year floodplain of the Suwannee River Corridor. These regulations prohibit intensive residential, intensive recreational and agricultural uses and prohibit industrial and non-water-dependent commercial development within the 100-year floodplain of the areas designated as Environmentally Sensitive Areas.

**4.4.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Non-intensive agricultural (see definition of Intensive Agriculture in Section 2.1) and forestry operations conducted in accordance with the Comprehensive Plan.
2. Single family dwellings.

3. Mobile homes.
4. Homes of six (6) or fewer residents which otherwise meet the definition of a "Community Residential Home" (see Section 4.2).
5. Public resource-based recreation facilities.

#### **4.4.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures;
  - (b) Are located on the same lot as the permitted or permissible principal use or structure, or on a contiguous lot in the same ownership; and
  - (c) Do not involve operations or structures not in keeping with the intent of these land development districts.
2. Examples of permitted accessory uses and structures include:
  - (a) Private garages.
  - (b) Docks, ramps, piers and walkways for residential and water-dependent commercial uses (see Article 14).
  - (c) Residential facilities for caretakers whose work requires residence on the premises or for employees who will be quartered on the premises.

#### **4.4.4 PROHIBITED USES AND STRUCTURES**

Industrial and commercial uses, intensive agricultural uses (see Section 2.1 for definition of intensive agriculture), private recreational uses and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

#### **4.4.5 SPECIAL EXCEPTIONS** (See also Articles 12 and 13)

1. Home occupations.
2. Campgrounds of less than one-hundred (100) campsites.

#### **4.4.6 MINIMUM LOT REQUIREMENTS** (area, width)

1. Single family dwellings and Mobile homes:  
Minimum lot area: 10 acres

Minimum lot width: 400 ft. (5 acres if developed as a Planned Rural Residential Development and an overall density of one (1) dwelling unit per ten (10) acres is maintained on site)

2. All other permitted or permissible uses and structures (unless otherwise specified):

Minimum lot area: 10 acres

Minimum lot width: 400 ft.

**4.4.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side yard) (See Section 4.2 for right-of-way setback requirements.)

1. All permitted or permissible uses and structures (unless otherwise specified):

Front: 30 ft.

Side: 25 ft.

Rear: 25 ft.

Special Provisions: A minimum undisturbed, vegetated buffer of seventy-five (75) feet measured from the generally recognized river bank of any Outstanding Florida Water (Suwannee River), as classified by the Florida Department of Environmental Protection. This buffer shall be maintained for all single-family residential uses and agricultural uses and silviculture activities.

All other permitted land uses shall conform with the variable buffer requirements contained in Chapter 40B-4.3030(4), Florida Administrative Code, as administered by the Water Management District. Exception shall be made for the provision of reasonable access to the river and resource-based recreational activities within buffer areas. Reasonable access shall mean the minimum amount of clearing necessary for access not to exceed twenty-five (25) feet in width.

**4.4.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

**4.4.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

20 Percent

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

#### **4.4.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS**

1. All permitted or permissible uses and structures (unless otherwise specified).  
None, except as necessary to meet other requirements as set out herein.

#### **4.4.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended

### **SECTION 4.5 “A” AGRICULTURAL**

#### **4.5.1 DISTRICTS AND INTENT**

The “A” Agricultural category includes one (1) zone district: A. Lands in these districts are intended to provide for areas primarily consisting of agricultural and residential uses consistent with the areas as designated agricultural within the Town's Comprehensive Plan.

#### **4.5.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. All agricultural activities (excepting intensive agriculture uses as defined in section 2.1 and not including livestock or poultry slaughterhouses), including the raising of livestock and poultry, the production of dairy and poultry products, the cultivation of field crops and fruits and berries, forestry, apiculture, and similar uses.
2. The processing, storage, and sale of agricultural products and commodities which are raised on the premises (but not including livestock or poultry slaughterhouses).
3. Single family dwellings.
4. Mobile homes.
5. Plant nurseries and greenhouses.
6. Homes of six (6) or fewer residents which otherwise meet the definition of a "community residential facility" (see Section 4.2).

7. Public schools to include elementary schools, middle schools, technical schools, high schools, schools for exceptional and gifted children, community colleges and universities.

#### **4.5.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted principal use or structure or on a contiguous lot in the same ownership.
  - (c) Uses and structures which involve operations not in keeping with the character of a rural area.
2. Examples of permitted accessory uses and structures include:
  - (a) Barns and stables.
  - (b) Private garages.
  - (c) Private swimming pools.
  - (d) On-site signs (see Section 4.2)
  - (e) Residential facilities for caretakers whose work requires residence on the premises or for employees who will be quartered on the premises.

#### **4.5.4 PROHIBITED USES AND STRUCTURES**

Junk yard or automobile wrecking yard, and any use or structure not specifically, provisionally or by reasonable implication permitted herein as a special exception.

#### **4.5.5 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. The processing, storage, and sale of agricultural products and commodities which are not raised on the premises; provided, that no building used for these activities shall be located within three hundred (300) feet of any side or rear lot line.
2. Vineyard.
3. Agricultural equipment and related machinery sales.
4. Agricultural feed and grain packaging, blending, storage, and sales.

5. Agricultural fertilizer storage and sales.
6. Agricultural fairs and fairground activities.
7. Recreational activities such as racetracks and speedways; golf courses; country clubs; tennis and racquet clubs; golf and archery ranges; rifle, shotgun, and pistol ranges; travel trailer and recreational vehicle parks or campgrounds, including day camps; hunting or fishing camps; hotel; motel or conference center.
8. Riding or boarding stables.
9. Hospitals, sanitariums, nursing homes, and residential homes for the aged.
10. Commercial kennels, veterinary clinics, and animal shelters; provided, that no open runs or buildings used for housing of animals shall be located within three hundred (300) feet of any lot line.
11. Group living facilities.
12. Crematories and funeral homes.
13. Airplane landing fields.
14. Child care centers, provided:
15. Home occupations (see Section 4.2).
16. Private schools offering curricula comparable to that of public schools.
17. Public buildings and facilities, unless otherwise specified (see Section 4.2).
18. Private clubs and lodges.
19. Off-site signs (see also Section 4.2).
20. Solid waste facilities.
21. Flea markets.
22. Churches and other houses of worship.
23. Cemeteries and mausoleums.
24. Bed and Breakfast Establishments.

**4.5.6 MINIMUM LOT REQUIREMENTS (area, width)**

1. Single family dwellings, Mobile homes, and group living facilities:

Minimum lot area: 1 acres

Minimum lots width: 125 feet

2. All other permitted uses and structures (unless otherwise specified):

None, except as necessary to meet other requirements as set out herein.

**4.5.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side yard)  
(See Section 4.2 for right-of-way setback requirements.)

1. All permitted uses and structures (unless otherwise specified):

Front: 30 ft.

Side: 25 ft.

Rear: 25 ft.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

**4.5.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

**4.5.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

60 Percent

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

**4.5.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. All permitted or permissible uses and structures (unless otherwise specified). None, except as necessary to meet other requirements as set out herein.

**4.5.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

## **SECTION 4.6 “RSF” RESIDENTIAL, SINGLE FAMILY**

### **4.6.1 DISTRICTS AND INTENT**

The “RSF” Residential, Single Family category includes three (3) zone districts: RSF-1, RSF-2, and RSF-3. It is the intent of these districts to provide for single family areas of very low and low to medium density together with public and semi-public buildings and facilities and accessory structures as may be desirable and compatible with such development, as well as surrounding development. Non-residential uses in these districts may be subject to restrictions and requirements necessary to preserve and protect the single family residential character of these districts. Variation among the RSF-1, RSF-2, and RSF-3 districts is in requirements for lot area, width, and certain yards.

### **4.6.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Single family dwellings.
2. Public parks and recreational areas.
3. Homes of six (6) or fewer residents which otherwise meet the definition of "community residential facility" (see Section 4.2).
4. Public schools to include elementary schools and middle schools.
5. All permitted used per Section 4.2.35 Urban Agriculture Regulations.

### **4.6.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.

- (b) Are located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
  - (c) Are not of a nature likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
  - (d) Do not involve operations or structures not in keeping with the character of single family residential development.
  - (e) Family day care home.
2. Examples of permitted accessory uses and structures include:
- (a) Private garages.
  - (b) Private swimming pools.
  - (c) Non-commercial greenhouses, community gardens, personal gardens, and plant nurseries (See Article 2 for definitions).
  - (d) On-site signs (see Section 4.2).

#### **4.6.4 PROHIBITED USES AND STRUCTURES**

Trade or service establishments or storage in connection with such establishments, storage of building materials (except in connection with active construction activities on the premises), new Mobile homes except as permitted in Section 4.2 and Article 14, signs except as specifically permitted, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein as a special exception.

#### **4.6.5 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. Private schools offering curricula comparable to that of public schools.
2. Churches and other houses of worship.
3. Golf courses, country clubs, and racquet and tennis clubs.
4. Cemeteries and mausoleums.
5. Private clubs and lodges.
6. Parks maintained by any private association of persons residing in the district.
7. Public buildings and facilities in keeping with the character and requirements of the district, except those otherwise specified.

8. Home occupations (see Section 4.2).
9. Child care centers, provided:
  - (a) No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.; and
  - (b) Provision is made for areas for off-street pick-up and drop-off of children.
10. Commercial greenhouses and plant nurseries.
11. Bed and Breakfast Establishments.

#### **4.6.6 MINIMUM LOT REQUIREMENTS (area, width)**

1. Single Family Dwelling:

RSF-1: Minimum lot area: 20,000 sq. ft.

Minimum lot width: 100 ft.

RSF-2: Minimum lot area: 10,000 sq. ft.

Minimum lot width: 85 ft.

Note: RSF-2 districts shall only be permitted where community water systems and sanitary sewer systems are available and accessible.

RSF-3: Minimum lot area: 7,500 sq. ft.

Minimum lot width: 50 ft.

Note: RSF-3 districts shall only be permitted where community water systems and centralized sanitary sewer systems are available and accessible.

2. Other permitted uses and structures: None, except as needed to meet all other requirements herein set out.

#### **4.6.7 MINIMUM YARD REQUIREMENTS (depth of front and back yard, width of side yards) (See Section 4.2 for right-of-way setback requirements.)**

1. Single Family Dwellings:

RSF-1: Front: 25 ft.

Side: 10 ft. for each side yard.

Rear: 15ft.

RSF-2: Front: 20 ft.  
Side: 10 ft. for each side yard.  
Rear: 15ft.

RSF-3: Front: 15 ft.  
Side: 10 ft. for each side yard.  
Rear: 15ft.

2. Public and private schools, child care centers, churches, other houses of worship, private clubs and lodges, and other all permitted uses unless otherwise specified:

Front: 35 ft.  
Side: 25 ft. for each side yard.  
Rear: 35 ft.

Special Provisions: Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

#### **4.6.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.6.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

1. Single family dwellings and duplexes, including their accessory buildings:

40%

2. Other permitted buildings in connection with permitted uses, including their accessory buildings:

35%

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

#### **4.6.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. Churches, other houses of worship, private clubs and lodges, child care centers, commercial greenhouses and plant nurseries, public buildings (but not public schools): Where a use listed under (1) above is erected or expanded on land abutting either (a) a residential district or (b) property used for residential purposes in a residential/office district, then the proposed use shall provide a landscaped buffer which shall not be less than ten (10) ft. in width along the affected rear and/or side yards as the case may be.
2. All other permitted uses (unless otherwise specified): None, except as necessary to meet other requirements set out herein.

#### **4.6.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

### **SECTION 4.7 “RSF/MH” RESIDENTIAL (MIXED) SINGLE FAMILY/MOBILE HOME**

#### **4.7.1 DISTRICTS AND INTENT**

The “RSF/MH” Residential, (Mixed) Single Family/Mobile Home category includes three (3) zone districts: RSF/MH-1, RSF/MH-2, and RSF/MH-3. It is the intent of these districts to provide for single family residential areas of very low and low to medium density for single family dwellings and individual Mobile homes. In addition to providing for mixed single family/mobile home areas, this district also provides for public and semi-public buildings and facilities and accessory structures as may be desirable and compatible with mixed single family/mobile home residential development. In these districts, permitted non-residential uses and special exceptions may be subject to restrictions and requirements necessary to preserve and protect the single family residential character of these districts.

#### **4.7.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Single family dwellings.
2. Mobile home dwellings.
3. Public parks and recreational areas.
4. Homes of six (6) or fewer residents which otherwise meet the definition of "community residential facility" (see Section 4.2).
5. Public schools to include elementary schools and middle schools.
6. All permitted used per Section 4.2.35 Urban Agriculture Regulations.

#### **4.7.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
  - (c) Are not of a nature likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
  - (d) Do not involve operations or structures not in keeping with the character of residential development.
  - (e) Family day care home.
2. Examples of permitted accessory uses and structures include:
  - (a) Private garages.
  - (b) Private swimming pools.
  - (c) Non-commercial greenhouses and plant nurseries (See Article 2 for definitions).
  - (d) On-site signs (see Section 4.2).

#### **4.7.4 PROHIBITED USES AND STRUCTURES**

Trade or service establishments or storage in connection with such establishments, storage of building materials (except in connection with active construction activities on the premises), mobile home parks, signs except as specifically permitted, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein as a special exception.

#### **4.7.5 SPECIAL EXCEPTIONS (see also Articles 12 and 13)**

1. Private schools offering curricula comparable to that of public schools.
2. Churches and other houses of worship.
3. Golf courses, country clubs, racquet and tennis clubs.
4. Cemeteries and mausoleums.
5. Private clubs and lodges.
6. Parks maintained by any private association of persons residing in the district.
7. Public buildings and facilities in keeping with the character and requirements of the district, except those otherwise specified (see Section 4.2).
8. Home occupations (see Section 4.2)
9. Child care centers, provided:
  - (a) No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.; and
  - (b) Provision is made for areas for off-street pick-up and drop-off of children.
10. Commercial greenhouses and plant nurseries.
11. Trailer Parks or campgrounds.
12. Bed and Breakfast Establishments.

#### **4.7.6 MINIMUM LOT REQUIREMENTS (area, width)**

1. Single Family Dwellings:  
RSF/MH-1: Minimum lot area: 20,000 sq. ft.  
Minimum lot width: 100 ft.

RSF/MH-2: Minimum lot area: 10,000 sq. ft.

Minimum lot width: 85 ft.

Note: RSF/MH-2 districts shall only be permitted where community water systems and sanitary sewer systems are available and accessible.

RSF/MH-3: Minimum lot area: 4,500 sq. ft.

Minimum lot width: 50 ft.

Note: RSF/MH-3 districts shall only be permitted where community water systems and centralized sanitary sewer systems are available and accessible.

2. Other permitted uses and structures: None, except as needed

Special Provisions:

The location of any structure (except permitted docks, walkways and piers) shall be setback thirty-five (35) feet from wetlands. The location of any structure (except permitted docks, walkways and piers) shall be setback a minimum of thirty-five (35) feet from all other perennial rivers, streams and creeks, except the Suwannee River.

**4.7.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side of yards) (See Section 4.2 for right-of-way setback requirements.)

1. Single family dwellings and Mobile homes:

RSF/MH-1: Front: 25 ft.

Side: 10 ft. for each side yard.

Rear: 15ft.

RSF/MH-2: Front: 25 ft.

Side: 10 ft. for each side yard.

Rear: 15ft.

RSF/MH-3: Front: 25 ft.

Side: 10 ft. for each side yard.

Rear: 15ft.

2. Public and private schools, child care centers, churches, other houses of worship, private clubs and lodges, and other all permitted uses unless otherwise specified:

Front: 35 ft.

Side: 25 ft. for each side yard.

Rear: 35 ft.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of a structure (except permitted docks, walkways and piers, shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

**4.7.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

**4.7.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

1. One family dwellings and duplexes, including their accessory buildings: 40%
2. Other permitted buildings in connection with permitted uses, including their accessory buildings: 35%.

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

**4.7.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. Churches, other houses of worship, private clubs and lodges, child care centers, commercial greenhouses and plant nurseries, public buildings (but not public schools):

Where a use listed under (1) above is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer which shall not be less than 10 ft. in width along the affected rear and/or side yards as the case may be.

2. All other permitted uses (unless otherwise specified): None, except as necessary to meet other requirements set out herein.

**4.7.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.

3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

#### **4.7.12 ADDITIONAL REQUIREMENTS FOR MOBILE HOMES**

1. Anchoring. Each mobile home shall be located on a stand permitting each unit to be sufficiently supported and anchored as in compliance with the State Standards for Anchoring Mobile homes. In addition, each mobile home shall have the wheels and axles removed, shall be placed as close to the ground as can be practically accomplished and shall have the tongue or hitch portion of the mobile home removed unless permanently attached in such a manner that it cannot be readily removed.
2. Skirting. A skirt or apron which is continually and properly maintained by the owner of the mobile home shall surround each mobile home between the bottom of the unit and the ground.

### **SECTION 4.8 “RMH” RESIDENTIAL MOBILE HOME**

#### **4.8.1 DISTRICTS AND INTENT**

The “RMH” Residential, Mobile Home category includes three (3) zone districts: RMH-1, RMH-2, and RMH-3. It is the intent of these districts to provide for low to medium density mobile home subdivision development together with public and semi-public buildings and facilities and accessory structures as may be desirable and compatible with such development as well as surrounding development. Non-residential uses in these districts may be subject to restrictions and requirements necessary to protect the residential character of these districts.

#### **4.8.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Mobile homes.
2. Public parks and recreational areas.
3. Public schools to include elementary schools and middle schools

#### **4.8.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:

- (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
  - (c) Are not of a nature likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
  - (d) Do not involve operations or structures not in keeping with the character of residential development.
  - (e) Family day care home.
2. Examples of permitted accessory uses and structures include:
- (a) Private garages.
  - (b) Private swimming pools.
  - (c) Non-commercial greenhouses and plant nurseries.
  - (d) On-site signs (see Section 4.2).

#### **4.8.4 PROHIBITED USES AND STRUCTURES**

Trade or service establishments or storage in connection with such establishments, storage of building materials (except in connection with active construction activities on the premises), new single family dwelling units, mobile home parks, signs except as specifically permitted, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein as a special exception.

#### **4.8.5 SPECIAL EXCEPTIONS** (See also Articles 12 and 13)

1. Private schools offering curricula comparable to that of public schools.
2. Churches and other houses of worship.
3. Golf courses, country clubs, and racquet and tennis clubs.
4. Cemeteries and mausoleums.
5. Private clubs and lodges.
6. Parks maintained by any private association of persons residing in the district.

7. Public buildings and facilities in keeping with the character and requirements of the district, except those otherwise specified (see Section 4.2).
8. Home occupations (see Section 4.2).
9. Child care centers, provided:
10. Commercial greenhouses and plant nurseries.
11. Bed and Breakfast Establishments.

#### **4.8.6 MINIMUM LOT REQUIREMENTS (areas, width)**

1. Mobile Homes:

RMH-1: Minimum lot area: 20,000 sq. ft.  
Minimum lot width: 100 ft.

RMH-2: Minimum lot area: 10,000 sq. ft.  
Minimum lot width: 85 ft.

Note: RMH-2 districts shall only be permitted where community water systems and sanitary sewer systems are available and accessible.

RMH-3: Minimum lot area: 4,500 sq. ft.  
Minimum lot width: 50 ft.

Note: RMH-3 districts shall only be permitted where community water systems and centralized sanitary sewer systems are available and accessible.

2. Other permitted uses and structures: None, except as needed to meet all other requirements herein set out.

#### **4.8.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards) (See Section 4.2 for right-of-way setback requirements.)**

1. Mobile homes:

RMH-1: Front: 25 ft.  
Side: 10 ft. for each side yard.  
Rear: 15ft.

RMH-2: Front: 25 ft.  
Side: 10 ft. for each side yard.  
Rear: 15ft.

RMH-3: Front: 25 ft.  
Side: 10 ft. for each side yard.  
Rear: 15ft.

2. Public and private schools, child care centers, churches, other houses of worship, private clubs and lodges, and all other permitted uses unless otherwise specified:

Front: 35 ft.  
Side: 25 ft. for each side yard.  
Rear: 35 ft.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot buffer shall be located for perennial rivers, streams, creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer area.

#### **4.8.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.8.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

1. Mobile home dwellings including their accessory buildings: 40%.
2. Other permitted building in connection with permitted uses, including their accessory buildings: 35%.

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

#### **4.8.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. Churches, other houses of worship, private clubs and lodges, child care centers, commercial greenhouses and plant nurseries, public buildings (but not public schools):

Where a use listed under (1) above is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer which shall be not less than ten (10) ft. in width or a six (6) ft. high opaque privacy fence along the affected rear and/or side yards as the case may be.

2. All other permitted uses (unless otherwise specified): None, except as necessary to meet other requirements set out herein.

#### **4.8.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

#### **4.8.12 ADDITIONAL REQUIREMENTS FOR MOBILE HOMES**

1. Anchoring. Each mobile home shall be located on a stand permitting each unit to be sufficiently supported and anchored as in compliance with the State Standards for Anchoring Mobile homes. In addition, each mobile home shall have the wheels and axles removed, shall be placed as close to the ground as can be practically accomplished and shall have the tongue or hitch portion of the mobile home removed unless permanently attached in such a manner that it cannot be readily removed.
2. Skirting. A skirt or apron which is continually and properly maintained by the owner of the mobile home shall surround each mobile home between the bottom of the unit and the ground.

### **SECTION 4.9 “RMH-P” RESIDENTIAL MOBILE HOME PARK**

#### **4.9.1 DISTRICTS AND INTENT**

The “RMH-P” Residential, Mobile Home Park category includes one (1) zone district: RMH-P. It is the intent of this district to provide for Mobile homes in approved parks, occupied as one family dwellings. This is a medium density district designed to create an environment of residential character and permitting only those uses, activities, and services

which are compatible with the residential environment. The RMH-P district is a residential district, not a commercial district. The minimum size for a mobile home park shall be ten (10) acres in order to avoid spotty development and to provide enough area for adequate site design.

#### **4.9.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Mobile home parks. For uses under (1) above: Site and development plan approval is required (see Article 14).

#### **4.9.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
  - (c) Are not of a nature likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
  - (d) Do not involve operations or structures not in keeping with the character of residential development.
  - (e) Family day care home.
2. Examples of permitted accessory uses and structures include:
  - (a) Private garages.
  - (b) Private swimming pools.
  - (c) Non-commercial greenhouses and plant nurseries. Reference Article 2 for further definitions.
  - (d) Storage rooms.
  - (e) Mobile home park administrative/management offices and recreational and laundry facilities intended for use solely by the residents of the mobile home park and their guests.
  - (f) On-site signs (see Section 4.2).

#### **4.9.4 PROHIBITED USES AND STRUCTURES**

Trade or service establishments or storage in connection with such establishments, retail commercial outlets for sale of new and used Mobile homes, storage of building materials (except in connection with active construction activities on the premises), signs except as specifically permitted, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein as a special exception.

#### **4.9.5 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. Public parks; parks maintained by any private association of persons residing in the district.
2. Home occupations (see Section 4.2).
3. Child care centers, provided:

#### **4.9.6 MINIMUM LOT REQUIREMENTS** (area, width)

1. Mobile Home Parks:
  - (a) Site Requirements:
    - Minimum site area: 10 acres.
    - Minimum site width: 400 ft.
    - Minimum land area per dwelling unit: 5,445 sq. ft. (Density; 8 dwelling units per acre).
  - (b) Mobile home stand requirements:
    - Minimum mobile home stand size: 3,500 sq. ft.
    - Minimum average width of mobile home stand: 40 ft.
2. Other permitted uses and structures: None, except as needed to meet all other requirements herein set out.

#### **4.9.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side yards) (See Section 4.2 for right-of-way setback requirements.)

1. Mobile home parks: (to be applied at site perimeter)
  - Front: 35 ft.
  - Side: 25 ft. for each side yard

Rear: 25 ft.

Special Provisions:

In a mobile home park, no mobile home shall be located closer than twenty (20) feet to (a) another mobile home, or (b) a mobile home park access or circulation drive.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

**4.9.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

**4.9.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

1. Mobile home parks, including all accessory buildings: 30%.
2. Other permitted buildings in connection with permitted uses, including their accessory buildings: 35%.

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

**4.9.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. Mobile home parks:

Where a use under (I) above is erected or expanded on land abutting a one (1) family residential district, then the proposed use shall provide a landscaped buffer which shall be not less than fifteen (15) ft. in width along the affected rear and/or side yards as the case may be.

2. All other permitted uses (unless otherwise specified): None, except as necessary to meet other requirements set out herein.

**4.9.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

#### **4.9.12 ADDITIONAL REQUIREMENTS FOR MOBILE HOME PARKS**

1. Mobile home stands. The following requirements shall apply:
  - (a) Each mobile home shall be located on a stand that will permit each unit to be sufficiently supported and anchored as in compliance with the State Standards for Anchoring Mobile homes.
  - (b) Each approved mobile home stand shall be clearly defined by stakes or other markers which physically delineate the location of each stand within the mobile home park.
  - (c) A skirt or apron shall surround each mobile home between the bottom of the unit and the ground. This skirt or apron shall be continually and properly maintained by the owner of the mobile home.
2. Street or Driveway Improvements. All streets and drives shall be constructed using generally accepted engineering practices so as to allow proper drainage of the entire area, and to provide access to each mobile home site.
  - (a) Pavement base. Six (6) inches of compacted limerock.
  - (b) Wearing surface. One (1) inch of Type II asphalt or concrete surface course or the equivalent as approved as meeting standards established by the Town Council.
  - (c) Pavement width. All streets shall have a minimum pavement width of twenty (20) feet.
3. Street lighting. All streets or driveways within the park shall be lighted at night with electric lights providing a minimum illumination of 0.2 foot candles.
4. Usable open space. A minimum of fifteen (15) percent of the gross land area within the mobile home park shall be designed for recreational purposes.
5. Parking. No parking shall be allowed on any mobile home park access or circulation drive.

6. State regulations. In addition to the requirements listed above, the mobile home park shall comply with all applicable rules and regulations of the State of Florida including Chapter 10D-26 of the Florida Administrative Code, as amended.

## **SECTION 4.10 “RMF” RESIDENTIAL MULTI-FAMILY**

### **4.10.1 DISTRICTS AND INTENT**

The “RMF” Residential, Multi-family category includes two (2) zone districts: RMF-1, and RMF-2. It is the intent of these districts to provide for residential areas of medium density and only when community potable water systems and centralized sanitary sewer systems are available and accessible. These zoning districts allow for a desirable variety of housing types together with public and semi-public buildings and facilities and accessory structures as may be compatible with residential development. Non-residential uses such as office-oriented businesses and professional offices which are not incompatible with residential uses may be permitted as secondary uses to the extent they utilize existing or refurbished residential structures, serve the convenience needs of the neighborhood and of the Town’s residents and do not change the overall character of these residential districts. These “secondary” uses referred to as office – oriented businesses and professional offices may be permitted by application for a special exception to the Planning and Zoning Board. Non-residential uses in these districts may be subject to restrictions and requirements necessary to preserve and protect the residential character of these districts. Variation between the RMF-1 and RMF-2 districts is in requirements for density (land area per dwelling unit). Site and development plan approval (see Article 14) is required.

### **4.10.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Single family dwellings.
2. Duplex dwellings.
3. Multi-family dwellings.
4. Recreational Facility.
5. Public parks and recreational areas.
6. Homes of six (6) or fewer residents which otherwise meet the criteria of "community residential homes" (see Section 4.2).

7. Community residential facilities (see Section 2.1).
8. Public schools to include elementary schools, middle schools, technical schools, high schools, schools for exceptional and gifted children, community colleges and universities.

#### **4.10.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted principal use or structure, or on a contiguous lot in the same ownership.
  - (c) Are not of a nature likely to attract visitors in larger numbers than would normally be expected in a residential neighborhood.
  - (d) Do not involve operations or structures not in keeping with the character of residential development.
2. Examples of permitted accessory uses and structures include:
  - (a) Private garages.
  - (b) Private swimming pools.
  - (c) Non-commercial greenhouses and plant nurseries.
  - (d) For multi-family dwellings: administrative/management offices for the multi-family complex and recreational and laundry facilities intended for use solely by the residents of the multi-family complex and their guests.
  - (e) On-site signs (see Section 4.2).

#### **4.10.4 PROHIBITED USES AND STRUCTURES**

Trade or service establishments or storage in connection with such establishments, storage of building materials (except in connection with active construction activities on the premises), signs except as specifically permitted, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein as a special exception.

#### **4.10.5 SPECIAL EXCEPTIONS** (See also Articles 12 and 13)

1. Churches and other houses of worship.
2. Golf courses, country clubs, and racquet and tennis clubs.
3. Cemeteries and mausoleums.
4. Private clubs, lodges or amenity maintained by any private association of persons residing within the district.
5. Public buildings and facilities in keeping with the character and requirements of the district, except those otherwise specified (see Section 4.2).
6. Home occupations (see Section 4.2).
7. Child care centers, provided:
  - (a) No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.; and
  - (b) Provision is made for areas for off-street pick-up and drop-off of children
8. Group living facilities.
9. Nursing homes and residential homes for the aged.
10. Conference centers.

**4.10.6 MINIMUM LOT REQUIREMENTS** (area, width)

1. Single Family Dwellings:
  - Minimum lot area: 7,500 sq. ft.
  - Minimum lot width: 75 ft.
2. Duplexes:
  - Minimum lot area: 10,000 sq. ft.
  - Minimum lot width: 85 ft.
3. Multi-family development:
  - Minimum site area: 16,335 sq. ft.
  - Minimum site width: 80 ft.
  - Minimum land area per dwelling unit:

RMF-1: 5,445 sq. ft. (Density: 8 dwelling units/ac)  
RMF-2: 2,900 sq. ft. (Density: 15 dwelling units/ac).

4. Other permitted uses and structures: None, except as needed to meet all other requirements herein set out.

**4.10.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yards, width of side yards) (See Section 4.2 for right-of-way setback requirements.)

1. Single Family Dwellings, Mobile Homes and Duplexes:

Front: 25 ft.

Side: 10 ft. for each side yard

Rear: 15

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

2. Multi-Family Dwellings: (to be applied to site perimeter)

Front: 30 ft.

Side: 15 ft. for each side yard.

Rear: 20 ft.

Special Provisions:

Where two (2) or more multi-family structures are located together on one (1) site, no detached residential structure shall be closer than twenty (20) ft. to another.

3. Schools, child care centers, churches, other houses of worship, private clubs and lodges, nursing homes, residential homes for the aged, group living facilities, and all other permitted uses unless otherwise specified:

Front: 35 ft.

Side: 25 ft. for each side yard.

Rear: 35 ft.

#### **4.10.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed forty-five (45') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.10.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

1. Single Family Dwellings, including their accessory buildings: 40%
2. Duplexes and Multi-Family Development, including their accessory buildings: 40%
3. Other permitted buildings in connection with permitted uses, including their accessory buildings: 35%

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

#### **4.10.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. In the RMF-2 district only, multi-family dwellings:

Where a use listed under (1) above is erected or expanded on land abutting a one family residential district, then the proposed use shall provide a landscaped buffer which shall not be less than fifteen (15) ft. in width along the affected rear and/or side yards as the case may be.

2. Churches, other houses of worship, private clubs and lodges, and conference centers, child care centers, public buildings (but not public schools):

Where a use listed under (2) above is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer which shall be not less than ten (10) ft. in width or a six (6) foot opaque privacy fence along the affected rear and/or side yards as the case may be.

3. All other permitted uses (unless otherwise specified): None, except as necessary to meet other requirements set out herein.

#### **4.10.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

### **SECTION 4.11 “CN” COMMERCIAL, NEIGHBORHOOD**

#### **4.11.1 DISTRICTS AND INTENT**

The “CN” Commercial, Neighborhood category includes one (1) zone district: CN. It is the intent of this district to provide for small scale retail and service developments which serve the convenience needs of a limited population and/or geographic area (i.e., a neighborhood). In accordance with the Comprehensive Plan, this district is not intended to accommodate major or large scale commercial or service activities. The CN district is intended to be oriented to and compatible with the neighborhood to be served, and shall be located on a collector or arterial road.

#### **4.11.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Retail commercial outlets for sale of food, hardware and drugs.
2. Service establishments such as barber or beauty shop. Shoe repair shop, self-service laundry or dry cleaner, laundry or dry cleaning pick up stations.
3. Art Gallery
4. Arts and Crafts Shops, Antique Stores, Boutiques, Gift Shops.
5. Existing residential structures.

The above uses are subject to the following limitations: (1) floor area of each individual outlet or establishment shall not exceed three thousand (3,000) sq. ft.: (2) sale, display, preparations, and storage to be conducted within a completely enclosed building, and no more than twenty (20) percent of floor area to be devoted to storage, (3) products only to

be sold at retail; and (4) site and development plan approval is required for all developments (see Article 14).

#### **4.11.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. On the same premises and in connection with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof
2. On-site signs (see Section 4.2)
3. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted use or structure, or on a contiguous lot in the same ownership.
  - (c) Do not involve operations or structures not in keeping with the character of the district.

#### **4.11.4 PROHIBITED USES AND STRUCTURES**

1. Any use or structure not specifically, provisionally, or by reasonable implication permitted herein.
2. Residential uses, except as specified under CN accessory uses.

#### **4.11.5 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. Child care centers and overnight child care centers, provided:
  - (a) No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.; and
  - (b) Provision is made for areas for off-street pick-up and drop-off of children.
2. Financial institutions
3. Public Buildings and Facilities
4. Veterinary clinics, provided that no open runs or buildings used for housing of animals (commercial kennel) shall be permitted. Although cages and runs completely enclosed within an air/conditioned/heated and soundproofed portion of the veterinary clinic, may be permitted, where it can be shown to be compatible with the existing adjacent uses.

5. Bed and Breakfast Establishments.

**4.11.6 MINIMUM LOT REQUIREMENTS** (area, width)

None, except as necessary to meet other requirements as set out herein.

**4.11.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side yards) (See Section 4.2 for right-of-way setback requirements.)

1. Commercial and service establishments (unless otherwise specified):

Front: 25 ft.

Side: 10 ft. for each side yard.

Rear: 15 ft.

2. Child care centers and overnight child care centers:

Front: 20 ft.

Side: 10 ft. for each side yard.

Rear: 15 ft.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot buffer shall be located for perennial rivers, streams, creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer area.

**4.11.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

**4.11.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

40%

Note: In addition to meeting the required lot yard, building height, lot coverage, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

**4.11.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS (see also Section 4.2)**

1. All permitted uses (unless otherwise specified):

Where a use listed under (1) above is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer which shall be not less than twenty (20) ft. in width along the affected rear and/or side yards as the case may be.

**4.11.11 MINIMUM OFF-STREET PARKING REQUIREMENTS (see also Section 4.2)**

1. Each residential dwelling unit: two (2) spaces for each dwelling unit. Note: Off-street loading required (see Section 4.2)
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

**SECTION 4.12 “CG” COMMERCIAL, GENERAL**

**4.12.1 DISTRICTS AND INTENT**

The “CG” Commercial, General category includes one (1) zone district: CG. This district is intended for general retail commercial, office and service activities which serve a market area larger than a neighborhood. While some of the same types of uses are found in CN areas, the CG areas are generally greater in scale and intensity. Businesses in this category require locations convenient to automotive traffic and ample off-street parking is required, however; pedestrian traffic may also be found in this district. Site and development plan approval (see Article 14) is required.

**4.12.2 PERMITTED PRINCIPAL USES AND STRUCTURES (See Section 2.1 for definitions; See Section 4.2 for special design standards.**

1. Retail commercial outlets for sale of food (including outdoor seating), wearing apparel, fabric, toys, sundries and notions, books and stationery, leather goods and luggage, paint, glass, wallpaper, jewelry (including repair) art, cameras or photographic supplies (including camera repair), sporting goods, hobby shops and pet shops (but not animal kennel), musical instruments, optical goods, television, radio and/or computer (including repair incidental to sales), florist or gift shop,

delicatessen, bake shop (but not wholesale bakery), pharmacies, medical marijuana treatment facilities (MMTF), plants and garden supplies (including outside storage of plants and materials), automotive vehicle parts and accessories (but not junk yards or automotive wrecking yards), and similar uses.

2. Retail commercial outlets for sale of home furnishings (furniture, floor coverings, draperies, upholstery) and appliances (including repair incidental to sales), office equipment or furniture, hardware, second-hand merchandise, and similar uses.
3. Service establishments such as barber or beauty shop, shoe repair shop, restaurants with or without drive-through facilities, on-site outdoor seating for restaurants may be allowed, alcoholic beverages sales subject to Section 4.2, interior decorator, photographic studio, art or dance or music studio, reducing salon or gymnasium, animal grooming, self-service laundry or dry cleaner, tailor or dressmaker, laundry or dry cleaning pickup station, car or truck rental, and similar uses.
4. Other service establishments such as radio or television station (but not television or radio towers or antennae); funeral home, radio, television or computer repair shop, appliance repair shop, letter shops and printing establishments, pest control, and similar uses.
5. Medical or dental offices, clinics, and laboratories.
6. Business and professional offices.
7. Newspaper offices.
8. Banks and financial institutions.
9. Professional, business, and technical schools.
10. Commercial recreational facilities in completely enclosed, soundproof buildings, such as indoor motion picture theater, community or little theater, billiard parlor, bowling alley, gymnasiums, fitness centers and similar uses.
11. Hotels and motels.
12. Dry cleaning and laundry package plants in completely enclosed buildings using non-flammable liquids such as perchloroethylene and with no odor, fumes, or steam detectable to normal senses from off the premises.
13. Residential dwelling units, which existed within this district on the date of adoption or amendment of these land development regulations.
14. Churches and other houses of worship.

15. Art galleries.
16. Miscellaneous uses such as telephone exchange and commercial parking lots and parking garages.
17. Recovery homes.
18. Residential treatment facilities.
19. Automotive self service station. (see Section 4.2 for special design standards for automotive self-service stations)
20. General media stores (See Section 2.1 for definition; See Section 4.2 for special design standards for certain general media stores).

#### **4.12.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures.
  - (b) Are located on the same lot as the permitted use or structure, or on a contiguous lot in the same ownership.
  - (c) Do not involve operations or structures not in keeping with the character of the district.
2. On-site signs (see Section 4.2).

#### **4.12.4 PROHIBITED USES AND STRUCTURES**

1. New residential construction.
2. Off-site signs.
3. Activities that result in nuisances to neighboring properties such as excessive noise, smoke, odor, vibration, or dust.

#### **4.12.5 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. Automotive service stations (see Section 4.2 for special design standards for automotive service stations).
2. Rental of automotive vehicles, trailers and trucks.

3. Package store for sale of alcoholic beverages, bar, tavern or cocktail lounge.
4. Hospitals and nursing homes.
5. Motor bus or other transportation terminals.
6. Child care centers and overnight child care centers, provided:
  - (a) No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.; and
  - (b) Provision is made for areas for off-street pick-up and drop-off of children.
7. Public buildings and facilities.
8. Service establishments such as repair and service garage, motor vehicle body shop, car wash, auction house (but not including livestock auction arena), laundry or dry cleaning establishment, veterinary clinic, animal boarding kennels in soundproof buildings, plant nursery or landscape contractor, carpenter or cabinet shop, home equipment rental, ice delivery station, upholstery shop, marina and boat sales, commercial water softening establishment, rental of automotive vehicles, trailers, and trucks.
9. Commercial recreation facilities such as drive-in theater (see Section 4.2), golf driving range, miniature golf course, skating rink, skateboard arena, go-cart track, and similar uses.
10. Palmist, astrologist, psychics, clairvoyants, and phrenologists.
11. Wholesaling, warehousing, storage or distribution establishments and similar uses.
12. Research laboratories and activities in completely enclosed buildings.
13. Light manufacturing, assembling, processing (including food processing, but not slaughter houses), packaging or fabricating in completely enclosed building.
14. Printing, lithographing, publishing, photographic processing, blue printing or similar establishments.
15. Outdoor storage yards and lots, provided, this provision shall not permit wrecking yards (including automobile wrecking yards), junk yards, or yards used in whole or in part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage, or second-hand building materials, junk automotive vehicles, or second-hand automotive parts.

16. Retail commercial establishments for sale, repair, and service of new and used automobiles, motorcycles, trucks and tractors, Mobile homes, boats, heavy machinery and equipment, and farm equipment; motor vehicle body shop; establishments for sale of farm supplies, lumber and building supplies, monuments, automotive vehicle parts and accessories (but not junk yards or automotive vehicle wrecking yards), and similar uses.
17. Service establishments catering to commerce and industry including linen supply, freight movers, communications services, business machine services, canteen service, restaurant, employment agency sign company, pest control, water softening establishment and similar uses.
18. Service establishments such as crematory.
19. Vocational, technical, trade, or industrial schools and similar uses.
20. Miscellaneous uses such as express or parcel delivery office, telephone exchange, commercial parking lots and garages, motor bus or truck or other transportation terminal.
21. Radio and television stations.
22. Building trades contractor including on premises storage yard for materials and equipment, but no manufacturing of concrete or asphalt is permitted.
23. Railroad switching, freight, and storage yards; railroad buildings and maintenance structures.

**4.12.6 MINIMUM LOT REQUIREMENTS** (area, width)

1. All permitted uses and structures (unless otherwise specified):

Minimum lot area; None.

Minimum lot width; None.

**4.12.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side yards) (See Section 4,2 for right-of-way setback requirements.)

1. All permitted uses and structures (unless otherwise specified):

Front: 20

Side: None, except where a side yard is provided, then a side yard of at least 10 ft. must be provided.

Rear: 15 ft.

2. Child care centers and overnight child care centers:

Front: 20 ft.

Side: 10 ft. for each side yard.

Rear: 15 ft.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from wetlands and a thirty-five (35) foot natural buffer shall be required from perennial rivers, streams, creeks, lakes and ponds. The location of any structure (except permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine buffer areas.

#### **4.12.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.12.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

In addition to meeting the required lot yard, building height, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

#### **4.12.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. All permitted uses (unless otherwise specified):

Where a use listed under (1) above is erected or expanded on land abutting a residential district, then the proposed use shall provide a landscaped buffer which shall be not less than ten (10) ft. in width or a six (6) foot high opaque fence along the affected rear and/or side yards as the case may be.

2. Existing single-family dwellings and Mobile homes: None, except as necessary to meet other requirements set out herein.

#### **4.12.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Residential dwelling units: two (2) spaces for each dwelling unit.

2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended

Note: Off-street loading required (see Section 4.2).

## **SECTION 4.13 “C-CBD” COMMERCIAL, CENTRAL BUSINESS DISTRICT**

### **4.13.1 DISTRICTS AND INTENT**

The “C-CBD” Commercial, Central Business District category includes one zone district: C-CBD. It is the intent that this district be applied only to that area which forms the Town's center for financial, commercial, governmental, professional, cultural, and associated activities. The intent of this district is to encourage the development of the central business district as a focal point for the community which provides the services for people to live, work, and shop. The regulations in this section are designed to: (1) protect and enhance the district's suitability for activities which need a central location; (2) discourage uses which do not require a central location; and (3) discourage uses which may create friction with pedestrian traffic and the primary activities for which the district is intended. Heavily automotive oriented uses are, as a rule, prohibited. Site and development plan approval (see Article 14) is required.

### **4.13.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

As for CG, and in addition:

1. Retail commercial outlets for sale of new and used automobiles, trucks and tractors; and agricultural machinery and equipment.
  2. Convention centers and auditoriums.
  3. Wholesaling from sample stocks; Cottage industries whose activities include light manufacturing or assembly but which do not result in nuisances to neighboring properties such as excessive noise, smoke, odor, vibration, or dust. Storage for distribution is permitted.
1. Motor bus or other transportation terminal.

2. Pharmacies
3. Medical Marijuana Treatment Facilities (MMTF)
4. Conventional single family, duplex, and multi-family dwellings.
5. Compound uses (defined as any use of land or building for either conventional single family, duplex, or multi-family residential use and nonresidential use, either of which may be the principal use).
6. Bed and Breakfast Establishments.

#### **4.13.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted or permissible uses and structures.
  - (b) Are located on the same lot as the permitted or permissible use or structure, or on a contiguous lot in the same ownership.
  - (c) Do not involve operations or structures not in keeping with the character of the district.
2. On-site signs (see also Section 4.2)
3. On the same premises and in conjunction with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.

#### **4.13.4 PROHIBITED USES AND STRUCTURES**

1. New residential construction, except as specified under C-CBD accessory uses.
2. Warehousing and storage except as accessory to be permitted principal use.
3. Any other uses or structures not specifically, provisionally, or by reasonable implication permitted herein.

#### **4.13.5 SPECIAL EXCEPTIONS** (see also Articles 11 and 12)

4. Automotive service stations (see Section 4.2 for special design standards for automotive service sections).
5. Off-site signs (see also Section 4.2).

6. Package store for sale of alcoholic beverages; bar, tavern, or cocktail lounge.
7. Public buildings and facilities (see Section 4.2).
8. Child care centers and overnight child care centers, provided:
  - (a) No outdoor play activities shall be conducted before 8 a.m. or after 8 p.m.
  - (b) Provision is made for areas for off-street pick-up and drop-off of children.
9. Veterinary clinics, provided that no open runs or buildings used for housing of animals (commercial kennel) shall be permitted. Although cages and runs completely enclosed within an air/conditioned/heated and soundproofed portion of the veterinary clinic, may be permitted, where it can be shown to be compatible with the existing adjacent uses.

#### **4.13.6 MINIMUM LOT REQUIREMENTS (area, width)**

None, except as needed to meet all other requirements herein set out.

#### **4.13.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yard).**

None, except as needed to meet all other requirements herein set out.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot buffer shall be located for perennial rivers, streams, creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer area.

#### **4.13.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed seventy-two (72') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.13.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

Unrestricted, except as necessary to meet other requirements as set out herein.

#### **4.13.10 MINIMUM LANDSCAPING BUFFERING REQUIREMENTS (see also Section 4.2)**

1. All permitted or permissible uses (unless otherwise specified):

Where a use listed under (1) above is erected or expanded on land abutting either (a) a residential district or (b) property used for residential purposes in a residential/office district, then the proposed use shall provide a landscaped buffer which shall be not less than ten (10) ft. in width or a six (6) ft. high opaque privacy fence along the affected rear and/or side yards as the case may be.

2. Existing one and two family dwellings: None, except as necessary to meet other requirements set out herein.

#### **4.13.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit. Note: Off-street loading required (see Section 4.2)
2. For other special exceptions as specified herein: to be determined by findings in the particular case.
3. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

Note: Off-street loading required (see Section 4.2).

### **SECTION 4.14 “I” INDUSTRIAL**

#### **4.14.1 DISTRICTS AND INTENT**

The “I” Industrial category includes one (1) zone district: “I”. This district is intended primarily for manufacturing and closely related uses. It is intended to preserve such lands for the functions of industrial activity, wholesaling, warehousing and distribution. To allow maximum latitude for operations, performance standards are applied at district boundaries, so that uses which might not otherwise be permitted are allowable in the portions of the district not adjacent to the district boundary lines. Site and development plan approval (see Article 14) is required.

#### **4.14.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Any industrial use which is otherwise lawful (except those uses requiring special controls and permissible as special exceptions) and which conforms to performance standards as set out in Article 14.

2. General media stores (See Section 2.1 for definition; See Section 4.2.34 for special design and separation requirements for adult entertainment or service facilities).
3. Adult Commercial Establishment (See Section 2.1 for definition; See Section 4.2.34 for special design and separation requirements for adult entertainment or service facilities).
4. Adult cabarets (See Section 2.1 for definition; See Section 4.2.34 for special design and separation requirements for adult cabarets). Live entertainment shall occur only inside an enclosed, sound-proofed building, and there shall be no projection of sound outside the building.
5. Adult motion picture theaters (See Section 2.1 for definition; See Section 4.2.34 for special design and separation requirements for adult motion picture theaters). There shall be no projection of sound outside the enclosed building.
6. Personal property storage facilities. (See Section 2.1 for definition; See Section 4.2 for special design requirements).

#### **4.14.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted principal uses and structures.
2. On-site signs (see Section 4.2).

#### **4.14.4 PROHIBITED USES AND STRUCTURES**

Any uses or structures not specifically, provisionally, or by reasonable implication permitted herein, including any use not conforming to performance standards of Article 14.

#### **4.14.5 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. Wrecking yards (including automobile wrecking yard); junk yards; or yards used for scrap, salvage, second-hand building materials, junk automotive vehicles, or second-hand automotive parts; provided any such yard shall be completely enclosed by an opaque fence or wall not less than six (6) ft high; provided that this fence or wall shall not be built of tin or galvanized metal sheets.
2. Bulk storage yards including bulk storage of flammable liquids, subject to provisions of local and State Fire Codes.
3. Chemical and fertilizer manufacture.

4. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
5. Paper and pulp manufacture.
6. Petroleum refining.
7. Rendering plant.
8. Storage, sorting, collecting or baling of rags, iron or junk.
9. Off-site signs (see Section 4.2).
10. Truck stops and automotive service and self-service stations (see Section 4.2 for special design standards for automotive service stations).
11. Hazardous waste disposal sites.
12. Electric or gas generating plants.
13. Asphalt or concrete batching plants.
14. Uses similar to those listed above.
15. Public buildings and facilities.

**4.14.6 MINIMUM LOT REQUIREMENTS** (area, width)

1. All permitted uses and structures (unless otherwise specified)

Minimum lot area: None.

Minimum lot width: None.

**4.14.7 MINIMUM YARD REQUIREMENTS** (depth of front and rear yard, width of side yards)  
(See Section 4.2 for right-of-way setback requirements.)

1. All permitted uses and structures (unless otherwise specified):

Front: 20 ft.

Side and Rear: 15 ft. except where railroad spur abuts side or rear property line, in which case no yard is required.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

#### **4.14.8 MAXIMUM HEIGHT OF STRUCTURES**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.14.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS**

In addition to meeting the required lot yard, building height, landscaped buffering, and off-street parking requirements of this section, no structure shall exceed a 1.0 floor area ratio.

#### **4.14.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS** (see also Section 4.2)

1. In an effort to buffer non-compatible abutting uses, where industrial development bounds a residential district, the proposed use shall provide a landscaped buffer which shall be not less than twenty-five (25) ft. in width along the affected rear and/or side yards as the case may be.

#### **4.14.11 MINIMUM OFF-STREET PARKING REQUIREMENTS** (see also Section 4.2)

1. All other off-street parking requirements shall be in accordance with the Institute of Transportation Engineers (ITE) manual, as amended.

Note: Off-street loading required (see Section 4.2).

### **SECTION 4.15 "PRD" PLANNED RESIDENTIAL DEVELOPMENT**

#### **4.15.1 DISTRICTS AND INTENT**

The "PRD" Planned Residential Development category includes one (1) zone district: "PRD". The purpose of this district is to permit Planned Residential Developments, which

are intended to: (1) encourage the development of planned residential development of land; (2) encourage flexible and creative concepts of site planning; (3) preserve the natural amenities of the land by encouraging scenic and functional open areas; (4) accomplish a more desirable environment than would be possible through strict application of the minimum requirements of these land development regulations; (5) provide for an efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing costs; and (6) provide a stable environmental character compatible with surrounding areas.

#### **4.15.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

1. Residential dwellings including conventional single family dwellings, duplex dwellings, and multi-family dwellings.
2. Public or private schools offering curricula comparable to that of public schools.
3. Churches and other houses of worship.
4. Golf courses, county clubs, and racquet and tennis clubs.
5. Public buildings and facilities.

#### **4.15.3 PERMITTED ACCESSORY USES AND STRUCTURES**

1. On-site signs (see also Section 4.2).
2. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to permitted uses and structures;
  - (b) Are located on the same lot as the permitted use or structure, or on a contiguous lot in the same ownership; and
  - (c) Do not involve operations or structures not in keeping with the character of the district.

#### **4.15.4 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

1. Home occupations (see Article 2.1).
2. Bed and Breakfast Establishments.

#### **4.15.5 DEFINITIONS**

In addition to the definitions contained in Article Two, the following terms, phrases, words, and derivations shall have the following meaning:

1. Applicant. Applicant is a landowner or the landowner's agent who files a petition for a zoning amendment to a Planned Residential Development District.
2. Development Plan. Development plan is the proposal for development of a Planned Residential Development, including a plat of subdivision, all covenants, grants of easement and other conditions relating to use, location and bulk of building, density of development, common open space, and public facilities.
3. Common Open Space. Common Open Space is an area of land, or an area of water, or a combination of land and water within the area of a Planned Residential Development in common. Common open space may contain such recreational structures and improvements as are desirable and appropriate for the common benefit and enjoyment of residents of the Planned Residential Development.
4. Gross Density. Gross Density is the total number of dwelling units divided by the total number of acres within the perimeter boundaries of a Planned Residential Development.
5. Net Residential Acreage. Net Residential Acreage is the total number of acres within the perimeter boundaries of a Planned Residential Development excluding areas devoted to streets, rights-of-way, easements, lakes, public and private open space, recreation, and other permitted non-residential uses.
6. Planned Residential Development. Planned Residential Development (PRD), (a) is a concept which required land to be under unified control, planned and developed as a whole in a single development or approved, programed series of developments for dwelling units and related uses and facilities; (b) is a plan which, when adopted, becomes the land development regulations for the land to which it is applied; (c) includes principal and accessory structures substantially related to the character of the development itself and the surrounding area of which it is a part; and (d) is a concept which, when implemented, allows for development according to comprehensive and detailed plans which include not only streets, utilities, building sites, and the like, but also site plans and elevations for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses, and improvements on the land as related to the buildings.

#### **4.15.6 PROCEDURE FOR APPROVAL OF A PLANNED RESIDENTIAL DEVELOPMENT**

The procedure for obtaining a change in zoning for the purpose of undertaking a Planned Residential Development shall be as follows:

1. Planned Residential Development Zoning and Preliminary Development Plan Approval. The applicant shall submit to the Land Development Regulation Administrator a request for change to a Planned Residential Development zoning district containing the following exhibits:

- (a) A statement of objectives describing:
  - i. The general purpose of the proposed development; and
  - ii. The general character of the proposed development.
- (b) A Vicinity Map showing the location of the proposed Planned Residential Development in relation to:
  - i. Surrounding streets and thoroughfares;
  - ii. Existing zoning on the site and surrounding areas; and
  - iii. Existing land use on the site and surrounding areas.

The Vicinity Map shall be drawn at a scale to show an area of no less than one thousand (1,000) feet surrounding the property. A greater area may be required if the Planning and Zoning Board determines information on a larger vicinity is needed.

- (c) A Boundary Survey and legal description of the property.
- (d) A Topographic Survey The most recent United States Geological Service topographic survey may be used if better topographic information is not available.
- (e) A Site Analysis Map at the same scale as the Preliminary Development Plan described below shall be submitted indicating flood prone areas, areas with slopes greater than five (5) percent, areas of soils which are marginally suited for development purposes and tree cover.
- (f) A Preliminary Development Plan drawn at a scale suitable for presentation, showing:
  - i. Proposed land uses;
  - ii. Lot sizes indicated either by lot lines drawn in their proposed location or a statement on the face of the Preliminary Development Plan concerning proposed lot sizes, including minimum lot sizes; and

- iii. Building setbacks defining the distance buildings will be set back from:
  - 1. Surrounding property lines;
  - 2. Proposed and existing streets;
  - 3. Other proposed buildings;
  - 4. The center line of rivers, streams, and canals;
  - 5. The high water line of lakes; and
  - 6. Other man-made or natural features which would be affected by building encroachment.
- iv. Maximum height of buildings;
- v. Common open spaces;
- vi. Arterial and collector streets and thoroughfares;
  - Local access streets and interior circulation should be shown on the Preliminary Development Plan for Planned Residential Developments which have no planned arterial or collector streets within the projects.
- vii. Common outside storage areas; and
- viii. Screening, buffering, and landscaped buffer areas.

**Special Provisions:**

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

- (g) A table showing acreage for each category of land use.
- (h) A statement concerning proposed floor area ratios (percent of lot in relation to building floor area) and the maximum building coverage expressed as a percent of the total site area.

- (i) A Preliminary Utility Service Plan including sanitary sewers, storm drainage, and potable water supply, showing general locations of major water and sewer lines, plant location, lift stations, and indicating whether gravity or forced systems are planned. Size of lines, specific locations, and detailed calculations are not required at this stage.
  - (j) A statement indicating the type of legal instruments that will be created to provide for the management of common areas and any private roads.
2. Processing the Planned Residential Development Zoning Application and Preliminary Development Plan Submittals. When the Land Development Regulation Administrator has received the application and submittals, and is satisfied that the application and submittals are complete, the application shall be processed as any other zoning application in accordance with the provisions of these land development regulations.

The Planning and Zoning Board shall make a recommendation to the Town Council. The Town Council' actions shall be one (1) of the following:

- (a) Approval as submitted.
  - (b) Conditional approval.
  - (c) Disapproval.
3. Final Development Plan. if the Preliminary Development Plan for the Planned Residential Development is approved, the applicant shall submit a Final Development Plan covering all or part of the approved Preliminary Development Plan within twelve (12) months to the Land Development Regulation Administrator. Thirty (30) days prior to any lapse date, the Land Development Regulation Administrator shall notify the Town Council and the applicant of such date. Such notice to the applicant shall be mailed via Certified Mail Return Receipt Requested. If a Final Development Plan is not submitted within this twelve (12) month period, or an additional twelve (12) month period granted by the Town Council the Land Development Regulation Administrator shall cause the Planned Residential Development district to be removed from the Official Zoning Atlas and reinstate the zoning district in effect prior to approval of the Planned Residential Development. The Town Council may extend this lapse date for a period not to exceed an additional twelve (12) months, provided the request for extension is made by the applicant prior to the expiration of the initial approval period.

The Final Development Plan shall include the following exhibits:

- (a) A statement of objectives:
  - i. The general purpose of the proposed development.

- ii. The general character of the proposed development.
- (b) A Topographic Map drawn at a scale of one hundred (100) feet to one (1) inch by a surveyor or engineer registered in the state of Florida showing:
  - i. The location of existing private and public property rights-of-way, streets, buildings, water courses, transmission lines, sewers, bridges, culverts, and drain pipes, water mains, and any public utility easements;
  - ii. Wooded areas, streams, lakes, marshes, and any other physical conditions affecting the site; and
  - iii. Existing contours at intervals of one (1) foot.
- (c) A Final Development Plan drawn at a scale of one hundred (100) feet to one (1) inch and showing:
  - i. The boundaries of the site, topography, and proposed grading plan;
  - ii. Width, location, and names of surrounding streets;
  - iii. Surrounding land use;
  - iv. Proposed streets and street names and other vehicular and pedestrian circulation systems including off-street parking;
  - v. The use, size, and location of all proposed building sites; and
  - vi. Location and size of common open spaces and public or semi-public areas.
- (d) A Utility Service Plan showing:
  - i. Existing drainage and sewer lines;
  - ii. The disposition of sanitary waste and storm water;
  - iii. The source of potable water;
  - iv. Location and width of all utility easements or rights-of-way; and
  - v. Plans for the special disposition of stormwater drainage when it appears that said drainage could substantially harm a body of surface water.

- (e) A Landscaping Plan showing:
  - i. Landscaped areas;
  - ii. Location, height, and material for walks, fences, walkways, and other man-made landscape features; and
  - iii. Any special landscape features such as, but not limited to, man-made lakes, land sculpture, and waterfalls.
  
- (f) Statistical information:
  - i. Total acreage of the site;
  - ii. Maximum building coverage expressed as a percent of the area;
  - iii. Area of land devoted to landscaping and/or common open space usable for recreation purposes expressed as a percent of the total site area; and
  - iv. Calculated gross density and net residential acreage for the proposed development (see Section 4.16.5 for definition of gross density and net residential acreage).
  
- (g) The substance of covenants grants easements, or other restrictions to be imposed on the use of the land, buildings, and structures, including proposed easements for public and private utilities. All such legal documents, including homeowners' associations and deed restrictions, shall be approved by the Town Attorney before final approval of the plan.

#### **4.15.7 ISSUANCE OF BUILDING PERMITS**

No building permit shall be issued for any portion of a proposed Planned Residential Development until the Final Development Plan has been approved.

#### **4.15.8 REVISION OF A PLANNED RESIDENTIAL DEVELOPMENT**

A proposed substantial change in the approved Preliminary Development Plan which affects the intent and character of the development, the density or land use patterns, proposed buffers, the location or dimensions of arterial or collector streets, or similar substantial changes, shall be reviewed by the Planning and Zoning Board and the Town Council in the same manner as the initial application. A request for a revision of the Preliminary Development Plan shall be supported by a written statement and by revised plans demonstrating the reasons the revisions are necessary or desirable. All revisions to the approved Preliminary Development Plan shall only be approved if they are consistent

with the original purpose, intent, overall design, and integrity of the approved Preliminary Development Plan.

Minor changes, and/or deviations from the Preliminary Development Plan which do not affect the intent or character of the development shall be reviewed by the Land Development Regulation Administrator and shall be approved only if they are consistent with the original purpose, intent and overall design and integrity of the approved preliminary development plan. Upon approval of the revision, the applicant shall make revisions to the plans and submittals and file the revised plans with the Land Development Regulation Administrator within thirty (30) days.

Examples of major and minor changes are:

Major changes:

1. Perimeter changes.
2. Major street relocation.
3. Change in building height, density, land use patterns, or buffers.

Minor changes:

1. Change in alignment, location, or length of local street.
2. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density.
3. Reorientation or slight shifts in building locations.

#### **4.15.9 PLANNED RESIDENTIAL DEVELOPMENT TIME LIMITATIONS**

If substantial construction, as determined by the Land Development Regulation Administrator, has not commenced within two (2) years after approval of the Final Development Plan, the approval of the Planned Residential Development will lapse. Thirty (30) days prior to any lapse date, the Land Development Regulation Administrator shall notify the Town Council and the applicant of such date. Such notice to the applicant shall be mailed via certified mail return receipt requested. The Town Council may extend the commencement period, at the request of the applicant for a period not to exceed an additional two (2) years, provided the request for extension is made prior to the expiration of the initial approval period. If the Planned Residential Development lapses under this provision, the Land Development Regulation Administrator shall cause the Planned Residential Development district to be removed from the Official Zoning Atlas and reinstate the zoning district which was in effect prior to the approval of the Planned Residential Development.

#### **4.15.10 DEVIATION FROM THE FINAL DEVELOPMENT PLAN**

Any unapproved deviation from the accepted Final Development Plan shall constitute a breach of agreement between the applicant and the Town Council. Such deviation may cause the Town to immediately revoke the Final Development Plan until such time as the deviations are corrected or become a part of the accepted Final Development Plan.

#### **4.15.11 PHASING**

The Town Council may permit or require the phasing of a Planned Residential Development. When provisions for phasing are included in the final Development Plan, each phase of development shall be so planned and so related to previous development, surrounding properties, and available public facilities and services so that a failure to proceed with subsequent phases of development will have no adverse impact on the Planned Residential Development or surrounding properties.

#### **4.15.12 DEVELOPMENT STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS**

1. [Size of the Parcel] The minimum size parcel for Planned Residential Development shall be five (5) acres.
2. Conformance with the Comprehensive Plan. Densities for Planned Residential Developments shall be based upon and consistent with the Comprehensive Plan. No Final Development Plan may be approved unless it is in conformance with the Comprehensive Plan.
3. Relationship to Zoning District. An approved Planned Residential Development is a separate zoning district in which the Final Development Plan, as approved, establishes the restrictions and regulations according to which the development shall occur. Upon approval, the Official Zoning Atlas shall be changed to indicate the area as a Planned Residential Development.
4. Residential Density and Housing Types. Any combination of residential density and housing types is permitted for a Planned Residential Development, as long as the overall gross density does not exceed the prescribed total number of dwelling units of the Comprehensive Plan land use classifications contained on the project site.
5. Dimensional and Bulk Restriction. The location of all proposed building sites shall be shown on the Final Development Plan subject to minimum lot sizes, setback lines, lot coverage and floor area specified by the Preliminary Development Plan as approved by the Town Council.
6. Internal Compatibility. All land uses proposed within a Planned Residential Development shall be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use. An evaluation of the

internal compatibility by a Planned Residential Development shall be based on the following factors:

- (a) the existence or absence of and the location of common open spaces and recreational areas;
- (b) the use of existing and proposed landscaping;
- (c) the treatment of pedestrian ways;
- (d) the use of topography, physical environment, and other natural features;
- (e) the traffic and pedestrian circulation pattern;
- (f) the use and variety of building setback lines, separations and buffering;
- (g) the use and variety of building groupings;
- (h) the use and variety of building sizes;
- (i) the separation and buffering of parking areas and sections of parking area;
- (j) the variety and design of dwelling types;
- (k) the proposed land uses and the conditions and limitations thereon;
- (l) the form of ownership proposed for various uses; and
- (m) any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of any proposed use within the Planned Residential Development.

7. External Compatibility. All land uses proposed within a Planned Residential Development shall be compatible with existing and planned uses of properties surrounding the Planned Residential Development; that is, no internal use may have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of the external compatibility of a Planned Residential Development should be based on the following factors:

- (a) all of these factors listed in this Section, with particular attention to those areas of the Planned Residential Development located on or near its perimeter;
- (b) the uses proposed near the Planned Residential Development perimeter and the conditions and limitations thereon;

- (c) the type, number, and location of surrounding external uses;
  - (d) the Comprehensive Plan designation and zoning on surrounding lands; and
  - (e) any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of lands surrounding the Planned Residential Development and any existing or planned use of such lands.
8. Intensity of Development. The residential density and intensity of use of a Planned Residential Development shall be compatible with, and shall have no undue adverse impact upon, the physical and environmental characteristics of the site and surrounding lands, and they shall comply with the policies and density limitations set forth in the Comprehensive Plan. Specific densities and intensity of uses within a Planned Residential Development shall be determined based on the following factors:
- (a) the locations of various proposed uses within the Planned Residential Development and the degree of compatibility of such uses with each other and with surrounding uses;
  - (b) the amount and type of protection provided for the safety, habitability, and privacy of land uses both internal and external to the Planned Residential Development;
  - (c) the existing residential density and intensity of use of surrounding lands;
  - (d) the availability and location of utility services and public facilities and services;
  - (e) the amount and size of common open spaces and recreation areas;
  - (f) the existence and treatment of any environmentally sensitive areas on the Planned Residential Development property or surrounding lands;
  - (g) the access to and suitability of transportation arteries proposed within the Planned Residential Development and existing external transportation systems and arteries; and
  - (h) any other factor deemed relevant to the limitation of the intensity of development for the benefit of the public health, welfare, and safety.
9. Common Open Space. At least fifteen (15) percent of the area covered by a Final Development Plan shall be usable, common open space owned and operated by the applicant or dedicated to a homeowner association or similar group, provided that in establishing the density per gross acre the Town Council may increase the percentage of common open space in order to carry out the intent and purpose set

forth in this Article; and provided that any Planned Residential Development which only consists of one family dwellings with individually deeded lots shall only be required to have five (5) percent usable, common open space. Not more than one-half (1/2) of the total common open space area may be in a flood plain, buffer area, and/or water bodies.

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

10. Access and Parking. All streets, thoroughfares, and access ways shall be designed to relate to the traffic circulation plans of the area. Adequate off-street parking shall meet the requirements specified for the uses found in the District Regulations and Section 4.2 of these land development regulations.
11. External Transportation Access. A Planned Residential Development shall provide direct access to, a major street (arterial or collector) unless, due to the size of the Planned Residential Development and the type of uses proposed, it will not adversely affect the traffic on adjoining minor (local) streets.
12. Internal Transportation Access. Every dwelling unit or other use permitted in a Planned Residential Development shall have access to a public street either directly or by way of a private road. Permitted uses are not required to front on a dedicated public road. Private roads shall be constructed according to Town specifications as found in the Town's Subdivision Regulations (see Article 5). If the Planned Residential Development contains private roads, such private roads shall be owned and maintained by the applicant or dedicated to a homeowners' association or similar group.
13. Perimeter Requirements. Structures, buildings and streets located at the perimeter of the development shall be permanently screened by a landscaped buffer area (see Section 4.2).
14. Control of Area Following Completion. After completion of a Planned Residential Development, the use of the land and/or modification or alteration of any buildings or structures within the area covered by the Final Development Plan shall continue to be regulated in accordance with the approved Final Development Plan except as otherwise provided for herein.
  - (a) Minor extensions, alterations or modifications of existing buildings or structures may be permitted after review and approval by the Land Development Regulation Administrator provided they are substantially

consistent with the original purpose, intent, overall design, and integrity of the Final Development Plan.

- (b) Substantial change in permitted uses, location of buildings, or other specifications of the Final Development Plan may be permitted following public hearing and approval by the Town Council upon receipt of the recommendation of the Planning and Zoning Board, as long as such changes are consistent with the original purpose, intent, overall design, and integrity of the Final Development Plan.

## **SECTION 4.16 “PS” PUBLIC SERVICE**

### **4.16.1 DISTRICTS AND INTENT**

The “PS” Public Service category includes one (1) zone district: PS. Lands within this district are for the purpose of identifying and providing suitable locations for the necessary public and private utility and recreation activities that serve and are used directly by the public for their own benefit and are necessary to the normal conduct of the community's activities. This district may be isolated and surrounded by any other zoning district compatible with the intended use of the facility.

The provisions of this district are intended to:

3. Accommodate utilities, recreation and public facilities, at appropriate locations, necessary to serve the public;
4. Ensure public awareness of the location of existing or potential utilities, recreation and public facilities;
5. Allow, through the rezoning process, public review of specific utility, recreation and public facility uses to ensure locations compatible with surrounding activities; and
6. Ensure, by requiring development plan review where necessary, that such uses are designed to minimize negative impacts on surrounding properties.

### **4.16.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

The uses(s) permitted by right shall be specified in the ordinance that assigns PS zoning to a property and may include, but shall not be limited to, the uses that are listed as follows.

1. Libraries and information centers.

2. U.S. Postal Service.
3. Museums, art galleries and botanical and zoological gardens.
4. Public administration.
5. Local and suburban transit and interurban highway passenger transportation.
6. Public golf courses.
7. Pipelines, except natural gas.
8. Electric, gas and sanitary services.
9. Cemeteries.
10. Public service vehicles.
11. Any other use specified in the ordinance rezoning property to this classification.
12. Any use customarily incidental to any permitted principal use.
13. Public lands designated for open space or conservation.
14. Activity-based public parks and recreational facilities as defined by the comprehensive plan.
15. Utility lines.
16. Water conservation areas, water reservoirs and control structures, drainage wells and water wells.
17. Transmitter towers

#### **4.16.2 PERMITTED ACCESSORY USES AND STRUCTURES**

3. Uses and structures which:
  - (a) Are customarily accessory and clearly incidental and subordinate to non-intensive resource based recreation activities.
4. Examples of permitted accessory uses and structures include:
  - (a) Forestry stations and scientific stations for the study of the natural resources within the conservation district.
  - (b) Residential facilities for caretakers.

- (c) Boat docks and boat ramps.

#### **4.16.4 PROHIBITED USES AND STRUCTURES**

3. Residential uses (except forestry stations or scientific stations for the study of the natural resources within the conservation district and residential facilities for caretakers);
4. Any use or structure not specifically, provisionally or by reasonable implication permitted herein or permissible as a special exception.

#### **4.16.5 SPECIAL EXCEPTIONS** (See also Articles: 2, 12 and 13)

2. Juvenile Detention / Correction Facilities
3. Transfer Stations
4. Solid Waste, Recycle Facilities
5. Airports (Must comply with Federal Aviation Administration (FAA) regulations)

#### **4.16.6 MINIMUM LOT REQUIREMENTS**

None, except to meet other requirements as set out herein.

#### **4.16.7 MINIMUM YARD REQUIREMENTS** (See Section 4.2 for right-of-way setback requirements)

Special Provisions:

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a thirty-five (35) foot natural buffer shall be required from perennial creeks, lakes and ponds. The location of any structure (excepting permitted docks, walkways and piers) shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within the riverine and wetland buffer areas.

#### **4.16.8 MAXIMUM HEIGHT OF STRUCTURES SHALL NOT EXCEED**

No structure shall exceed thirty-five (35') feet maximum permitted height, except as allowed by Section 4.2, Height Limit Exceptions.

#### **4.16.9 MINIMUM LOT COVERAGE**

None

#### **4.16.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS**

None

#### **4.16.11 MINIMUM OFF-STREET PARKING REQUIREMENTS**

None

### **SECTION 4.17 “PUD” PLANNED UNIT DEVELOPMENT**

#### **4.17.1 DISTRICTS AND INTENT**

The “PUD” Planned Unit Development category includes one (1) zone district: "PUD". The Planned Unit Development is an alternative zoning process that allows for the development of land in a well-planned and mindful manner. PUD districts increase flexibility in the design and siting of development. It is further intended to promote more economical and efficient use of the land while providing for a pleasing and harmonious development and environment, including opportunities to provide for a high level of urban amenities, and the preservation of open spaces. Standards will vary based on the intent of the ordinance.

#### **4.17.2 PERMITTED PRINCIPAL USES AND STRUCTURES**

Permissible uses within the PUD district shall be established within the development agreement consistent with the primary and secondary uses allowed within the property's future land use designation as provided for in the Comprehensive Plan. All Planned Unit Development districts shall be consistent with the Comprehensive Plan.

#### **4.17.3 SPECIAL EXCEPTIONS** (see also Articles 12 and 13)

7. Home occupations (see Article 2.1).

#### **4.17.4 DEFINITIONS**

In addition to the definitions contained in Article Two, the following terms, phrases, words, and derivations shall have the following meaning:

1. Applicant. Applicant is a landowner or the landowner's agent who files a petition for a zoning amendment to a Planned Unit Development District.
2. Development Plan. Development plan is the proposal for development of a Planned Unit Development, legal descriptions, all covenants, grants of easement and other conditions relating to use, location and bulk of building, density of development, common open space, and public facilities.

3. Common Open Space. Common Open Space is an area of land, or area of water, or combination of land and water designed and intended for the active, passive, or combination of active and passive use and enjoyment of users, where such area does not include streets, off-street parking areas and areas set aside for public facilities.
4. Net Residential Acreage. Net Residential Acreage is the total number of acres within the perimeter boundaries of a Planned Unit Development excluding areas devoted to streets, rights-of-way, easements, lakes, public and private open space, recreation, and other permitted non-residential uses.
5. Location. Planned Unit Development districts shall be located where they will facilitate ease and convenience of use; where negative impacts on the surrounding transportation systems, public services and surrounding land Uses will be minimized; where the Use is compatible with surrounding land Uses; where the Development will not encourage the expansion of office or commercial strip Development along adjacent streets; and where the intensity of the Project is consistent with the Use that it provides.
6. Minimum Size. A planned unit development shall contain a minimum of one acre of land.
7. Access. Every use permitted in the PUD shall have access to a public street either directly or via an approved private road, or other area dedicated to public or private use.
8. Adequacy of Facilities. The adequacy of sewage disposal systems, water supplies, fire protection, police protection, drainage systems, transportation systems, school facilities and recreational facilities to serve the proposed Development shall be considered in order to ensure that demands generated can be accommodated.

#### **4.17.5 PROCEDURE FOR APPROVAL OF A PLANNED UNIT DEVELOPMENT**

The procedure for obtaining a change in zoning for the purpose of undertaking a Planned Unit Development shall be as follows:

4. Planned Unit Development Zoning and Preliminary Development Plan Approval. The applicant shall submit to the Land Development Regulation Administrator a request for change to a Planned Unit Development zoning district containing the following exhibits:
  - (a) A statement of objectives describing:
    - i. The general purpose of the proposed development; and
    - ii. The general character of the proposed development.

- (b) A Vicinity Map showing the location of the proposed Planned Unit Development in relation to:
  - i. Surrounding streets and thoroughfares;
  - ii. Existing zoning on the site and surrounding areas; and
  - iii. Existing land use on the site and surrounding areas.

The Vicinity Map shall be drawn at a scale to show an area of no less than one thousand (1,000) feet surrounding the property. A greater area may be required if the Planning and Zoning Board determines information on a larger vicinity is needed.

- (c) A Boundary Survey and legal description of the property.
- (d) A Topographic Survey The most recent United States Geological Service topographic survey may be used if better topographic information is not available.
- (e) A Site Analysis Map at the same scale as the Master Development Plan described below shall be submitted indicating flood prone areas, areas with slopes greater than five (5) percent, areas of soils which are marginally suited for development purposes and tree cover.
- (f) Except as otherwise allowed in this Code or by applicable law, all PUD applications shall include a Master Development Plan Text (Text) and Master Development Plan Map (Map), as provided below. The Master Development Plan Text and Map create a unified Development Plan by which the Project shall develop. The Master Development Plan Text and Map shall apply to any and all Developers, contractors, and buyers within the Project, unless modified pursuant to the requirements of this Part. The Text shall include the following minimum requirements, as appropriate:

- i. Text

- 1. The PUD text shall be provided in a format consistent with following requirements. The Text shall be written in a clear and concise manner fully addressing each subsection. Extraneous information is discouraged. The Text shall include a written description of the intended proposed Project, including the following, as appropriate. Additional criteria may be requested, based upon the character, scope and location of the Project.

- a. A description

- b. Total area of land included
- c. Total amount of wetlands
- d. Total amount of developable area
- e. Total square footages per use
- f. Type and location of infrastructure
- g. Public Utility connections locations
- h. Types of soils
- i. Types of Florida Land Use Cover and Classification System (FLUCCS) Map
- j. Historic Resources identified as defined by this code and the State Division of Historical Resources Master Site File
- k. Tree Survey
- l. Landscaping and Buffer requirements
- m. Temporary Uses
- n. Accessory Uses
- o. Phasing Schedule
- p. Commencement and Completion definitions and dates
- q. A statement binding successors and assigns in title to the commitments and conditions of the MDP

- (g) A Master Development Plan (MDP) Map drawn at a scale suitable for presentation. The Master Development Plan Map shall be a detailed Site Plan, as appropriate, that depicts the proposed development within the PUD which is drawn to a legible scale. The Map may include more than one page, based upon scale and scope of the Project. Additional criteria may be requested, based upon the character, scope and location of the Project. For Developments of Regional Impact, phased multi-use projects, and phased commercial projects, an Incremental Master Development Plan (MDP) Map may be submitted depicting in detail the initial phase of development and a general depiction of the proposed Uses for the remaining portion(s) of the project. Subsequent Incremental Master Development Plan Maps shall be

submitted that provides detailed site plans for subsequent phases before construction plan approval of those phases. Adjustments may be considered to the MDP Map under the criteria of this Code. The MDP Map shall contain the following, as appropriate:

1. The general location of all land Uses described in the text, including the general location of all residential Lots and the general location of all nonresidential Structures. The general layout of the internal street system in relation to the land Uses shall also be depicted.
2. The general location of Wetlands, conservation/preservation areas, open space areas, commonly owned areas, golf course and parks.
3. The general location of any Historic Resources as defined by this Code, and notation regarding any required action related to such resources.
4. The general location, width, extent and type of buffers proposed to conform, at a minimum, with the buffer requirements of Section 5.03.03.A. and other standards in this Code.
5. The general location of any Water Treatment Plant, Wastewater Treatment Plant, electrical, or other infrastructure stations and sub-stations.
6. The general location of parking areas other than residential driveways.
7. Parking calculations demonstrating compliance with this Code shall also be noted.
8. The general location of all vehicle and pedestrian access to the Project, the internal vehicle and pedestrian accesses within the Project including all sidewalks, and the general location of internal and pedestrian connections between Uses.
9. The general location of retention, detention and other drainage facilities that may be used in the Project; however, final engineering may be approved upon review of final Construction Plans and in accordance with the Land Development Regulations.
10. The general location of all Project identification signage.

11. A general location of the subject property in relation to the Town.
12. The general location of future access points providing interconnectivity to adjacent properties.
13. A map showing the location of the 100-year floodplain in relation to the Project.
- ~~14.~~ Any unique requirements, situations or provisions of the PUD shall be noted on the Map.

#### **4.17.6 REVISION OF A PLANNED UNIT DEVELOPMENT**

A proposed substantial change in the approved Preliminary Development Plan which affects the intent and character of the development, the density or land use patterns, proposed buffers, the location or dimensions of arterial or collector streets, or similar substantial changes, shall be reviewed by the Planning and Zoning Board and the Town Council in the same manner as the initial application. A request for a revision of the Preliminary Development Plan shall be supported by a written statement and by revised plans demonstrating the reasons the revisions are necessary or desirable. All revisions to the approved Preliminary Development Plan shall only be approved if they are consistent with the original purpose, intent, overall design, and integrity of the approved Preliminary Development Plan.

Minor changes, and/or deviations from the Preliminary Development Plan which do not affect the intent or character of the development shall be reviewed by the Land Development Regulation Administrator and shall be approved only if they are consistent with the original purpose, intent and overall design and integrity of the approved preliminary development plan. Upon approval of the revision, the applicant shall make revisions to the plans and submittals and file the revised plans with the Land Development Regulation Administrator within thirty (30) days.

Examples of major and minor changes are:

Major changes:

1. Perimeter changes.
2. Major street relocation.
3. Change in building height, density, land use patterns, or buffers.

Minor changes:

1. Change in alignment, location, or length of local street.
2. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density.

3. Reorientation or slight shifts in building locations.

#### **4.17.7 PLANNED UNIT DEVELOPMENT TIME LIMITATIONS**

If substantial construction, as determined by the Land Development Regulation Administrator, has not commenced within two (2) years after approval of the Final Development Plan, the approval of the Planned Unit Development will lapse. Thirty (30) days prior to any lapse date, the Land Development Regulation Administrator shall notify the Town Council and the applicant of such date. Such notice to the applicant shall be mailed via certified mail return receipt requested. The Town Council may extend the commencement period, at the request of the applicant for a period not to exceed an additional two (2) years, provided the request for extension is made prior to the expiration of the initial approval period. If the Planned Unit Development lapses under this provision, the Land Development Regulation Administrator shall cause the Planned Unit Development district to be removed from the Official Zoning Atlas and reinstate the zoning district which was in effect prior to the approval of the Planned Unit Development.

#### **4.17.8 DEVIATION FROM THE FINAL DEVELOPMENT PLAN**

Any unapproved deviation from the accepted Final Development Plan shall constitute a breach of agreement between the applicant and the Town Council. Such deviation may cause the Town to immediately revoke the Final Development Plan until such time as the deviations are corrected or become a part of the accepted Final Development Plan.

#### **4.17.9 PHASING**

The Town Council may permit or require the phasing of a Planned Unit Development. When provisions for phasing are included in the final Development Plan, each phase of development shall be so planned and so related to previous development, surrounding properties, and available public facilities and services so that a failure to proceed with subsequent phases of development will have no adverse impact on the Planned Unit Development or surrounding properties.

#### **4.17.10 DEVELOPMENT STANDARDS FOR PLANNED UNIT DEVELOPMENTS**

Any additional development standards for PUDs can be found in the Town's Development Review Manual.

**Section 3. Providing for Severability.** If any section, subsection, sentence, clause or phrase of this ordinance, or the particular application thereof be held invalid by any court, administrative

agency, or any other body with appropriate jurisdiction, the remaining section, subsection, sentence, clause or phrase under application shall not be affected hereby.

**Section 4. Repealing all Ordinances in Conflict.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 5. Providing for Provision of Ordinance to be Made a Part of The Town Code and Land Development Regulations.** It is the intention of the Town Council of the Town of White Springs, Florida that the provisions of this ordinance shall become and be made a part of the Code of the Town of White Springs, Florida, and that the sections of this ordinance may be re-numbered or re-lettered and the word ordinance may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

**Section 6. Effective Date.** This ordinance shall take effect upon its final adoption.

**PASSED AND ADOPTED** upon first reading the \_\_\_\_ day of \_\_\_\_\_, 2017.

**PASSED AND ADOPTED** upon second and final reading the \_\_\_\_ day of \_\_\_\_\_, 2017.

**Town of White Springs, Florida**

By: \_\_\_\_\_  
Rhett Bullard, Mayor

Attest:

By: \_\_\_\_\_  
Pam Tomlinson, Town Clerk