DIXIE COUNTY

LAND DEVELOPMENT REGULATIONS

Adopted September 27, 1990
Amended July 16, 1992
Amended September 3, 1992
Amended December 16, 1993
Amended March 3, 1994

AMENDMENTS TO THE
DIXIE COUNTY
LAND DEVELOPMENT REGULATIONS
NOT CODIFIED INTO THE
TEXT OF THE DOCUMENT

92 JUL 20 PM 3:41
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
FILED

ORDINANCE NO 92-02 .

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AMENDING, DIXIE COUNTY ORDINANCE NO. 90-04 ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 4.3.2, PERMITTED PRINCIPAL USES AND STRUCTURES (ENVIRONMENTALLY SENSITIVE AREAS); SECTION 4.4.2, PERMITTED PRINCIPAL USES AND STRUCTURES (AGRICULTURAL DISTRICTS); SECTION 4.5.2, PERMITTED PRINCIPAL USES AND STRUCTURES (RURAL RESIDENTIAL DISTRICTS); AND ADDING THERETO SECTION 4.18.32 ENTITLED RAISING OF LIVESTOCK PROHIBITED ON CERTAIN LOTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners to prepare and enforce Land Development Regulations to implement the County's Comprehensive Plan; and

WHEREAS, Chapter 163.3202, Florida Statutes, empowers and requires the Board of County Commissioners to prepare and adopt land development regulations which implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has been established as the County's Local Planning Agency; and

WHEREAS, the Local Planning Agency, empowered by Chapter 163.3174, Florida Statutes, prepares and recommends amendments to the land development regulations to implement the County's adopted Comprehensive Plan; and

WHEREAS, the Local Planning Agency, in the preparation of the amendments to the land development regulations, held the required public hearing and has effectively provided for full public participation, public notification, opportunity for written comments, open discussion, and consideration and response to public and official comments; and

WHEREAS, pursuant to Chapter 163.3174, Florida Statutes, the Local Planning Agency held the required public hearing on the amendments to the land development regulations with due public notice having been provided, and having reviewed and considered all comments received during the public hearing and having provided for necessary revisions, and recommended the amendments to the land development regulations to the Board of County Commissioners for approval; and

WHEREAS, pursuant to Chapter 125, Florida Statutes, the Board of County Commissioners held two public hearings, with due public notice having been provided, on the amendments to the land development regulations; and

CERTIFIED A TRUE AND CORRECT
COPY OF THE ORIGINAL
07/14/92
JOE HUBERT ALLEN
Clerk of Circuit Court
Dixie County, Florida
By: Winnie Hicks
Deputy Clerk

WHEREAS, in exercise of its authority the Board of County Commissioners has determined it necessary and desirable to adopt the amendments to the land development regulations to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Dixie County, Florida, as follows:

Section 1. Purpose and Intent

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, Chapter 163.3202, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Section 4.3.2 entitled "Permitted Principal Uses and Structures" (Environmentally Sensitive Area Districts) shall be amended to read as follows:

4.3.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Agricultural uses subject to the provisions of Section 4.18.32 and silviculture uses operating under best management practices (with the exception of feedlot operations and buildings housing livestock within the one-hundred (100) year floodplain of the Suwannee River).

2. Conventional single family dwellings.

3. Mobile homes.

4. Churches and other houses of worship.

5. Public resource based recreation facilities (excluding campgrounds).

Section 3. Section 4.4.2 entitled "Permitted Principal Uses and Structures" (Agriculture Districts) shall be amended to read as follows:

4.4.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. All agricultural activities subject to the provisions of Section 4.18.32 (but 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; provided, that no structure used for housing of animals or any commercial feed lot operation shall be located within three hundred (300) feet of any lot line, and no structure used for housing domestic animals shall be located within one hundred (100) feet of any lot line.

2. The processing, storage, and sale of agricultural products and commodities which are raised on the premises (but not including livestock or poultry slaughterhouses); provided, that no building used for these activities shall be located within three hundred (300) feet of any side or rear lot line.

3. Conventional single family dwellings.

4. Mobile homes.

5. Churches and other houses of worship.

6. Cemeteries and mausoleums.

7. Plant nurseries and greenhouses.

Section 4. Section 4.5.2 entitled "Permitted Principal Uses and Structures" (Rural Residential Districts) shall be amended to read as follows:

4.5.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Conventional single family dwellings.

2. Mobile homes.

3. Agricultural activities subject to the provisions of Section 4.18.32 (but not including feedlot operations, chickenhouses and livestock or poultry slaughterhouses), including the raising of livestock and poultry, the cultivation of field crops and fruits and berries, forestry, apiculture, and similar uses; provided, that no structure used for housing of animals shall be located within one-hundred fifty (150) feet of any lot line, and no structure used for housing domestic animals shall be located within one hundred (100) feet of any lot line.

4. The processing, storage, and sale of agricultural products and commodities which are raised on the premises (but not including livestock or poultry slaughterhouses); provided, that no building used for these activities shall be located within one hundred fifty (150) feet of any side or rear lot line.

5. Plant nurseries and greenhouses.

6. Churches and other houses of worship.

Section 5. Section 4.18.32 entitled "Raising of Livestock Prohibited on Certain Lots" shall be added to read as follows:

4.18.32 Raising of Livestock Prohibited on Certain Lots. Notwithstanding the provisions of Sections 2.3.2 and 2.3.5, after December 31, 1992, the keeping or raising of livestock shall not be permitted on a lot which is less than five (5) acres within Environmentally Sensitive Area Districts; two (2) acres within Agriculture Districts; and one (1) acre within Rural Residential Districts.

Section 6. Severability.

If any provision or portion of this Ordinance, adopted by the Board of County Commissioners, is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance, or the land development regulations adopted by the Board of County Commissioners pursuant to this Ordinance shall remain in full force and effect.

Section 7. Conflict.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 8. Copy on File.

A certified copy of this ordinance shall be filed with the Clerk of the Circuit Court.

Section 9. Effective Date.

This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgement from the Secretary of State that such ordinance has been filed with that office.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners, Dixie County, Florida this 16th day of July, 1992.

DIXIE COUNTY
BOARD OF COUNTY COMMISSIONERS

By: James T. Valentine
James T. Valentine, Chairman

Attest:

By: Joe H. Allen
Joe H. Allen
Clerk of the Circuit Court

ORDINANCE NO. 92-04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA AMENDING DIXIE COUNTY ORDINANCE 90-04 ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 4.3.5, SPECIAL EXCEPTIONS (ENVIRONMENTALLY SENSITIVE AREAS) SECTION 4.4.5, SPECIAL EXCEPTIONS (AGRICULTURAL DISTRICT) SECTION 4.16.4, SPECIAL EXCEPTIONS (INDUSTRIAL) BY ADDING THERETO RADAR INSTALLATIONS AND RELATED FACILITIES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

SEP 17 — 48 PM '92
SECRETARY OF STATE
FILED

WHEREAS, Chapter 125, Florida Statues, empowers the Board of County Commissioners to prepare and enforce Land Development Regulations to implement the County's Comprehensive Plan; and

WHEREAS, Chapter 163.3202, Florida Statutes, empowers and requires the Board of County Commissioners to prepare and adopt land development regulations which implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has been established as the County's Local Planning Agency; and

WHEREAS, the Local Planning Agency, empowered by Chapter 163.3174, Florida Statutes, prepares and recommends amendments to the land development regulations to implement the County's adopted Comprehensive Plan; and

WHEREAS, the Local Planning Agency, in the preparation of the amendments to the land development regulations, held the required public hearing and has effectively provided for full public participation, public notification, opportunity for written comments, open discussions, and consideration and response to public and official comments; and

WHEREAS, pursuant to Chapter 163.3174, Florida Statutes, the Local Planning Agency held the required public hearing on the amendments to the land development regulations with due public notice having been provided, and having reviewed and considered all comments received during the public hearing and having provided for necessary revisions, and recommended the amendments to the land development regulations to the Board of County Commissioners for approval; and

WHEREAS, pursuant to Chapter 125, Florida Statutes, the Board of County Commissioners held two (2) public hearings, with due public notice having been provided, on the amendments to the land development regulations; and

WHEREAS, in exercise of its authority the Board of County Commissioners has determined it necessary and desirable to adopt the amendments to the land development regulations to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Dixie County, Florida as follows:

Section 1. Purpose and Intent

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, Chapter 163.3202, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Section 4.3.5 entitled "Special Exceptions" (Environmentally Sensitive Area Districts) shall be amended to read as follows:

4.3.5 SPECIAL EXCEPTIONS
(See also Articles 12 and 13)

1. Home occupations.
2. Foster care facilities.
3. Group home care facilities.
4. Water-dependent commercial uses (commercial fishing operations, fishing camps and marinas; see requirements under Section 4.18 of these land development regulations).
5. Campgrounds of less than 200 campsites.
6. Radar installations and related facilities.

Section 3. Section 4.4.5 entitled "Special Exceptions" (Agriculture Districts) shall be amended to read as follows:

4.45 SPECIAL EXCEPTIONS

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. Livestock auction arenas.

3. Livestock or poultry slaughterhouses; provided, that no building used for these activities shall be located within three hundred (300) feet of any lot line.

4. Sawmills and planing mills; provided, that no building used for these activities shall be located within three hundred (300) feet of any side or rear lot line.

5. Agricultural equipment and related machinery sales.

6. Agricultural feed and grain packaging, blending, storage, and sales.

7. Agricultural fertilizer storage and sales.

8. Agricultural fairs and fairground activities.

9. 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 parks or campgrounds, including day camps; hunting or fishing camps; and similar uses.

10. Riding or boarding stables; provided that no building used for housing of animals shall be located within three hundred (300) feet of any lot line.

11. Drive-in theaters (See Section 4.18 for special design standards).

12. Hospitals, sanitariums, nursing homes, and residential homes for the aged.

13. 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.

14. Group living facilities.

15. Crematories.

16. Airplane landing fields.

17. 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.

18. Home occupations (see also Article 2.1.99).

19. Public or private schools offering curricula comparable to that of public schools.

20. Public buildings and facilities (unless otherwise specified).

21. Private clubs and lodges.

22. Off-site signs (see also Section 4.18).

23. Solid waste facilities.

24. Foster care facilities.

25. Group home care facilities.

26. Explosives, manufacturing or storage.

27. Flea markets.

28. Paper and pulp manufacturing.

29. Radar installations and related facilities.

Section 4. Section 4.16.4 entitled "Special Exceptions" (Industrial Districts) shall be amended to read as follows:

4.16.5 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) feet high; provided that this fence or wall shall not be built of tin or galvanized metal sheets.

2. Bulk storage yards including bulk storage or 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 4.18).

10. Truck stops and automotive service stations (see Section 4.18 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 which are similar to the ones listed above.

15. Radar installations and related facilities.

Section 5. Severability.

If any provision or portion of this Ordinance, adopted by the Board of County Commissioners, is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance, or the land development regulations adopted by the Board of County Commissioners pursuant to this Ordinance shall remain in full force and effect.

Section 6. Conflict.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7. Copy on File.

A certified copy of this Ordinance shall be filed with the Clerk of the Circuit Court.

Section 8. Effective Date.

This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgment from the Secretary of State that such Ordinance has been filed with that office.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners, Dixie County, Florida this 3rd day of September, 1992.

DIXIE COUNTY
BOARD OF COUNTY COMMISSIONERS

By: James T. Valentine
JAMES T. VALENTINE, CHAIRMAN

ATTEST:

Joe Hubert Allen
JOE HUBERT ALLEN, CLERK

CIRCUIT COURT DIXIE COUNTY, FLORIDA

CIRCUIT COURT DIXIE COUNTY, FLORIDA

91-027.009sh

CERTIFIED A TRUE AND CORRECT
COPY OF THE ORIGINAL
09/15/92
JOE HUBERT ALLEN
Clerk of Circuit Court
Dixie County, Florida,
By: Winnie Hicks
Deputy Clerk

ORDINANCE NO. 93-10

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 4.12.3[5] BY ADDING SUBPARAGRAPH 3 TO INCLUDE OFF-SITE SIGNS IN NEIGHBORHOOD COMMERCIAL DISTRICTS AS A SPECIAL EXCEPTION; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 125.01, Florida Statutes, empowers the Board of County Commissioners to prepare, amend and enforce Land Development Regulations to implement the County's Comprehensive Plan; and

WHEREAS, Chapter 163.3202, Florida Statutes, empowers and requires the Board of County Commissioners to prepare, amend and enforce Land Development Regulations to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has been established as the County's Local Planning Agency; and

WHEREAS, pursuant to the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board, and pursuant to Chapter 163.3174, Florida Statutes, the Board of County Commissioners, serving as the Local Planning Agency, held the required public hearing on and amendment of the Land Development Regulations, with due notice having been provided, and having received and considered all comments received during the public hearing and recommended the application for amendment of the Land Development Regulations to the Board of County Commissioners for approval; and

WHEREAS, pursuant to Chapter 125.66, Florida Statutes, the Board of County Commissioners, held two public hearings, with due public notice having been provided, on the amendment to the County's Land Development Regulations.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY FLORIDA, THAT:

Section 1. Pursuant to an application by the Board of County Commissioners Section 4.12.3[5] of Ordinance 90-04, entitled Dixie County Land Development Regulations, is hereby amended to read as follows:

4.12.3[5] SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Automotive service stations (see Section 4.18 for special design standards for automotive service stations).

2. 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 offstreet pick-up and drop off of children.

3. Off-site signs.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This Ordinance shall have filed with the Office of the Secretary of State of Florida and shall immediately take effect upon receipt of official acknowledgement from the Secretary of State that such ordinance has been filed with that office.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Chapter 125.01 and Chapter 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Dixie County, Florida, this 16th day of December, 1993.

BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

BY: Sammy Jenkins
SAMMY JENKINS, Chairman

ATTEST:
Joe H. Allen
JOE H. ALLEN, Clerk of Court

91-029.030jr

CIRCUIT COURT DIXIE COUNTY FLORIDA

FILED
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JOE H. ALLEN
CLERK OF CIRCUIT COURT
DIXIE COUNTY, FL.

ORDINANCE BOOK 1 PGS 524-5

ORDINANCE NO. 94-03

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 2, ENTITLED DEFINITIONS, LOTS DIVIDED BY DISTRICT LINES, NONCONFORMITIES AND VESTED RIGHTS; ARTICLE 4, ENTITLED ZONING REGULATIONS (INCLUDING THE OFFICIAL ZONING ATLAS); ARTICLE 5, ENTITLED SUBDIVISION REGULATIONS; ARTICLE 7, ENTITLED STORMWATER MANAGEMENT REGULATIONS; AND ARTICLE 14, ENTITLED PERMITTING AND CONCURRENCY MANAGEMENT OF THE COUNTY'S LAND DEVELOPMENT REGULATIONS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 125.01, Florida Statutes, empowers the Board of County Commissioners to prepare, amend and enforce Land Development Regulations to implement the County's Comprehensive Plan; and

WHEREAS, Chapter 163.3202, Florida Statutes, empowers and requires the Board of County Commissioners to prepare, amend and enforce Land Development Regulations to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has been established as the County's Local Planning Agency; and

WHEREAS, pursuant to Ordinance 90-04, as amended, the Board of County Commissioners, serving as the Planning and Zoning Board, and pursuant to Chapter 163.3174, Florida Statutes, the Board of County Commissioners, serving as the Local Planning Agency, held the required public hearing on an amendment of the Land Development Regulations, with due public notice having been provided, and having received and considered all comments received during the public hearing and recommended the application for amendment of the Land Development Regulations to the Board of County Commissioners for approval; and

WHEREAS, pursuant to Chapter 125.66, Florida Statutes, the Board of County Commissioners, held two public hearings, with due public notice having been provided, on the amendment to the County's Land Development Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY FLORIDA, THAT:

Section 1. Pursuant to an application by the Board of County Commissioners Article 2, entitled Definitions, Lots Divided by District Lines, Nonconformities and Vested Rights; Article 4, entitled Zoning Regulations (including the Official Zoning Atlas adopted on September 27, 1990 and as revised on January 31, 1994 attached hereto and made a part hereof); Article 5, entitled Subdivision Regulations; Article 7, entitled Stormwater Management Regulations; and Article 14, entitled Permitting and Concurrency Management of the County's Land Development Regulations adopted by Ordinance 90-04, as amended, are hereby amended as provided within the document entitled Dixie County Land Development Regulations Amendments, dated January 31, 1994 with revisions dated February 17, 1994 and March 3, 1994.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This Ordinance shall be filed with the Office of the Secretary of the State of Florida and shall immediately take effect upon receipt of official acknowledgement from the Secretary of State that such ordinance has been filed with that office.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Chapter 125.01 and Chapter 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Dixie County, Florida, this 3rd day of March, 1994.

BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

Sammy Jenkins

Sammy Jenkins, Chairman

ATTEST:

By: Joe H. Allen

Joe H. Allen
Clerk of the Circuit Court

CIRCUIT COURT SEAL DIXIE COUNTY, FLORIDA

ORDINANCE NO. 95-09

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE FIVE, ENTITLED SUBDIVISION REGULATIONS, SECTION 5.26, ENTITLED STREETS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the County's Comprehensive Plan;

WHEREAS, an application, LDR 95-1, for an amendment, as described below, to the text of the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Ordinance No. 90-04, as amended, entitled the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners reviewed and considered all comments received during said public hearing, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 95-1, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Article Five, entitled Subdivision Regulations, Section 5.26, entitled Streets, the County's Land Development Regulations, are hereby amended to read as follows:

5.26.2.4 Local Streets shall be improved as follows:

A 1. Twenty-four (24) foot wearing surface and minimum right-of-way of sixty (60) feet.

B C D 2. Twenty (20) foot wearing surface and minimum right-of-way of sixty (60) feet.

E 3. Twenty-one (21) foot pavement base and minimum right-of-way of sixty (60) feet.

5.26.2.9 Subgrade shall have a compacted thickness of eight (8) inches, stabilized to a A B C D E minimum Load Bearing Ratio (LBR) of thirty (30) and compacted to ninety-eight percent (98%) of Standard Proctor Density (American Society for Testing Materials D1557). Also where soil classified as AASHO (American Association of State Highway Officials) soil groups A-6 or A-7 are encountered in the subgrade, such materials shall be removed to a minimum depth of eighteen (18) inches below the pavement base and replaced with acceptable material and where soil classified as AASHO (American Association of State Highway Officials) soil group A-8 is encountered, in the subgrade, all such materials shall be removed.

5.26.2.10 Pavement Base shall be improved as follows:

A B C D E 1. Arterial: Eight (8) inches of compacted limerock.

2. Collector, Local and Marginal Access Streets:

A a. Eight (8) inches of compacted limerock.

B C D b. Six (6) inches of compacted limerock.

E c. Six (6) inches of compacted limerock shall be constructed above the subgrade and stabilized to have a minimum Load Bearing Ratio (LBR) of thirty (30) and compacted to ninety-eight percent (98%) of Standard Proctor Density (American Society for Testing Materials (D1557)).

NOTE: All limerock shall meet Florida Department of Transportation standards.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. This Ordinance shall take effect upon filing with the office of the Secretary of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 17th day of August 1995.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Ralph Tyre, Chairman

Attest:

Joe Hubert Allen, County Clerk

CIRCUIT COURT SEAL DIXIE COUNTY, FLORIDA

ORDINANCE NO. 96-02

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 14.11, ENTITLED SPECIAL PERMITS FOR TEMPORARY USES; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 95-2, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 95-2, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Section 14.11, entitled Special Permits for Temporary Uses, Section 14.11 of the County's Land Development Regulations, is hereby amended to read as follows:

14.11.2 Temporary use permits issued by the Land Development Regulation Administrator. Certain uses are of short duration or do not create excessive incompatibility during the course of the use. The Land Development Regulation Administrator is authorized to issue temporary use permits for the following activities, after a showing that any nuisance or hazardous feature involved is suitably separated from adjacent uses; excessive vehicular traffic will not be generated on minor residential streets; and a vehicular parking problem will not be created:

1. In any zone district: special events operated by non- profit, eleemosynary organizations.

2. In any zone district: Christmas tree sales lots operated by non-profit, eleemosynary organizations.

3. In any zone district: other uses which are similar to (1) and (2) above and which are of a temporary nature where the period of use will not extend beyond thirty (30) days.

4. In any zone district: mobile homes or travel trailers used for temporary purposes by any agency of municipal, County, State, or Federal government; provided such uses shall not be or include a residential use.

5. In any zone district: mobile homes or travel trailers used as a residence, temporary office, security shelter, or shelter for materials of goods incident to construction on or development of the premises upon which the mobile home or travel trailer is located. Such use shall be strictly limited to the time construction or development is actively underway. In no event shall the use continue more than twelve (12) months without the approval of the Board of County Commissioners and the Board of County Commissioners shall give such approval only upon finding that actual construction is continuing.

6. In agricultural, commercial, and industrial districts: temporary religious or revival activities in tents.

7. In agricultural and environmentally sensitive area districts: In addition to the principal residential dwelling, one (1) additional mobile home used as an accessory residence, provided that such mobile home is occupied by persons related by blood, adoption, or marriage to the family occupying the principal residential use. Such mobile home is exempt from lot area requirements, and shall not be located within required yard areas. Such mobile home shall not be located within twenty (20) feet of any building. A temporary use permit for such mobile home may be granted for a time period up to five (5) years. When the temporary use permit expires, the applicant may reapply for a new temporary use permit.

   Requests for such a permit shall be submitted in writing to the Land Development Regulation Administrator together with such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8).

Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which temporary use permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 18th day of January 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Alton Land, Chairman

Attest:

CIRCUIT COURT
DIXIE COUNTY, FLORIDA

Joe Hubert Allen, County Clerk

ORDINANCE NO. 96-03

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 5, ENTITLED SUBDIVISION REGULATIONS, BY ADDING SECTION 5.26.3.8, ENTITLED STREET STRIPING; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the subdivision of land to implement the County's Comprehensive Plan;

WHEREAS, an application, LDR 95-4, for an amendment, as described below, to the text of the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Ordinance No. 90-04, as amended, entitled the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners reviewed and considered all comments received during said public hearing, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 95-4, by Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Article 5, entitled Subdivision Regulations, by adding Section 5.26.3.8, entitled Street Striping, Section 5.26.3.8 is hereby added to the County's Land Development Regulations, to read as follows:

5.26.3.8 Street Striping. For all subdivision streets requiring wearing surface, the subdivider shall be responsible for center lining the street and providing all stop bars, left turn bays and right turn bays for streets developed within the subdivision. The design, number and location of such street striping shall meet Florida Department of Transportation standards and shall be shown on the preliminary plat.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 1st day of February 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Alton Land, Chairman

Attest:

Joe Hubert Allen, County Clerk

CIRCUIT COURT SUUM CUIQUE DIXIE COUNTY, FLORIDA

As adopted 3/7/96

ORDINANCE NO. 96-08

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 2.1.59, DEFINITIONS OF DWELLING, MOBILE HOME OR MOBILE HOME; AND BY ADDING SECTION 4.18.38 TO THE SUPPLEMENTARY DISTRICT REGULATIONS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 95-3, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 95-3, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Section 2.1.59, Definitions of Dwelling, Mobile Home or Mobile Home Section 2.1.59 of the County's Land Development Regulations is hereby amended to read as follows:

2.1.59 Dwelling, Mobile Home or Mobile Home. A mobile home dwelling or mobile home is a detached one (1) family dwelling unit, which is a manufactured home licensed by the State of Florida and has affixed thereto the required code seal and label issued by the Florida Department of Community Affairs (if Florida seals are missing from the home, a factory data sheet or HUD seal identifying that the home was constructed for location in the State of Florida shall meet this requirement). In addition, such mobile home has been inspected by the County Building Official and found to meet or exceed the minimum standards provided in Section 4.18 herein, entitled Supplementary District Regulations and has also been determined by the County Building Official to have all the following characteristics:

(a) designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; (b) having three (3) or more sidewall ties, which are located on the unit; (c) designed for transportation after fabrication on streets or highways on its own wheels or on a flatbed or other trailers; and (d) arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities, and the like. A travel trailer is not to be considered a mobile home.

Section 2. Pursuant to an application, LDR 95-3, by the Board of County Commissioners to amend the text of the County's Land Development Regulations Section 4.18.38, entitled Standards for Location Used Mobile Homes, Section 4.18.38 of the County's Land Development Regulations, is hereby added to read as follows:

Section 4.18.38 STANDARDS FOR LOCATION OF USED MOBILE HOMES - The following standards shall be required to be met prior to the issuance of a County mobile home permit for any mobile homes to be located or relocated in the unincorporated area of the County. The determination of whether the mobile home meets or exceeds the following standards shall be made by the County Building Official or his/her designee upon a site visit to inspect the mobile home prior to its occupation:

1. FIRE SAFETY - All mobile homes manufactured since January 1968 shall have an approved smoke detector(s) properly located outside of each sleeping area of the mobile home. Smoke detectors shall be installed to the product manufacturer's installation instructions.

2. ELECTRICAL - (a) every unit shall have a complete electrical system; (b) distribution panelboards shall be properly installed, complete with required breakers/fuses, with all unused openings properly covered. All connections are to be checked for tightness, and all panels shall be accessible. Distribution panelboard may be located in a closet provided there is at least six (6) inches of space between the panelboard and any easily ignitable materials; (c) all electrical fixtures shall be properly installed, wired and supported. Aluminum conductors shall be connected to approved listed devices; and (d) all grounding conductors shall be secured to the proper locations and/or connector on the fixture or device.

3. PLUMBING- (a) all plumbing fixtures shall be protected with approved and workable traps; (b) plumbing fixtures shall be properly vented and fixtures shall be in workable condition; (c) relief valve on water heater shall have sufficient room to operate, and shall have unthreaded 3/4" drain pipe extended beneath the mobile home; (c) drainage piping shall be complete; piping shall be supported properly and not constitute a hazard; and (d) water piping shall not be bent, kinked, etc., to retard flow of the water supply. Each fixture shall be connected to water piping.

4. HEATING AND AIR CONDITIONING - (a) All required cooking/heating appliances shall be properly anchored and connected in place; (b) if the home has deleted heating system, drop-outs must be installed for connecting exterior system; (c) all homes with central heating/cooling shall have operable thermostat; (d) air registers shall be operable; (e) ducts shall be sealed at openings

and shall not be crushed or missing; (f) gas furnace/water heating vents shall be properly installed and secured to appliance; (g) there shall be proper return air to furnace, exterior heat/AC units and all rooms; (h) Range/bathroom ceiling vents shall be complete and vented to outside; and (I) all gas appliances shall be connected with an approved shut-off valve, if home was manufactured after May of 1975.

5. CONSTRUCTION - (a) Exterior exit doors, including sliding glass, shall be in good working order; (b) exterior doors shall have operable locks; (c) All mobile homes shall have operable egress windows or an exterior egress door located in each sleeping room with an opening of twenty-two (22) inches in its shortest measurement; (d) all windows and operators shall be operable and missing glass shall be replaced (if required); (e) screens shall be required on each window capable of being opened; (f) all holes/damaged floor, broken decking or floor joists shall be corrected; (g) missing interior paneling shall be replaced and bowed or loose paneling shall be secured; (h) bottom board shall be made rodent proof throughout and securely sealed. Missing insulation from exposed areas shall be replaced; (i) leaks: when visible structural damage caused by water leaks are apparent, repairs and corrections are to be completed to assure leaks have been corrected; (j) all over-the-roof tie-down straps shall be free of damage. Frame ties and blocking on all used single and double wide homes shall be as required in the amended Rules of the Division of Motor Vehicles, Chapter 15C-1.10, if the manufacturer's setup requirements are not available, splices of strap shall overlap at least twelve (12) inches and be secured with two (2) seals; all tie points shall be used; and the roof and every exterior wall shall be free of holes, breaks or any other conditions which might admit rain to the interior portions of the walls or to the occupied spaces of the building. All roofing and siding material shall be kept in good condition.

Section 3. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 6. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 7th day of March 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
Alton Land, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

ORDINANCE NO. 96-16

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 4, ENTITLED ZONING REGULATIONS, SECTION 4.4.5, ENTITLED SPECIAL EXCEPTIONS (AGRICULTURAL DISTRICTS); SECTION 4.13.3, ENTITLED PERMITTED ACCESSORY USES AND STRUCTURES (COMMERCIAL, GENERAL); SECTION 4.14.3, ENTITLED PERMITTED ACCESSORY USES AND STRUCTURES (COMMERCIAL, INTENSIVE); SECTION 4.15.3 ENTITLED PERMITTED ACCESSORY USES AND STRUCTURES (INDUSTRIAL, LIGHT AND WAREHOUSING); AND SECTION 4.16.3, ENTITLED PERMITTED ACCESSORY USES AND STRUCTURES (INDUSTRIAL DISTRICTS); PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 96-5, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said

application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 96-5, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Article 4, entitled Zoning Regulations, Section 4.4.5, entitled Special Exceptions (Agricultural districts), Article 4, Section 4.4.5 of the County's Land Development Regulations, is hereby amended to read as follows:

4.4.5 SPECIAL EXCEPTIONS
(see also Sections 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. Livestock auction arenas.

3. Livestock or poultry slaughterhouses; provided, that no building used for these activities shall be located within three hundred (300) feet of any lot line.

4. Sawmills and planing mills; provided, that no building used for these activities shall be located within three hundred (300) feet of any side or rear lot line.

5. Agricultural equipment and related machinery sales.

6. Agricultural feed and grain packaging, blending, storage, and sales.

7. Agricultural fertilizer storage and sales.

8. Agricultural fairs and fairground activities.

9. 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 parks or campgrounds, including day camps; hunting or fishing camps; and similar uses.

10. Riding or boarding stables; provided that no building used for housing of animals shall be located within three hundred (300) feet of any lot line.

11. Drive-in theaters (See Section 4.18 for special design standards).

12. Hospitals, sanitariums, nursing homes, and residential homes for the aged.

13. 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.

14. Group living facilities.

15. Crematories.

16. Airplane landing fields.

17. 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 offstreet pick-up and drop- off of children.

18. Home occupations (see also Article 2.1.99).

19. Public or private schools offering curricula comparable to that of public schools.

20. Public buildings and facilities (unless otherwise specified).

21. Private clubs and lodges.

22. Off-site signs (see also Section 4.18).

23. Solid waste facilities.

24. Foster care facilities.

25. Group home care facilities.

26. Explosives, manufacturing or storage.

27. Flea markets.

28. Paper and pulp manufacturing

29. Small engine repair (not to exceed 3,000 square feet).

30. Automotive repair, auto sales (not to exceed the storage of 15 vehicles on the premises) and repair of agricultural equipment (not to exceed 3,000 square feet).

31. Welding shop (not to exceed 3,000 square feet).

32. Boat sales, including boat construction and repair (site plan not to exceed 5,000 square feet).

33. Wholesaling from sample stocks only, providing no manufacturing or storage for distribution is permitted on the premises (not to exceed 3,000 square feet).

34. Miscellaneous uses such as express or parcel delivery office; motor bays or other transportation terminal (site plan not to exceed 3,000 square feet).

35. Service establishments such as car wash, auction house, carpenter or cabinet shop (not to exceed 3,000 square feet).

36. Establishments primarily engaged in assembly of farm machinery and equipment, including wheel tractors, for use in the preparation and maintenance of the soil; planting and harvesting of the crop; preparing the crops for market, on the farm; or for use in performing other farm operations and processes (not to exceed 3,000 square feet).

37. Establishments primarily engaged in assembling electronic computers and peripheral equipment and /or major logical components intended for use in electronic computer systems (assembly only no manufacturing or sale of equipment or components on the premises and not to exceed 3,000 square feet).

38. Establishments primarily engaged in assembling and repairing electronic equipment to include but not be limited to televisions, radios, cellular equipment, satellite reception and transmission equipment (no manufacturing or sales of equipment or components on the premises and not to exceed 3,000 square feet).

39. Establishments primarily engaged with the assembly of jewelry and other articles worn on or carried about the person, made of precious metals with or without stones, including the setting of stones (not to exceed 3,000 square feet).

40. Establishments primarily engaged in the repair or assembly of musical instruments (not to exceed 3,000 square feet).

41. Establishments primarily engaged in manufacturing dolls, doll parts and doll clothing. In addition, establishments primarily engaged in assembling stuffed toy animals are also included (not to exceed 3,000 square feet).

42. Bed and Breakfast Inns.

43. General merchandise stores, usually known as country general stores, engaged in the retail sale of a general line of apparel, dry goods, hardware, home wares or home furnishings, groceries, self service gasoline sales, and other lines in limited amounts (not to exceed 3,000 square feet).

44. Establishments commonly known as tool and die shops (not to exceed 3,000 square feet).

45. Radar installations and related facilities.

Section 2. Pursuant to an application, LDR 96-5, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Article 4, entitled Zoning Regulations, Sections 4.13.3, 4.14.3, 4.15.3 and 4.16.3, entitled Permitted Accessory Uses and Structures (Commercial, General; Commercial, Intensive; Industrial, Light and Warehousing; and Industrial districts, respectively), Article 4, Sections 4.13.3, 4.14.3, 4.15.3 and 4.16.3 are hereby amended to add the following accessory uses and structures:

Residential facilities for caretakers whose work requires residence on the premises or for employees who will be quartered on the premises.

Section 3. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 6. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 5th day of December 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

John L. Driggers, Chairman

Attest:

CIRCUIT COURT SEAL DIXIE COUNTY, FLORIDA

Joe Hubert Allen, County Clerk

ORDINANCE NO. 96-04

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 13.4, ENTITLED NOTICE OF HEARING; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the County's Comprehensive Plan;

WHEREAS, an application, LDR 95-5, for an amendment, as described below, to the text of the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Ordinance No. 90-04, as amended, entitled the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners reviewed and considered all comments received during said public hearing, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 95-5, by Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Section 13.4, entitled Notice of Hearing, Section 13.4 of the County's Land Development Regulations, is hereby amended to read as follows:

SECTION 13.4 NOTICE OF HEARING.

13.4.1 The Land Development Regulation Administrator shall give notice of any public hearing required by Section 13.2 and 13.3 as follows:

1. An application for an amendment to these land development regulations, the Official Zoning Atlas or a request for special exception, or variance requiring a public hearing before the Planning and Zoning Board or Board of Adjustment shall be noticed once in a newspaper of general circulation in the area with the publication at least ten (10) days prior to the hearing.

2. An application for a special permit requiring a public hearing before the Board of County Commissioners shall be noticed once in a newspaper of general circulation in the area with the publication at least ten (10) days prior to the hearing.

3. An amendment to these land development regulations, including the Official Zoning Atlas, requiring a public hearing before the Board of County Commissioners shall be noticed in accordance with the requirements of Chapter 125.66, Florida Statutes.

4. In addition to the above stated notice requirements, all rezoning, special exception and variance public hearings before the Planning and Zoning Board and Board of Adjustment, as applicable, shall also be noticed by prominently posting a sign clearly visible to the public on the property that is the subject of the proposed action. Such sign shall be posted not less than ten (10) days prior to such public hearing.

The notices required by this Section shall: (a) state the date, time and place of the public hearing; (b) reasonably identify the property that is the subject of the application or appeal; (c) give a brief

description of the action requested or proposed; (d) state the place where a copy of the proposed action may be inspected by the public, and (e) advise that interested parties may appear at the public hearing(s) and be heard regarding the proposed action.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 1st day of February 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Alton Land, Chairman

Attest:

Joe Hubert Allen, County Clerk

CIRCUIT COURT SUUM CUIQUE DIXIE COUNTY, FLORIDA

ORDINANCE NO. 96-05

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 4.3.5, ENTITLED SPECIAL EXCEPTIONS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 96-1, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 96-1, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Section 4.3.5, entitled Special Exceptions of the County's Land Development Regulations, Section 4.3.5 of the County's Land Development Regulations is hereby amended to read as follows:

4.3.5 SPECIAL EXCEPTIONS
(See also Articles 12 and 13)

1. Home occupations.

2. Foster care facilities.

3. Water-dependent resource-based uses.

4. Campgrounds of less than 100 campsites.

5. Radar installations and related facilities.

6. Public buildings and facilities.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 15th day of February, 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Alton Land, Chairman

Attest:

CIRCUIT COURT SEAL DIXIE COUNTY, FLORIDA

Joe Hubert Allen, County Clerk

ORDINANCE NO. 96-06

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 14.11.1; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 96-2, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 96-2, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Section 14.11.1 of the County's Land Development Regulations, Section 14.11.1 of the County's Land Development Regulations is hereby amended to read as follows:

14.11.1 Temporary use permits issued by Board of County Commissioners. The Board of County Commissioners may issue a temporary use permit for the following uses:

1. In agricultural, commercial, and industrial districts: commercial circuses, carnivals, outdoor concerts, and similar uses.

2. In agricultural districts: such uses similar to, but not limited to asphalt and concrete batch plants.

Requests for such a permit(s) shall be submitted in writing to the Land Development Regulation Administrator together with such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8). The Land Development Regulation Administrator shall forward the request to the Planning and Zoning Board for review and shall erect a sign advertising the request on a prominent position on said land. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. All matters relating to Planning and Zoning Board consideration of temporary use permits shall be a public record. At the public session, any person may appear in person or by agent or attorney. The Planning and Zoning Board shall submit its report and recommendations to the Board of County Commissioners. The Planning and Zoning Board report and recommendations shall be advisory only and not binding upon the Board of County Commissioners.

Within a reasonable time after receiving the Planning and Zoning Board report and recommendations, the Board of County Commissioners shall hold a public hearing to consider the request. The Board of County Commissioners shall fix a reasonable time for the hearing, give public notice thereof, as well as due notice to the parties involved. At the hearing, any person may appear in person or by agent or attorney. The Board of County Commissioners shall take final action on the request by either approving, approving with conditions, or denying the request. Appeals from decisions of the Board of County Commissioners shall be heard as set out in Article 12 of these land development regulations.

Prior to granting a temporary use permit, the Board of County Commissioners shall insure that:

1. Any nuisance or hazardous feature involved is suitably separate from adjacent uses.

2. Excessive vehicular traffic will not be generated on minor residential streets.

3. A vehicular parking problem will not be created.

The temporary use permit, if granted, shall be granted for a specific time period, at the end of which, if the use permitted has not been discontinued, it shall be deemed a violation of these land development regulations and shall be punished as herein set out (see Article 15).

Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which temporary use permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 15th day of February, 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Alton Land, Chairman

Attest:

CIRCUIT COURT SEAL DIXIE COUNTY, FLORIDA

Joe Hubert Allen, County Clerk

NORTH CENTRAL FLORIDA
RECEIVED
JUL 12 1996
REGIONAL PLANNING COUNCIL

ORDINANCE NO. 96-07

AN ORDINANCE AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 2.1.59, DEFINITIONS OF DWELLING, MOBILE HOME OR MOBILE HOME; AND BY ADDING SECTION 4.18.38 TO THE SUPPLEMENTARY DISTRICT REGULATIONS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

FILED
MAR 26 2 03 PM '96
SECRETARY OF STATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 95-3, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

ORDINANCE BOOK 1 PAGE 0709

FILED
'96 APR 12 AM 9:44
CLERK OF CIRCUIT
DIXIE COUNTY

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To Lowell Garrett	From Denise Lytle
Co.	Co.
Dept.	Phone #
Fax # 955-2209	Fax # 498-1207

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 95-3, by the Board of County Commissioners to amend the text of the County's Land Development Regulations by amending Section 2.1.59, Definitions of Dwelling, Mobile Home or Mobile Home Section 2.1.59 of the County's Land Development Regulations is hereby amended to read as follows:

2.1.59 Dwelling, Mobile Home or Mobile Home. A mobile home dwelling or mobile home is a detached one (1) family dwelling unit, which is a manufactured home licensed by the State of Florida and has affixed thereto the required code seal and label issued by the Florida Department of Community Affairs (if Florida seals are missing from the home, a factory data sheet or HUD seal identifying that the home was constructed for location in the State of Florida shall meet this requirement). In addition, such mobile home has been inspected by the County Building Official and found to meet or exceed the minimum standards provided in Section 4.18 herein, entitled Supplementary District Regulations and has also been determined by the County Building Official to have all the following characteristics:

ORDINANCE BOOK 1 PAGE 07.3

0710

(a) designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; (b) having three (3) or more sidewall ties, which are located on the unit; (c) designed for transportation after fabrication on streets or highways on its own wheels or on a flatbed or other trailers; and (d) arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities, and the like. A travel trailer is not to be considered a mobile home.

Section 2. Pursuant to an application, LDR 95-3, by the Board of County Commissioners to amend the text of the County's Land Development Regulations Section 4.18.38, entitled Standards for Location Used Mobile Homes, Section 4.18.38 of the County's Land Development Regulations, is hereby added to read as follows:

Section 4.18.38 STANDARDS FOR LOCATION OF USED MOBILE HOMES - The following standards shall be required to be met prior to the issuance of a County mobile home permit for any mobile homes to be located or relocated in the unincorporated area of the County. The determination of whether the mobile home meets or exceeds the following standards shall be made by the County Building Official or his/her designee upon a site visit to inspect the mobile home prior to its occupation:

1. FIRE SAFETY - All mobile homes manufactured since January 1968 shall have an approved smoke detector(s) properly located outside of each sleeping area of the mobile home. Smoke detectors shall be installed to the product manufacturer's installation instructions.

2. ELECTRICAL - (a) every unit shall have a complete electrical system; (b) distribution panelboards shall be properly installed, complete with required breakers/fuses, with all unused openings properly covered. All connections are to be checked for tightness, and all panels shall be accessible. Distribution panelboard may be located in a closet provided there is at least six (6) inches of space between the panelboard and any easily ignitable materials; (c) all electrical fixtures shall be properly installed, wired and supported. Aluminum conductors shall be connected to approved listed devices; and (d) all grounding conductors shall be secured to the proper locations and/or connector on the fixture or device.

3. PLUMBING- (a) all plumbing fixtures shall be protected with approved and workable traps; (b) plumbing fixtures shall be properly vented and fixtures shall be in workable condition; (c) relief valve on water heater shall have sufficient room to operate, and shall have unthreaded 3/4" drain pipe extended beneath the mobile home; (c) drainage piping shall be complete; piping shall be supported properly and not constitute a hazard; and (d) water piping shall not be bent, kinked, etc., to retard flow of the water supply. Each fixture shall be connected to water piping.

4. HEATING AND AIR CONDITIONING - (a) All required cooking/heating appliances shall be properly anchored and connected in place; (b) if the home has deleted heating system, drop-outs must be installed for connecting exterior system; (c) all homes with central heating/cooling shall have operable thermostat; (d) air registers shall be operable; (e) ducts shall be sealed at openings

ORDINANCE BOOK 1 PAGE 07[illegible]

and shall not be crushed or missing; (f) gas furnace/water heating vents shall be properly installed and secured to appliance; (g) there shall be proper return air to furnace, exterior heat/AC units and all rooms; (h) Range/bathroom ceiling vents shall be complete and vented to outside; and (I) all gas appliances shall be connected with an approved shut-off valve, if home was manufactured after May of 1975.

5. CONSTRUCTION - (a) Exterior exit doors, including sliding glass, shall be in good working order; (b) exterior doors shall have operable locks; (c) All mobile homes shall have operable egress windows or an exterior egress door located in each sleeping room with an opening of twenty-two (22) inches in its shortest measurement; (d) all windows and operators shall be operable and missing glass shall be replaced (if required); (e) screens shall be required on each window capable of being opened; (f) all holes/damaged floor, broken decking or floor joists shall be corrected; (g) missing interior paneling shall be replaced and bowed or loose paneling shall be secured; (h) bottom board shall be made rodent proof throughout and securely sealed. Missing insulation from exposed areas shall be replaced; (i) leaks: when visible structural damage caused by water leaks are apparent, repairs and corrections are to be completed to assure leaks have been corrected; (j) all over-the-roof tie-down straps shall be free of damage. Frame ties and blocking on all used single and double wide homes shall be as required in the amended Rules of the Division of Motor Vehicles, Chapter 15C-1.10, if the manufacturer's setup requirements are not available, splices of strap shall overlap at least twelve (12) inches and be secured with two (2) seals; all tie points shall be used; and the roof and every exterior wall shall be free of holes, breaks or any other conditions which might admit rain to the interior portions of the walls or to the occupied spaces of the building. All roofing and siding material shall be kept in good condition.

Section 3. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

ORDINANCE BOOK 1 PAGE 0712

Section 6. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this 7th day of March 1996.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

Alton Land, Chairman

Attest:

Joe Hubert Allen, County Clerk

CIRCUIT COURT DIXIE COUNTY, FLORIDA

ORDINANCE BOOK 1 PAGE 0713

ORDINANCE NO. 98-____

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 2.1.59, ENTITLED DWELLING MOBILE HOME OR MOBILE HOME TO ALLOW A SIGNED, NOTARIZED AFFIDAVIT FROM THE HOME OWNER BE USED WHERE FLORIDA SEALS ISSUED BY THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS WERE PREVIOUSLY LOCATED ON THE MOBILE HOME, BUT HAVE BEEN REMOVED; IN ADDITION, TO AMEND SECTION 4.18.38, ENTITLED, STANDARDS FOR LOCATION OF USED MOBILE HOMES TO REQUIRE CERTIFICATION THAT THE MOBILE HOME MEETS THE STANDARDS AS OUTLINED IN SECTION 2.1.59 OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 98-1, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 98-1, by the Board of County Commissioners, to amend the text of the County's Land Development Regulations by amending Section 2.1.59 entitled Dwelling Mobile Home or Mobile Home, Section 4.18.38 of the County's Land Development Regulations is hereby amended to read as follows:

2.1.59 Dwelling, Mobile Home or Mobile Home. A mobile home dwelling or mobile home is a detached one (1) family dwelling unit, which is a manufactured home licensed by the State of Florida and has affixed thereto the required code seal and label issued by the Florida Department of Community Affairs (if Florida seals are missing from the home, to meet this requirement, a factory data sheet or HUD seal identifying that the home was constructed for location in the State of Florida, or a signed, notarized affidavit from the home owner that the home was constructed for location in the State of Florida and at one time had a Florida seal or a HUD seal, as stated above, located on the unit). In addition, such mobile home has been inspected by the County Building Official and found to meet or exceed the minimum standards provided in Section 4.18 herein, entitled Supplementary District Regulations and has also been determined by the County Building Official to have

all the following characteristics: (a) designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; (b) having three (3) or more sidewall ties, which are located on the unit; (c) designed for transportation after fabrication on streets or highways on its own wheels or on a flatbed or other trailers; and (d) arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities, and the like. A travel trailer is not to be considered a mobile home.

Section 2. Pursuant to an application, LDR 98-1, by the Board of County Commissioners, to amend the text of the County's Land Development Regulations by amending Section 4.18.38 entitled Standards for the Location of Used Mobile Homes, Section 4.18.38 of the County's Land Development Regulations is hereby amended to read as follows:

Section 4.18.38 STANDARDS FOR LOCATION OF USED MOBILE HOMES - Before a used mobile home may be located within the County, a licensed contractor or licensed mobile home dealer must certify that the mobile home meets the definition of mobile home as stated within these Land Development Regulations and more specifically the standards a through d as provided in Section 2.1.59 of these Land Development Regulations. Before a mobile home located within the County, or may be transferred from one parcel to another, a licensed contractor or a licensed mobile home dealer or the County Building Inspector must certify the mobile home meets the definition of mobile home as stated within these Land Development Regulations and more specifically the standards a through d as provided in Section 2.1.59 of these Land Development Regulations. In addition, the following standards shall be required to be met prior to the issuance of a County mobile home permit for any mobile homes to be located or relocated in the unincorporated area of the County. The determination of whether the mobile home meets or exceeds the following standards shall be made by the County Building Official or his/her designee upon a site visit to inspect the mobile home prior to its occupation:

1. FIRE SAFETY - All mobile homes manufactured since January 1968 shall have an approved smoke detector(s) properly located outside of each sleeping area of the mobile home. Smoke detectors shall be installed to the product manufacturer's installation instructions.

2. ELECTRICAL - (a) every unit shall have a complete electrical system; (b) distribution panel boards shall be properly installed, complete with required breakers/fuses, with all unused openings properly covered. All connections are to be checked for tightness, and all panels shall be accessible. Distribution panel board may be located in a closet provided there is at least six (6) inches of space between the panel board and any easily ignitable materials; (c) all electrical fixtures shall be properly installed, wired and supported. Aluminum conductors shall be connected to approved listed devices; and (d) all grounding conductors shall be secured to the proper locations and/or connector on the fixture or device.

3. PLUMBING- (a) all plumbing fixtures shall be protected with approved and workable traps; (b) plumbing fixtures shall be properly vented and fixtures shall be in workable condition; (c) relief valve on water heater shall have sufficient room to operate, and shall have unthreaded 3/4" drain pipe extended beneath the mobile home; (c) drainage piping shall be complete; piping shall be supported properly and not constitute a hazard; and (d) water piping shall not be bent, kinked, etc., to retard flow of the water supply. Each fixture shall be connected to water piping.

4. HEATING AND AIR CONDITIONING - (a) All required cooking/heating appliances shall be properly anchored and connected in place; (b) if the home has deleted heating system, drop-outs must be installed for connecting exterior system; (c) all homes with central heating/cooling shall have operable thermostat; (d) air registers shall be operable; (e) ducts shall be sealed at openings and shall not be crushed or missing; (f) gas furnace/water heating vents shall be properly installed and secured to appliance; (g) there shall be proper return air to furnace, exterior heat/AC units and all rooms; (h) Range/bathroom ceiling vents shall be complete and vented to outside; and (I) all gas appliances shall be connected with an approved shut-off valve, if home was manufactured after May of 1975.

5. CONSTRUCTION - (a) Exterior exit doors, including sliding glass, shall be in good working order; (b) exterior doors shall have operable locks; (c) All mobile homes shall have operable egress windows or an exterior egress door located in each sleeping room with an opening of twenty-two (22) inches in its shortest measurement; (d) all windows and operators shall be operable and missing glass shall be replaced (if required); (e) screens shall be required on each window capable of being opened; (f) all holes/damaged floor, broken decking or floor joists shall be corrected; (g) missing interior paneling shall be replaced and bowed or loose paneling shall be secured; (h) bottom board shall be made rodent proof throughout and securely sealed. Missing insulation from exposed areas shall be replaced; (I) leaks: when visible structural damage caused by water leaks are apparent, repairs and corrections are to be completed to assure leaks have been corrected; (j) all over-the-roof tie-down straps shall be free of damage. Frame ties and blocking on all used single and double wide homes shall be as required in the amended Rules of the Division of Motor Vehicles, Chapter 15C-1.10, if the manufacturer's setup requirements are not available, splices of strap shall overlap at least twelve (12) inches and be secured with two (2) seals; all tie points shall be used; and the roof and every exterior wall shall be free of holes, breaks or any other conditions which might admit rain to the interior portions of the walls or to the occupied spaces of the building. All roofing and siding material shall be kept in good condition. Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1998.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
James T. Valentine, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

ORDINANCE NO. 98-___

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 4.13.5, ENTITLED SPECIAL EXCEPTIONS, COMMERCIAL, GENERAL (CG) TO ADD FLEA MARKETS; AND BY AMENDING SECTION 4.14.5, ENTITLED SPECIAL EXCEPTIONS, COMMERCIAL, INTENSIVE (CI) TO ADD HOSPITALS AND NURSING HOMES; CHILD CARE CENTERS AND OVERNIGHT CHILD CARE CENTERS AND FLEA MARKETS AS ALLOWABLE USES BY SPECIAL EXCEPTION IN COMMERCIAL, INTENSIVE (CI) DISTRICTS; PROVIDING SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 98-2, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 98-3 by the Board of County Commissioners, to amend the text of the County's Land Development Regulations by amending Section 4.13.5 entitled Special Exceptions, Commercial, General (CG), Section 4.13.5 of the County's Land Development Regulations is hereby amended to read as follows:

4.13.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Automotive service stations (see Section 4.18.6 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.

   b. Provision is made for areas for offstreet pick-up and drop-off of children.

7. Flea Markets.

8. Other similar uses which are compatible with the uses of the district.

Section 2. Pursuant to an application, LDR 98-1, by the Board of County Commissioners, to amend the text of the County's Land Development Regulations by amending Section 4.14.5 entitled Special Exceptions, Commercial, Intensive (CI), Section 4.14.5 of the County's Land Development Regulations is hereby amended to read as follows:

4.14.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Wholesale, warehouse, or storage use in completely enclosed buildings. However, bulk storage of flammable liquids is not permitted.

2. Package store for sale of alcoholic beverages, bar, tavern, or cocktail lounge.

3. Off-site signs (see also Section 4.18).

4. Truck stops and automotive service stations (see Section 4.18 for special design standards for automotive service stations).

5. Service establishments such as crematory.

6. Agricultural fairs and fairground activities, livestock auction arenas.

7. Commercial tourist attractions.

8. Building trades contractor with on premises storage yard for materials and equipment.

9. Hospitals and nursing homes.

10. 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 offstreet pick-up and drop-off of children.

11. Flea Markets.

12. Other similar uses which are compatible with the uses of the district.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1998.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
James T. Valentine, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

ORDINANCE NO. 98-___

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 14, ENTITLED PERMITTING AND CONCURRENCY MANAGEMENT TO CREATE A NEW SECTION 14.9, ENTITLED SPECIAL PERMITS; AMENDING REVISING AND RENUMBERING AND INCORPORATE SPECIAL USE PERMITS LISTED WITHIN ARTICLE 14; AND ESTABLISHING NEW SPECIAL PERMITS FOR SPECIFIC USES; IN ADDITION, AMENDING SECTION 14.11, ENTITLED SPECIAL PERMITS FOR TEMPORARY USES TO DELETE ASPHALT AND CONCRETE BATCH PLANTS AS TEMPORARY USES AND BY PROVIDING FOR THESE USES AS SPECIAL PERMITS UNDER THE NEW SECTION 14.9; PROVIDING SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 98-3, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 98-3, by Anderson Columbia Company, Inc., to amend the text of the County's Land Development Regulations by amending Article 14, entitled Permitting and Concurrency Management to create a new section 14.9, entitled Special Permits, by amending revising and renumbering and incorporating special use permits listed within article 14; establishing new special permits for specific uses; amending Section 14.11, entitled Special Permits for Temporary Uses to delete asphalt and concrete batch plants as temporary uses and by providing for these uses as special permits under the new section 14.9, Article 14 of the County's Land Development Regulations is hereby amended to read as follows:

ARTICLE FOURTEEN. PERMITTING AND CONCURRENCY MANAGEMENT

SECTION 14.1 GENERAL. The Land Development Regulation Administrator shall administer and enforce these land development regulations. The Land Development Regulation Administrator is authorized to act through aides and assistants. In the performance of his or her duties, the Land Development Regulation Administrator may request the assistance of any officer or agency of the County.

The Land Development Regulation Administrator shall investigate promptly complaints of violations, reporting findings and actions to complainants, and shall use best endeavors to prevent violations or to detect and secure the correction of violations. If the Land Development Regulation Administrator finds that any of the provisions of these land development regulations are being violated, the Land Development Regulation Administrator shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. The Land Development Regulation Administrator shall order the discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other lawful action authorized by these land development regulations necessary to insure compliance with or to prevent violations of these land development regulations.

It is the intent of these land development regulations that questions of interpretation and enforcement shall first be presented to the Land Development Regulation Administrator, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Land Development Regulation Administrator.

The Land Development Regulation Administrator shall maintain written records of all official actions with relation to land development regulation administration, and of all complaints and actions taken with regard thereto, and of all violations discovered by whatever means, with remedial action taken and disposition of all cases; and the same shall be a public record.

SECTION 14.2 LAND DEVELOPMENT REGULATION ACTION ON BUILDING PERMITS. The Land Development Regulation Administrator shall be responsible for determining whether applications for building permits as required by the Building Code of the County are in accord with the requirements of these land development regulations, and no building permit shall be issued without written certification that plans submitted conform to applicable land development regulations. No building permit shall be issued by the Land Development Regulation Administrator except in conformity with the provisions of these land development regulations, unless the Land Development Regulation Administrator shall receive a written order in the form of an administrative review, interpretation, special exception, or variance as provided by these land development regulations, or unless he or she shall receive a written order from the governing body or a court of competent jurisdiction.

SECTION 14.3 APPLICATION FOR BUILDING PERMIT

14.3.1 Information necessary for application. All applications for building permits as required by the Building Code of the County shall be accompanied by two (2) copies of the plot and construction plans drawn to scale, showing the actual shape and dimensions of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; the exact size and location on the lot of the building or buildings to be erected or altered; the existing use of buildings on the lot, if any; the intended use of each building or buildings or parts thereof; the number of families the building is designed to accommodate; the location and number of required off-street parking and off-street loading spaces; and such other information with regard to the lot and existing and proposed structures as may be necessary to determine and provide for the enforcement of these land development regulations. The application shall be accompanied by a survey of the lot, made by a land surveyor or engineer licensed in Florida; all property stakes shall be in place at the time of application.

14.3.2 Public record. One (1) copy of the plans shall be returned to the applicant by the Land Development Regulation Administrator, after marking such copy either as approved or disapproved and attested to same by the Land Development Regulation Administrator's signature on such copy. The second copy of the plans, similarly marked, shall be retained by the Land Development Regulation Administrator as part of the public record.

14.3.3 Display of permit. All building permits shall be issued in duplicate and one (1) copy shall be kept conspicuously on the premises affected and protected from the weather whenever construction work is being performed thereon. No owner, contractor, workman or any other person shall perform any building operations of any kind unless a building permit covering such operation has been displayed as required by these land development regulations, nor shall they perform building operations of any kind after notification of the revocation of said building permit.

14.3.4 Expiration of building permit. Every permit issued shall become invalid unless the work authorized by such permit is commenced in the form of actual construction within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced; provided, that, for cause, one (1) or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed, and such extensions shall be in writing by the Land Development Regulation Administrator.

14.3.5 Construction and use to be as provided in applications; status of permit issued in error. Building permits issued on the basis of plans and specifications approved by the Land Development Regulation Administrator authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction different from that authorized shall be deemed a violation of these land development regulations and punishable as set out in these land development regulations in Article 15.

Statements made by the applicant on the building permit application shall be deemed official statements. Approval of application by the Land Development Regulation Administrator shall in no way exempt the applicant from strict observance of applicable provisions of these land development regulations and all other applicable regulations, ordinances, codes, and laws.

A building permit issued in error shall not confer any rights or privileges to the applicant to proceed to construction, and the Board of County Commissioners shall have the power to revoke such permit if actual construction has not commenced.

SECTION 14.4 CERTIFICATE OF LAND DEVELOPMENT REGULATION COMPLIANCE.

14.4.1 General. It shall be unlawful to use or occupy, or permit the use or occupancy, of any building, premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Land Development Regulation Compliance shall have been issued by the Land Development Regulation Administrator stating that the proposed use of the structure or land conforms to the requirements of these land development regulations.

No permit for erection, alteration, moving, or repair of any building shall be issued until an application has been made for a certificate of land development regulation compliance, and the certificate shall be issued in conformity with the provisions of these land development regulations upon completion of the work.

14.4.2 Temporary certificate of land development regulation compliance. A temporary certificate of land development regulation compliance may be issued by the Land Development Regulation Administrator for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided that such temporary certificate may include such conditions and

safeguards as are necessary in the circumstances to protect the safety of occupants and the general public.

14.4.3 Records, Violations. The Land Development Regulation Administrator shall maintain a record of all certificates of land development regulation compliance, and a copy shall be furnished upon request to any person.

Failure to obtain a certificate of land development regulation compliance as set out in these land development regulations shall be a violation of these land development regulations and punishable as provided by these land development regulations in Article 15.

Certificates of land development regulation compliance issued on the basis of plans and specifications approved by the Land Development Regulation Administrator authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction different from that authorized shall be deemed a violation of these land development regulations and punishable as set out in these land development regulations in Article 15.

SECTION 14.5 ASSURANCE OF COMPLETION OF PUBLIC IMPROVEMENTS. Where, by the terms of these land development regulations or other applicable regulations or ordinances of the County, provision is made for insuring to the Board of County Commissioners that the public improvements required will be constructed as required, the following procedures and regulations shall govern. Before any building permit is issued in such situation, the Board of County Commissioners shall require the applicant to present satisfactory evidence that full provision has been made for public improvements, including, but not limited to, utility lines, sanitary sewers, storm sewers, construction or reconstruction of streets or alleys, streets signs, and traffic devices or signals. Where such public improvements are to be constructed by the applicant in accordance with the applicant's permit, the Board of County Commissioners shall require security satisfactory to the Board of County Commissioners in the form of (1) a deposit in cash or cashier's check or (2) a performance and payment bond in the amount of one hundred ten percent (110%) of the estimated cost of such improvements. The purpose of this requirement is to insure to the Board of County Commissioners that the public improvements required will be properly and timely completed and paid for. The form of any such bond or sureties thereon shall be subject to the approval of the Attorney for the Board of County Commissioners as to form and correctness prior to the issuance of any building permit.

SECTION 14.6 SPECIAL APPROVAL FOR DEVELOPMENT IN FLOOD HAZARD AREAS. This subsection applies to any proposed project which intends to move, erect, or enlarge any building within a "flood hazard area." The term "flood hazard area" refers to any "flood hazard area" as shown on the official flood maps issued by the Federal Emergency Management Agency, for areas subject to these land development regulations.

If the Land Development Regulation Administrator determines that a proposed building site is in a "flood hazard area," any proposed new construction or substantial improvement (including prefabricated and mobile homes) must meet the requirements within Article 8 of these land development regulations.

SECTION 14.7 SPECIAL MOVE-ON PERMITS FOR MOBILE HOMES. It shall be deemed a violation of these land development regulations for any person, firm, corporation, or other entity to place or erect any mobile home on any lot or parcel of land within any area subject to these land development regulations for private use without first having secured a mobile home move-on permit from the Land Development Regulation Administrator. Such permit shall be deemed to authorize placement, erection, and use of the mobile home only at the location specified in the permit. The responsibility of securing a mobile home move-on permit shall be that of the person causing the mobile home to be moved. The move-on permit shall be posted prominently on the mobile home before such mobile home is moved onto the site.

SECTION 14.8 SPECIAL FAMILY LOT PERMITS. A special permit may be issued by the Land Development Regulation Administrator on land zoned agricultural and environmentally sensitive within the County's Comprehensive Plan, for the use of immediate family members of the property owner of the parent tract as their residence at densities higher than one dwelling unit per five acres, but not to exceed two dwelling units per acre, unless a community potable water system is available; then up to three dwelling units per acre is permitted subject to the following conditions:

1. The minimum lot width shall be seventy-five (75) feet; and

2. The lot(s) shall be for the use of family members of the owner of the original tract only. The term immediate family differs from the definition of family as defined in 2.1.72 of these land development regulations, in that it shall mean persons related by blood, adoption or marriage such as siblings, parents, spouses, grandparents and children; and

3. The division of lots shall be by recorded separate deed and meet all other applicable land development regulations; and

4. The family lot permit shall only apply to lots or tracts of record created prior to the effective date of the County's Comprehensive Plan; and

5. The family lot permit shall only be issued twice for each relative of the parent tract owner. However, for purposes of this provision, if a lot is permitted under this provision to a daughter, for example, and was to be returned to the ownership of the owner of the parent tract, then the original use of this provision to provide the lot to the daughter shall not be counted as one of the two permitted per relative.

SECTION 14.9 SPECIAL PERMITS

14.9.1 Special Permits Issued by the Board of County Commissioners. The following uses shall require special permits to be issued by the Board of County Commissioners.

Except as noted, prior to the approval of such special permits; (a) at a public session and as part of a previously prepared agenda (no public hearing or public notification is required), the Planning and Zoning Board shall review and make a recommendation to the Board of County Commissioners for approval, approval with conditions or denial of the application for special permit; Subsequent to the public review conducted by the Planning and Zoning Board, the Board of County Commissioners shall hold a public hearing to consider the approval, approval with conditions or denial of the application and such public hearing shall be noticed as provided in Article 13 of these land development regulations. In addition, a sign shall be posted on the subject property as provided in Article 13, of these land development regulations.

1. Special permits for land and water fills, dredging, excavation, and mining. No mining; borrow pit operations; activities which involve the dredging or filling of land or water areas of one-half (½) acre in size or larger; and activities which involve excavation or removal of earth in area of one-half (½) acre in size or larger shall be conducted without first obtaining a special permit for such activities from the Board of County Commissioners. In addition to obtaining this permit, the applicant shall meet any additional requirements of the County, the State of Florida, and the United States.

2. Bulkheads, docks, and similar structures. (If State or Federal permission is required for the erection of any such bulkhead, dock, pier, wharf, or similar structure, such permission shall be presented in writing to the Land Development Regulation Administrator prior to the issuance of any building permit for the bulkhead, dock, pier, wharf, or similar structure).

3. In agricultural districts: Such uses, which are similar to, but not limited to asphalt and cement batch plants.

4. Limitations on subsequent written petition for a special permit. No written petition by an owner of real property for a special permit for a particular parcel of property, or part thereof, shall be filed with the Land Development Regulation Administrator until the expiration of twelve (12) calendar months from the date of denial of a written application for a special permit for such property, or part thereof, unless the Board of County Commissioners specifically waives said waiting period based upon a consideration of the following factors:

(a) The new written application constitutes a proposed special permit different from the one (1) proposed in the denied written application.

(b) Failure to waive said twelve (12) month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly discovered matters of consideration.

5. Upon the effective date of this section or upon subsequent amendment to this section, uses listed under subsection 14.9.1, which were heretofore approved by special permit for temporary use and such approval is in force and effect, shall be considered permanent existing uses approved by special permit.

14.9.1.1 Board of County Commissioners: Special Permit Approvals. The Board of County Commissioners shall have the power to hear and decide upon special permit requests in specific cases as authorized by these land development regulations; to decide such questions as are involved in the determination of when special permits should be granted; and to grant special permits with appropriate conditions and safeguards or to deny special permits when they would not promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or the general welfare.

Appropriate conditions and safeguards may include, but are not limited to reasonable time limits within which the action for which the special permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the special permit is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

If the Board of County Commissioners shall deny a special permit, it shall state fully in its record its reasons for doing so. Such reasons shall take into account the factors stated in this Article, or such of them as may be applicable to the action of denial, and the particular regulations relating to the specific special permit requested, if any.

The procedure for approval of a special permit shall be as set forth in this Article, and in addition, a special permit shall not be granted by the Board of County Commissioners unless and until:

1. Written Application. A written application for special permit is submitted by the applicant indicating the section these land development regulations under which the special permit is sought and stating the grounds on which it is requested, with particular reference to the types of finding which the Board of County Commissioners must make under this Article below. The application should include material necessary to demonstrate that granting the special permit would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such material shall include, but is not limited to the following: (1) site and development plans at an appropriate scale showing proposed placement of structures on the property; provisions for ingress and egress, offstreet parking and offstreet loading areas, and refuse and service areas; and required yards and other open spaces; (2) plans showing proposed locations for utility hook-up; (3) plans for screening and buffering with reference as to type, dimensions, and character; (4) proposed landscaping; and signs and lighting, including type, dimensions, and character.

   Where these land development regulations place additional regulations on specific special permits, the application should demonstrate that such requirements are met.

   (a) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

   (b) Offstreet parking and loading areas, where required, with particular attention to the items in (a) above and the economic, noise, glare, or odor effects of the special permit on adjoining properties and properties generally in the district.

   (c) Refuse and service areas, with particular reference to the items in (a) and (b) above.

   (d) Utilities, with reference to locations, availability, and compatibility.

   (e) Screening and buffering with reference to type, dimensions, and character.

(f) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

(g) Required yards and other open space.

(h) Considerations relating to general compatibility with adjacent properties and other property in the district including but not limited to:

(1) Conformity with the County's Comprehensive Plan and the effects upon the County's Comprehensive Plan;

(2) The existing land use pattern;

(3) The impact of the proposed use upon the load on public facilities such as schools, utilities, and streets;

(4) Changed or changing conditions which find the proposed use to be advantageous to the community and the neighborhood;

(5) The impact of the proposed use upon living conditions in the neighborhood;

(6) The impact of the proposed use upon living conditions in the neighborhood;

(7) The impact of the proposed use upon drainage;

(8) The impact of the proposed use upon light and air to adjacent areas;

(9) The impact of the proposed use upon property values in the adjacent area;

(10) The impact of the proposed use upon the improvement or redevelopment of adjacent property in accordance with existing regulations; and

(11) The impact of the proposed use with regard to the scale of needs of the neighborhood or the County.

SECTION 14.10 RESERVED

SECTION 14.11 SPECIAL PERMITS FOR TEMPORARY USES. Certain uses are temporary in character. They vary in type and degree, as well as length of time involved. Such uses may have little impact on surrounding and nearby properties or they may present questions involving potential incompatibility of the temporary use with existing uses. Unless otherwise specified in these land development regulations, the following regulations shall govern temporary uses.

14.11.1 Temporary use permits issued by Board of County Commissioners. In agricultural, commercial, and industrial districts: commercial circuses, carnivals, outdoor concerts, and similar uses may be approved as a temporary use by the Board of County Commissioners.

Requests for such a permit(s) shall be submitted in writing to the Land Development Regulation Administrator together with such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8). In addition to the formal application to be submitted to the Land Development Regulation Administrator, the applicant for a special temporary use permit shall submit a site plan containing information as required in Section 14.12.1 of these Land Development Regulations. The Land Development Regulation Administrator shall forward the request and the site plan to the Planning and Zoning Board for review and shall erect a sign advertising the request on a prominent position on said land. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. All matters relating to Planning and Zoning Board consideration of temporary use permits shall be a public record. At the public session, any person may appear in person or by agent or attorney. The Planning and Zoning Board shall submit its report and recommendations to the Board of County Commissioners.

The Planning and Zoning Board report and recommendations shall be advisory only and not binding upon the Board of County Commissioners.

Within a reasonable time after receiving the Planning and Zoning Board report and recommendations, the Board of County Commissioners shall hold a public hearing to consider the request. The Board of County Commissioners shall fix a reasonable time for the hearing, give public notice thereof, as well as due notice to the parties involved. At the hearing, any person may appear in person or by agent or attorney. The Board of County Commissioners shall take final action on the request by either approving, approving with conditions, or denying the request. Appeals from decisions of the Board of County Commissioners shall be heard as set out in Article 12 of these land development regulations.

Prior to granting a temporary use permit, the Board of County Commissioners shall insure that:

1. Any nuisance or hazardous feature involved is suitably separate from adjacent uses.

2. Excessive vehicular traffic will not be generated on minor residential streets.

3. A vehicular parking problem will not be created.

The temporary use permit, if granted, shall be granted for a specific time period, at the end of which, if the use permitted has not been discontinued, it shall be deemed a violation of these land development regulations and shall be punished as herein set out (see Article 15).

Appropriate conditions may include, but are not limited to:

1. provisions for sanitation facilities, sewage disposal, garbage and refuse disposal (provisions of Chapter 386, Florida Statutes and applicable standards found in the Florida Administrative Code regarding public sanitation shall be considered specifically applicable to such conditions applied);

2. where the temporary use alters the natural drainage patterns of the property, drainage facilities shall be required in conformance with these Land Development Regulations to insure that stormwater is retained on site;

3. the provision of floodlighting during darkness;

4. provisions for insect and rodent control;

5. for commercial circuses, carnivals, outdoor concerts and similar uses, public potable water supply and food service shall be provided;

6. for commercial circuses, carnivals, outdoor concerts and similar uses a detailed parking plan shall be provided, which allocates a minimum of twenty-five (25) percent of the total site requested for the temporary use to be set aside for grass or open lot parking. In addition, for every acre, or fraction thereof, of grass or open lot parking required, four (4) parking attendants shall be required to be included as part of the detailed parking plan to insure the flow of traffic on-site;

7. for commercial circuses, carnivals, outdoor concerts and similar uses provisions for internal security, which shall include one (1) law enforcement officer, paid by the applicant of the temporary use, for up to and including every five hundred (500) patrons. Such law enforcement officers, may be off-duty, but shall have arrest powers within Dixie County, Florida. In addition, such law enforcement officers shall not work more than one (1) eight hour shift in any twenty-four (24) hour period;

8. for commercial circuses, carnivals, outdoor concerts and similar uses provisions for emergency medical services, which shall include one (1) emergency rescue vehicle staffed with certified emergency medical technicians, for up to and including every five-thousand (5,000) patrons; and

9. provisions for reasonable time limits within which the action for which temporary use permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

14.11.2 Temporary use permits issued by the Land Development Regulation Administrator. Certain uses are of short duration or do not create excessive incompatibility during the course of the use. The Land Development Regulation Administrator is authorized to issue temporary use permits for the following activities, after a showing that any nuisance or hazardous feature involved is suitably separated from adjacent uses; excessive vehicular traffic will not be generated on minor residential streets; and a vehicular parking problem will not be created:

1. In any zone district: special events operated by non- profit, eleemosynary organizations.

2. In any zone district: Christmas tree sales lots operated by non-profit, eleemosynary organizations.

3. In any zone district: other uses which are similar to (1) and (2) above and which are of a temporary nature where the period of use will not extend beyond thirty (30) days.

4. In any zone district: mobile homes or travel trailers used for temporary purposes by any agency of municipal, County, State, or Federal government; provided such uses shall not be or include a residential use.

5. In any zone district: mobile homes or travel trailers used as a residence, temporary office, security shelter, or shelter for materials of goods incident to construction on or development of the premises upon which the mobile home or travel trailer is located. Such use shall be strictly limited to the time construction or development is actively underway. In no event shall the use continue more than twelve (12) months without the approval of the Board of County Commissioners and the Board of County Commissioners shall give such approval only upon finding that actual construction is continuing.

6. In agricultural, commercial, and industrial districts: temporary religious or revival activities in tents.

7. In agricultural districts: In addition to the principal residential dwelling, one (1) additional mobile home used as an accessory residence, provided that such mobile home is occupied by persons related by blood, adoption, or marriage to the family occupying the principal residential use. Such mobile home is exempt from lot area requirements, and shall not be located within required yard areas. Such mobile home shall not be located within twenty (20) feet of any building. A temporary use permit for such mobile home may be granted for a time period up to five (5) years. When the temporary use permit expires, the applicant may reapply for a new temporary use permit.

   Requests for such a permit shall be submitted in writing to the Land Development Regulation Administrator together with such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8).

   Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which temporary use permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

SECTION 14.12 SITE AND DEVELOPMENT PLAN APPROVAL. Where these land development regulations require site and development plan approval, the Planning and Zoning Board shall approve all site and development plans as a condition precedent to the issuance of building permits by the Land Development Regulation Administrator.

14.12.1 Contents. The site and development plan required to be submitted by the requirements of these land development regulations shall include the following elements, where applicable:

1. Vicinity map - indicating general location of the site, abutting streets, existing utilities, complete legal description of property in question, and adjacent land use.

2. Site plan - including but not limited to the following:

   a. Name, location, owner, and designer of the proposed development.

   b. Present zoning for subject site.

   c. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties and any screening or buffers on such properties.

   d. Date, north arrow, and graphic scale not less than one (1) inch equal to fifty (50) feet.

   e. Area and dimensions of site.

   f. Location of all property lines, existing right-of- way approaches, sidewalks, curbs, and gutters.

   g. Access to utilities and points of utility hook-up.

   h. Location and dimensions of all existing and proposed parking areas and loading areas.

   I. Location, size, and design of proposed landscaped areas (including existing trees and required landscaped buffer areas).

   j. Location and size of any lakes, ponds, canals, or other waters and waterways.

   k. All structures and major features fully dimensioned including setbacks, distances between structures, floor area, width of driveways, parking spaces, property or lot lines, and percent of property covered by structures.

   l. Location of all trash receptacles.

   m. For multiple family, hotel, motel, and mobile home park site plans:

      (1) Tabulation of gross acreage.
      (2) Tabulation of density.
      (3) Number of dwelling units proposed.
      (4) Location and percent of total open space and recreation areas.

(5) Percent of lot covered by buildings.
(6 Floor area of dwelling units.
(7) Number of proposed parking spaces.
(8) Street layout.
(9) Layout of mobile home stands (for mobile home parks only).

3. Stormwater management plan - including the following:

a. Existing contours at one (1) foot intervals based on U.S. Coast and Geodetic Datum.

b. Proposed finished elevation of each building site and first floor level.

c. All existing and proposed stormwater management facilities with size and grades.

d. Proposed orderly disposal of surface water runoff.

e. Centerline elevations along adjacent streets.

14.12.2 Procedure. Where, by the terms of these land development regulations, approval by the Planning and Zoning Board of a site and development plan is required prior to the issuance of a building permit, such site and development plan shall be submitted to the Land Development Regulation Administrator. He or she shall circulate the site and development plan for comment to any other official or department of the County which may have responsibility for some aspect of the site and development plan.

Data required in these land development regulations for site and development plan approval shall be submitted to the Land Development Regulation Administrator not less than fifteen (15) days prior to the public meeting of the Planning and Zoning Board at which the application for site and development plan approval is to be considered together with the payment of such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8).

14.12.3 Action on site and development plan. The Land Development Regulation Administrator shall forward the application for site and development plan approval along with any comments or criticisms to the Planning and Zoning Board for approval. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. All matters relating to Planning and Zoning Board consideration of site and development plans shall be a public record and approval, approval with conditions, or denial shall require formal action of the Planning and Zoning Board. A petition for a zoning amendment and an

application for site and development plan approval shall not be handled concurrently. Rather, an applicable for site and development plan approval shall be heard only after the applicant has secured the appropriate zoning on the subject parcel. Appeals from decisions of the Planning and Zoning Board shall be heard as set out in Section Article 12 of these land development regulations.

In reaching a decision as to whether or not the site and development plan as submitted should be approved with a directive to the Land Development Regulation Administrator to issue building permits, the Planning and Zoning Board shall be guided in its decision and the exercise of its discretion to approve, approve with conditions, or to deny by the following standards; the Planning and Zoning Board shall show in its record that each was considered where applicable and it shall make findings in regard to those of the following standards which it finds to be applicable:

1. Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use, and permanent maintenance of common open space, common facilities, or common lands to insure preservation of such lands and facilities for their intended purpose and to insure that such common facilities will not become a future liability for the Board of County Commissioners.

2. Density and/or purpose of the proposed development with particular attention to its relationship to adjacent and nearby properties and effect thereon and relationship to the County's Comprehensive Plan.

3. Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, minimization of marginal friction with free movement of traffic on adjacent streets, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe, or emergency.

4. Location and relationship of offstreet parking and offstreet loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscape.

5. Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

6. Manner of stormwater management on the property, with particular reference to the effect of provisions for stormwater management on adjacent and nearby properties and the consequences of such stormwater management on overall public stormwater management capacities.

7. Adequacy of provision for sanitary sewers, with particular relationship to overall sanitary sewer availability and capacities.

8. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

9. Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community open spaces and recreational facilities.

10. General amenities and convenience, with particular reference to assuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be in conflict with other development in the area as to cause substantial depreciation of property values.

11. Such other standards as may be imposed by these land development regulations on the particular use or activity involved.

14.12.4 Issuance of building permits. Upon the approval of the site and development plan application by the Planning and Zoning Board or its approval with conditions, building permits for the proposed development shall be issued by the Land Development Regulation Administrator. The development shall be built substantially in accordance with the approved site and development plan. If after such approval, should the owner/applicant or his or her successors desire to make any changes in the site and development plan, such changes shall be submitted to the Land Development Regulation Administrator. If the Land Development Regulation Administrator deems that there is a substantial change or deviation from that which is shown on the approved site and development plan, the owner/ applicant or his or her successors shall be required to submit the amended site and development plan for approval as set forth in Section 14.11 of these land development regulations.

SECTION 14.13 CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

14.13.1 Generally. No development may be approved unless it is found that the development is in conformance with the County's Comprehensive Plan and that the provision of certain public facilities will be available at prescribed levels of service concurrent with the impacts of the development on those facilities.

14.13.2 Determining Conformance with the County's Comprehensive Plan. If a development proposal is found to meet all the requirements of these land development regulations, it shall be presumed to be in conformance with the County's Comprehensive plan in all respects except for compliance with the concurrency requirement. Any aggrieved or adversely affected party may, however, question the consistency of a development proposal with the County's Comprehensive plan. If a question of consistency is raised, the Land Development Regulation Administrator or any of the appointed boards, or the Board of County Commissioners depending on which is responsible for approving the development, shall make a determination of consistency or inconsistency and support that determination with written findings.

14.13.3 Maintaining Level of Service Standards.

14.13.3.1 Generally.

1. Level of Service Must be Maintained

a. No development activity may be approved unless it meets the following requirements designed to insure that certain public services are available at prescribed levels of service concurrent with the impacts of development.

b. Notwithstanding the foregoing, the prescribed levels of service may be degraded during construction of new facilities if upon completion of the new facilities the prescribed levels of service will be met.

2. Determination of Available Capacity. For purposes of these land development regulations, the available capacity of a facility shall be determined by:

a. Adding together:

aa. the total capacity of the existing facilities operating at the required level of service; and

bb. the total capacity of new facilities that will come available concurrent with the impacts of development. The capacity of new facilities may be counted only if one (1) or more of the following is shown:

(1) Construction of the new facilities are under way at the time of application.

(2) The new facilities are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued.

(3) The new facilities have been included in the County's annual capital budget.

(4) The new facilities are guaranteed in an enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.332, Florida Statutes, as amended, or an agreement or development order pursuant to Chapter 380, Florida Statutes, as amended. Such facilities must be consistent with the Capital Improvements Element of the County's Comprehensive Plan and approved by the Board of County Commissioners.

(5) The developer has contributed funds to the County necessary to provide new facilities consistent with the Capital Improvements Element of the County's Comprehensive Plan. Commitment that the facilities will be built must be evidenced by and appropriate budget amendment and appropriation by the County or other governmental entity.

bb. Subtracting from that number the sum of:

(1) the demand for the service created by existing development; and

(2) the new demand for the service that will be created concurrent with the impacts of the proposed development by the anticipated completion of other presently approved developments.

3. Burden of Showing Compliance on Developer. The burden of showing compliance with these level of service requirements shall be upon the developer. In order to be approvable, applications for development approval shall provide sufficient information showing compliance with these standards.

14.13.3.2 Transportation System. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for transportation systems as established in the Traffic Circulation Element of the County's Comprehensive Plan:

Level "C" Service Standard at peak hour as defined within the Florida Department of Transportation " Daily Service Volumes Level of Service, A-E, 1987" for all roads within the unincorporated areas of the County.

14.13.3.3 Sanitary Sewer. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for sanitary sewer systems as established in the Sanitary Sewer Element of the County's Comprehensive Plan:

Facility Type	Level of Service Standard
Individual Septic Tanks	70 gallons per capita per day
Community Sanitary Sewer System	70 gallons per capita per day

14.13.3.4 Potable Water. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for potable water systems as established in the Potable Water Element of the County's Comprehensive Plan:

Facility Type	Level of Service Standard
a. Private individual water wells	70 gallons per capita per day
b. Steinhatchee/Jena Community Potable Water System	100 gallons per capita per day

Facility Type	Level of Service Standard
c. Suwannee Community Potable Water System	70 gallons per capita per day
d. Horseshoe Beach Community Potable Water System	130 gallons per capita per day

14.13.3.4 Drainage. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for drainage systems as established in the Drainage Element of the County's Comprehensive Plan:

Level of Service Standard

For all projects which fall totally within a stream, or open lake watershed, detention systems must be installed such that the peak rate of post-development runoff will not exceed the peak-rate of pre-development runoff for storm events up through and including either:

1. A design storm with a 10-year, 24 hour rainfall depth with Soil Conservation Service type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation, or recreational uses; or

2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.

All other stormwater management projects shall adhere to the standards as specified in Chapter 40B-4, rules of the Suwannee River Water Management District, Florida Administrative Code, as amended".

14.13.3.5 Solid Waste. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for solid waste facilities as established in the Public Facilities Element of the County's Comprehensive Plan:

Facility Type	Level of Service Standard
Solid Waste Landfill	2.8 cubic yards per capita per year

14.13.3.6 Recreation. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for the recreation facilities as established in the Recreation and Open Space Element of the County's Comprehensive Plan

ACTIVITY	LEVEL OF SERVICE STANDARD
Swimming (non-pool)	1 access point at a beach, stream spring, river, lake or pond for every 25,000 persons to be served.
Fishing (non-boat)	1 access point for every 10,000 persons to be served.
Fishing (boat)	1 boat ramp for every 5,000 persons to be served.

ACTIVITY	LEVEL OF SERVICE STANDARD
Camping (recreation	1 acre of campground vehicle and tent) within a 25 mile radius of the County for every 25,000 persons to be served.
Picnicking	1 picnic table for every 500 persons be served.
Hiking	1 mile of available hiking trail within a 25 mile radius of the County for every 10,000 persons to be served.
Nature Study	7 acres of managed conservation area within a 25 mile radius of the County for every 10,000 persons to be served.
Tennis	1 tennis court for every 7,500 persons to be served.
Baseball/softball	1 ball field for every 6,000 persons to be served.

ACTIVITY	LEVEL OF SERVICE STANDARD
Football/Soccer	1 multi-purpose playing field for every 15,000 persons to be served.
Golf	1 eighteen (18) hole golf course for every 65.200 persons to be served

14.13.4 Determination of Project Impact. The impact of proposed development activity on available capacity shall be determined as follows:

14.13.4.1 Building Permits. The issuance of a building permit has more of an immediate impact on the level of service for public facilities than may be the case with the issuance of other types of development orders. Therefore, building permits shall be issued only when the necessary facilities and services are in place. The determination of the existence of the necessary facilities and services in place shall be made by using the estimates made by the Local Planning Agency as part of their most recent monitoring and evaluation of the Capital Improvements Element of the County's Comprehensive Plan. Such determination shall be made by the Land Development Regulation Administrator as part of the Certificate of Zoning Compliance procedure. For roads, this determination shall apply to the adopted level of service standards for roads within appropriate, identified, geographical areas of the County's jurisdiction. All public facility impacts shall be determined based on the level of service of the facility throughout the facility geographical service area.

14.13.4.2 Other Types of Development Orders. Other types of development orders include, but are not limited to approval of subdivisions, re-zoning, special permits and site and development plan approval. These other types of development orders have less immediate impacts on public facilities and services than the issuance of a building permit. Therefore, subject to the Local Planning Agency determining that the necessary facilities or services are in place and are maintaining the adopted level of service, the following concurrency management requirements shall apply for the issuance of such development orders.

1. Provisions shall be included within the development order which shall require the construction of additional public facility capacity, where public facilities, due to the impacts of the development proposal do not meet the adopted level of service; or

2. To require the necessary public facilities be constructed by the developer and at the developer's expense, or by the public or private entity having jurisdictional authority over the facility to the level of service identified and within conformance with the 5-Year Schedule of Improvements found within the Capital Improvements Element of the County's Comprehensive Plan.

14.13.4.3 In such cases where there are competing applications for public facility capacity, the following order of priority shall apply:

1. Issuance of a building permit based upon previously approved development orders permitting redevelopment;

2. Issuance of a building permit based upon previously approved development orders permitting new development;

3. Issuance of new development orders permitting redevelopment;

4. Issuance of new development orders permitting new development.

14.13.4.4 The following conditions apply to the County's concurrency management system:

1. Amendments to the Comprehensive Plan can be made twice each year and as otherwise permitted as small scale developments. In addition, changes can be made to the Capital Improvements Element of the County's Comprehensive Plan by ordinance if the changes are limited to the technical matters listed in Chapter 163, Part II, Florida Statutes, as amended.

2. No development order shall be issued which would require the Board of County Commissioners to delay or suspend construction of any of the capital improvements on the 5-Year schedule of the Capital Improvements Element of the County's Comprehensive Plan.

3. If by issuance of a development order a substitution of a comparable project on the 5-Year schedule is proposed, the applicant may request the Board of County Commissioners to consider an amendment to the 5-Year schedule in one (1) of the twice annual amendment reviews.

4. The result of any development not meeting adopted level of service standards for public facilities shall be cessation of the affected development or the reduction of the standard for level of service (which requires an amendment to the County's Comprehensive Plan).

Section 2. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 4. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1998.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
James T. Valentine, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

ORDINANCE NO. 98-07

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING ARTICLE 8, ENTITLED FLOOD DAMAGE PREVENTION REGULATIONS TO ESTABLISH NEW ELEVATION REQUIREMENTS FOR AREAS WHERE NO DEPTH NUMBER IS SPECIFIED ON THE COUNTY' FLOOD INSURANCE RATE MAP; AND BY ADDING A NEW SECTION 8.8 TO BE ENTITLED STANDARDS FOR UNNUMBERED "A" ZONES AND RENUMBERING ALL SUBSEQUENT SECTIONS; PROVIDING SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 98-4, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 98-4, by the Board of County Commissioners of Dixie County Florida, to amend the text of the County's Land Development Regulations by amending Article 8, entitled Flood Damage Prevention Regulations to establish new elevation requirements for areas where no depth number is specified on the county' flood insurance rate map; and by adding a new section 8.8 to be entitled Standards for Unumbered "A" zones and renumbering all subsequent sections; Article 8 of the County's Land Development Regulations is hereby amended to read as follows:

ARTICLE EIGHT. FLOOD DAMAGE PREVENTION REGULATIONS

SECTION 8.1 STANDARDS FOR REDUCING FLOOD HAZARDS IN THE AREA OF SPECIAL FLOOD HAZARD. The standards in the Article apply to all development within the Areas of Special Flood Hazard as shown in the Flood Hazard Boundary Map or a Flood Insurance Rate Map.

For the purposes of this section, "substantial improvement" means for a building constructed prior to the effective date of these land development regulations, any repair, reconstruction, or improvement of a building the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (I) before the improvement or repair is started or (ii) if the structure has been damaged and is being restored, before the damage occurred. "Substantial improvement" occurs which the first alteration on any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to insure safe living conditions, or (ii) any alteration of a building listed on the National Register of Historic Places or the State of Florida Inventory of Historic Places.

In all areas of special flood hazard the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or later movement of the structure;

2. Manufactured homes shall be anchored to prevent flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

5. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and

9. Any alteration, repair reconstruction or improvements to a structure which is in compliance with the provisions of these land development regulations, shall meet the requirements of "new construction" as defined in Section 2.1.

SECTION 8.2 STANDARDS FOR RESIDENTIAL CONSTRUCTION. New construction or substantial improvement of any residential structure shall have the lowest floor, including a basement as defined within Section 2.1 of these land development regulations, elevated no lower than one (1) foot above base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with the standards herein.

SECTION 8.3 STANDARDS FOR NON-RESIDENTIAL CONSTRUCTION. New construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated no lower than one (1) foot above the level of the base flood elevation. Structures located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this section are satisfied

SECTION 8.4 STANDARDS FOR ELEVATED BUILDINGS. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

1. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

    a. Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;

    b. The bottom of all openings shall be no higher than one (1) foot above grade, and

    c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

2. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation.

3. Access to the enclosed areas shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

4. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

SECTION 8.5 STANDARDS FOR FLOODWAYS. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;

2. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Article.

3. Prohibit the placement of mobile homes, except in an existing mobile home parks or subdivisions, which existed prior to the adoption of these land development regulations. A replacement mobile home may be placed on a lot in an existing mobile home park or subdivision provided the anchoring and elevation standards established herein are met.

SECTION 8.6 STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAYS. Located within the areas of special flood hazard, where small streams exist, but where no base flood data have been provided or where no floodways have been provided, the following provisions apply:

1. Where a perennial river stream or creek is located, no building or fill may be located within a distance of the stream bank equal to seventy-five (75) feet if the river, stream or creek, which has been designated as a regionally significant area in the County's Comprehensive Plan and thirty-five (35) feet for all other perennial rivers, streams or creeks; and

2. New construction of or substantial improvements to structures shall be elevated or flood-proofed to minimize risks of flooding reasonably to be expected based upon the best available data.

SECTION 8.7 STANDARDS FOR AREAS OF SHALLOW FLOODING. The following standards apply to areas of shallow flooding located within the area of special flood hazard.

1. The lowest floor of all new construction of and substantial improvements to residential structures shall be elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map. Where no depth number has be specified, such improvements shall be at least two (2) feet above highest elevation of any adjacent unpaved road; or at least one (1) foot above the highest elevation on any adjacent paved road.

2. The lowest floor of all new construction of and substantial improvements to non-residential structures shall:

   a. have the lowest floor, including basement, elevated to the depth number

specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement shall be elevated at least two (2) feet above highest elevation of any adjacent unpaved road; or at least one (1) foot above the highest elevation on any adjacent paved road; or

b. together with attendant utility and sanitary facilities be completely flood-proofed to or above the level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

SECTION 8.8 STANDARDS FOR UNNUMBERED "A" ZONES. Located within the A-zone areas of special flood hazard, area denoted with the letter "A" with no suffix, referred to as "unnumbered A zones". These are areas where special flood hazards exist but where no base flood data has been provided. The following provisions apply:

1. New construction or substantial improvements of buildings or mobile homes shall be elevated or flood-proofed in accordance with the design standards of this article to be:

   a. At least two (2) feet above highest elevation of any adjacent unpaved road; or at least one (1) foot above the highest elevation on any adjacent paved road, provided, however that if the high water mark from the Spring 1998 flooding can be established, then the elevation shall be one (1) foot above that level. Provided, further, that if the elevation is already two (2) feet above the 1998 Spring flood level, no further elevation shall be required (applicable where not in conflict with other provisions of County, State or Federal laws or regulations); or

   b. Elevated or flood-proofed in accordance with the design standards of this article to elevate structure to one (1) foot above an elevation established in accordance with the best available data of such agencies as the Army Corps of Engineers or Water Management District; or

   c. together with attendant utility and sanitary facilities be completely flood-proofed to or above the level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

3. Accessory or temporary structures shall be permitted as provided within this article.

SECTION 8.9 REQUIRED FLOOR ELEVATION. No new residential building may be constructed and no substantial improvement of a residential building may take place within any floodplain unless the lowest floor (including any portion of the structure below grade) of the building or improvement is elevated to one (1) foot above the base flood level.

1. Residential accessory structures shall be allowed within floodplains provided they are firmly anchored to prevent flotation.

2. Anchoring of any accessory buildings may be done by bolting the building to a concrete slab or by over-the-top ties. When bolting to a concrete slab, one-half (½) inch bolts six (6) feet on center with a minimum of two (2) per side with a force adequate to secure the building is required.

SECTION 8.10 MOBILE HOME CRITERIA. Notwithstanding any other provision of these land development regulations, no mobile home may be located within that portion of the floodplain outside of the floodway, unless the following criteria are met:

1. Ground anchors for tie downs are provided.

2. The following tie-down requirements are met:

   a. Over-the-top ties are required at each of the four (4) corners of the mobile home, with one additional toe per side at an intermediate location, for mobile homes less than fifty (50) feet long. Two (2) additional ties per side are required for manufactured homes more than fifty (50) feet long.

   b. Frame ties are required in conjunction with each over-the-top tie.

   c. All components of the anchoring must be capable of carrying a force of four-thousand eight hundred (4,800) pounds.

3. Lots or pads are elevated on compacted fill or by any other method approved by the Land Development Regulation Administrator so that the lowest habitable floor of the mobile home is one (1) foot above the base flood level.

4. Adequate surface drainage and easy access for mobile home hauler is provided

5. Load-bearing foundation supports such as piers or pilings must be placed on stable soil or concrete footings no more than ten (10) feet apart and if the support height is greater than seventy-two (72) inches, the support must contain steel reinforcement.

SECTION 8.11 STABILIZATION OF SLOPES. Whenever any portion of a floodplain is filled in with fill dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.

SECTION 8.12 SPECIAL PROVISIONS FOR SUBDIVISIONS. An applicant requesting the plat approval of a major or minor subdivision shall be informed by the Land Development Regulations Administrator of the use and condition restrictions contained within this Article and Article 5 of these land development regulations. Lands which lie within any "flood hazard area" as shown on the Federal Emergency Management Agency, official flood maps, shall be subdivided and developed only if:

(1) all such proposals are consistent with the need to minimize flood damage;

(2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and/or constructed to minimize or eliminate flood damage;

(3) adequate drainage is provided so as to reduce exposure to flood hazards;

(4) new or replacement water supply systems and/or sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding;

(5) all preliminary subdivision plats shall identify any areas of special flood hazard and the elevation of the base flood;

(6) all final subdivision plats shall identify the elevation of proposed structures and pads. If the site is filled above base flood, the final pad elevation shall be certified by a professional engineer or surveyor;

(7) each lot must include a site suitable for constructing a structure in conformity with the standards of Article 7 and 8 of these land development regulations;

(8) all agreements for deed, purchase agreements, leases or other contracts for sale or exchange of lots within an area of special flood hazard and all instruments conveying title to lots within an area of special flood hazard must prominently publish the following flood hazard warning in the document:

FLOOD HAZARD WARNING

This property may be subject to flooding. You should contact the County Land Development Regulation Administrator and obtain the latest information about flood elevations and restrictions before making plans for the use of this property.

SECTION 8.13 WATER SUPPLY AND SANITARY SEWER SYSTEMS IN FLOODWAYS AND FLOODPLAINS. Whenever any portion of a proposed development is located within a floodway or floodplain the Florida Department of Health and Rehabilitative Services, Florida Department of Environmental Regulation and the Water Management District shall be informed by the subdivider that a specified area within the development lies within a floodway or floodplain. Thereafter, approval of the proposed systems by such agencies shall constitute a certification that:

1. Such water supply system is designed to minimize or eliminate infiltration of flood waters into it.

2. Such sanitary sewer system is designed to eliminate infiltration of flood waters into it and discharges from it into flood waters.

3. Any on-site sewage disposal system is located to avoid impairment to it or contamination from it during flooding.

SECTION 8.14 ADDITIONAL DUTIES OF THE LAND DEVELOPMENT REGULATION ADMINISTRATOR RELATED TO FLOOD INSURANCE AND FLOOD CONTROL. The Land Development Regulation Administrator shall:

1. For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on the County's Flood Insurance Rate Map published by the Federal Emergency Management Agency:

   a. Obtain from the applicant the elevation, which is certified by a registered professional engineer or surveyor (in relation to mean sea level) of the lowest habitable floor (including any portion of the structure below grade) of all new or substantially improved structures; and

   b. Obtain, from the applicant for all structures that have been flood-proofed (whether or not such structures contain a portion which is below grade), the elevation, which is certified by a registered professional engineer or surveyor, (in relation to mean sea level) to which the structure was floodproofed; and

   c. Maintain a record of all such information.

2. Notify, in riverine situations, adjacent communities and the Water Management District prior to any alteration or relocation of a watercourse and submit copies of such notification to the Federal Insurance Administrator.

3. Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

SECTION 8.15 LOCATION OF BOUNDARIES OF FLOODPLAIN AND FLOODWAY DISTRICTS. As used in this Article, the terms floodplain and floodway refer in the first instance to certain areas whose boundaries are determined and can be located on the ground by reference to the specific fluvial characteristics set forth in the definitions of these terms in Section 2.1.

SECTION 8.16 SETBACKS FROM PERENNIAL RIVERS STREAMS AND CREEKS. In any area located outside a designated floodplain but where a perennial river stream or creek is located, no building or fill may be located within a distance of the stream bank equal to seventy-five (75) feet if the river, stream or creek has been designated as a regionally significant area in the County's Comprehensive Plan and thirty-five (35) feet for all other perennial rivers, streams or creeks. Although, this does not preclude these setback areas from being used for agriculture, silviculture and resource-based recreational activities subject to best management practices.

SECTION 8.17 STANDARDS FOR REDUCING FLOOD HAZARDS IN COASTAL HIGH HAZARD AREAS. In all areas designated as Coastal High Hazard Areas the following standards must be met:

8.17.1 Setback. All new construction at a riparian coastal location fronting the Gulf of Mexico coastal shoreline shall be located fifty (50) feet landward of the reach of the mean high tide, excluding bays, inlets, rivers, bayous, creeks, and passes.

8.17.2 Elevation. All new construction shall be elevated so that the bottom of the lowest supporting horizontal member of the lowest floor (excluding pilings or columns) is located no lower than one (1) foot above the base flood elevation, with all construction below the lowest supporting member open so as not to impede the flow of water.

8.17.3 Fill. No fill shall be used as structural support. Non-compacted fill may be used around the perimeter of a structure for landscaping of aesthetic purposes provided the fill will wash out from storm surge (thereby rendering the structure free of obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. The Land Development Administrator shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect, and/or soil scientist demonstrating that the foregoing criteria have been satisfied based upon the following considerations:

1. The particle composition of the fill material does not have a tendency for excessive natural compaction.

2. The volume and distribution of the fill will not cause wave deflection to adjacent properties.

3. The slope of the fill will not cause wave run-up or ramping.

8.17.4 Obstructions. The construction below the lowest floor shall be free of obstructions, but may be enclosed with breakaway walls, open wood lattice, or insect screening designed to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the structure or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local or state codes) may be

permitted only of a registered engineer or architect certifies that the proposed design meets the following criteria:

1. The breakaway wall will collapse under a water load less than the load imposed by the base flood; and

2. The elevated portion of the structure and supporting foundation system will not collapse, be displaced, or suffer structural damage from wind and water loads acting simultaneously on all building components (structural and non-structural). Wind and water loading values to be used in this determination shall not be less than those that have a one (1) percent change of being equaled or exceeded in any given year (100-year mean recurrence interval).

3. The space below the lowest floor shall be used only for parking of vehicles, building access, or storage of equipment used to maintain the premises.

8.17.5 Anchoring. All structures shall be securely anchored on pilings or columns. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse and lateral movement caused by wind and water loads acting simultaneously on all components of the structure. Wind and water loading values to be used in designing the anchor and support system shall not be less than those that have a one (1) percent change of being equaled or exceeded on any given year (100-year mean recurrence interval).

8.17.6 Certification. A registered professional engineer or architect shall certify that the design, specifications and plans for construction comply with the requirements of this section.

SECTION 8.18 STANDARDS FOR REDUCING FLOOD HAZARDS IN THE SUWANNEE RIVER CORRIDOR. In the Suwannee River Floodplain the following regulations apply:

8.18.1 Scope of Floodplain Regulations. This section requires a permit for all development of any land in the County within the one-hundred (100) year flood area of the Suwannee River. No development of any land in the County lying within the one-hundred (100) year flood area of the Suwannee River shall be commenced without first obtaining a permit as set forth herein. This permit shall be referred to herein as the Development Permit. This Section also provides additional requirements for the subdivision of land lying within the one-hundred (100) year flood area.

8.18.2 Establishment of Official One-Hundred (100) Year Flood Elevations and Map Series. The most recent and reliable flood elevations established by the Federal Emergency Management Agency (FEMA) or, if not available, Suwannee River Water Management District based on the historical flood elevations of record which most closely approximate the 100-year flood shall be used.

These elevations shall be referred to as the "Official One-hundred (100) Year Flood Elevations". These areas of the County shall be delineated by the "Official One-hundred (100)Year Flood Map Series". The said Map Series shall be available in the office of the County Land Development Regulation Administrator.

8.18.3 Compliance. All development shall be in compliance with the terms of these land development regulations and other applicable regulations.

8.18.4 Abrogation and Greater Restrictions. This section does not repeal any existing easements, covenants, deed restrictions or ordinances. However, where this section and such other restrictions conflict whichever imposes the more stringent restrictions shall prevail.

8.18.5 Interpretation. In the interpretation and application of this section all provisions shall be: (1) considered an minimum requirements, and, (2) deemed neither to limit nor repeal any other powers granted under state statutes.

8.18.6 Establishment of Development Permit. A Development Permit shall be required for development of land located within the area delineated on the official one-hundred (100) year flood map and having ground elevations less than the official one-hundred (100) year flood elevation.

8.18.6.1 Application for a Development Permit shall be made to the Land Development Regulation Administrator and shall include, but not be limited to, the following: plans in duplicate drawn showing the nature, location, dimensions, and elevations of the area in question; and the location of existing or proposed structure, modifications, and fill.

8.18.6.2 The Land Development Regulation Administrator shall forward the application to the appropriate agencies to process the following:

(a) the official one-hundred (100) year flood elevation(s) and the official ten (10) year flood elevation(s). (Agency: Suwannee River Water Management District).

(b) elevation of the lowest habitable floor of all proposed structures. (Agency: Suwannee River Water Management District).

(c) a wastewater permit indicating the location of onsite wastewater disposal systems or sanitary sewers with grade, pipe, size and points of discharge. (Agency: County Sanitarian).

(d) certificates of compliance with other federal, state, regional or local agency permit requirements attached to the Development Permit form. This may include compliance

with the water well requirements of the Suwannee River Water Management District and the Department of Health and Rehabilitation Services, and the septic tank requirements of the Department of Health and Rehabilitative Services.

8.18.8 Subdivision Plat Approval. Subdivision plats, submitted pursuant to the requirements of Article 5 of these land development regulations, and lying totally or partially within the one-hundred (100) year flood area shall include the following information:

(a) a complete plat map of the proposed subdivision drawn at two-foot elevations, depicting the location of all bodies of water within the boundaries or bordering along the subdivision, and delineation of the official one-hundred (100) year flood elevation and official ten (10) Year Flood Elevation. A Florida professional engineer shall certify the adverse effects of any said bodies of water on the described lands and development during ten (10), and one hundred (100) year flood stages.

(b) the location of all permanent elevation monuments.

(c) a plan view of the subdivision plat with contour lines connecting points of equal depth of floodwaters based on the official one-hundred (100) year flood elevations for the County at not less than two foot contour elevations.

(d) preliminary engineering plans, prepared by a registered Florida professional engineer which show the proposed location of roads, profile grade showing proposed grade line and original grade line, fill-excavation, ditches, and drainage structures.

(e) the following flood hazard warning shall be prominently displaced on the plat:

FLOOD HAZARD WARNING

This property may be subject to flooding. You should contact the County Land Development Regulation Administrator and obtain the latest information about flood elevations and restrictions before making plans for the use of this property.

8.18.9 General Requirements and Minimum Standards of Design. In all areas where the official one-hundred (100) year flood elevations have been provided as set forth in these land development regulations the following provisions are required:

8.18.9.1 Construction - New construction or substantial improvement of any structure, including mobile homes, shall have the lowest habitable floor elevated to one foot above the official one-hundred (100) year flood elevations without the use of fill.

8.18.9.2 Roads - All roads shall be constructed to specifications set forth in Article 5 of these land development regulations, and if possible construct at natural grade but in any event the road shall be designed to accommodate the natural flow of water. In the case of subdivisions, the foregoing shall be certified by a registered Florida professional engineer.

8.18.9.3 Increase in Flood Elevations - No permit shall be approved if proposed levees, fills, structures or other features will individually or collectively increase the flood elevations beyond the upstream property limits of the developer's property line.

8.18.9.4 Permanent Elevation Monuments - The developer shall install permanent elevation monuments for each lot within the subdivision. (The monument may be shared by adjacent lots).

8.18.9.5 Drainage Facilities - Drainage facilities shall be designed to store and convey the flow of storm waters without damage to persons or property pursuant to the provisions of these land development regulations and other applicable local or state rules governing stormwater discharge. The preceding provision shall not apply to single-family residential structures.

8.18.9.6 Wastewater Disposal (1) If a mound absorption system is necessary to comply with the requirements of Chapter 10D-7, F.A.C. for proper functioning, then the minimum lot or parcel size shall be five (5) acres. The five (5) acre minimum shall not apply to lots or tracts smaller than five acres, which were recorded prior to the effective date of these land development regulations. The volume of fill used in a mound absorption system shall be limited to 160 cubic yards of fill. For areas where septic tank systems do not meet the requirements of this Ordinance or Chapter 10D-6, Florida Administrative Code, alternative wastewater disposal systems approved by the Department of Health and Rehabilitative Services must be utilized; (2) Sanitary sewer systems shall be designed to withstand flooding to the Official 100-Year flood Elevation as follows:

(a) Pipe system must be able to withstand pressure of water above ground.

(b) Manholes, pump stations and treatment plants must either be elevated to two (2) feet above the official one-hundred (100) year flood elevation or sealed to hydrostatic pressure of one-hundred (100) year flood.

8.18.9.7 Erosion and Sedimentation Control - The developer shall be required to utilize grading techniques, site design, landscaping, sedimentation basins, special vegetation cover, and other measures to reduce erosion and sedimentation caused by the development.

8.18.9.8 Riverbank Setback - All development activities must take place landward of the Riverbank Setback Line, which is a minimum of seventy-five (75) feet for residential uses and for all uses other than residential (excepting permitted marinas, agriculture and silviculture uses, and public resource based recreational activities), a riverbank setback as established in Rule 40B-4, Florida Administrative Code, as amended, shall be required. Vegetation riverward of the Riverbank Setback Line shall be preserved proved a reasonableness of access shall not be unduly restricted. Elevated boardwalks and docks may be constructed riverward of the Riverbank Setback Line subject to all other applicable regulations.

8.18.10 Development Permit Review. The Land Development Regulation Administrator is hereby appointed to administer and implement this Article by granting in accordance with its provisions. Duties of the Land Development Regulation Administrator shall include, but not be limited to, the following:

(a) Review all development permit forms for completeness of information and for accuracy in order to allow for a timely review by the Land Development Regulation Administrator and other agencies. If the development permit form is determined to be incomplete or inaccurate, the Administrator shall not begin review for compliance with this Article until such time as a complete and accurate form is proved.

(b) Review all development permit forms to determine if the proposed development complies with the general requirements and minimum standards of design. If the proposed development does not comply with the provisions of this Article, the Land Development Regulation Administrator shall deny the development permit.

(c) Review all development permit forms for certificates of compliance as required in this section.

(d) Information to be obtained and maintained by the Land Development Regulation Administrator shall include the following:

(1) Verify and record the actual elevation of the lowest habitable floor of all new or substantially improved structures.

(2) All records pertaining to the provisions of this Article shall be maintained in the Office of the Land Development Regulation Administrator and shall be open for public inspection.

(3) Copies of all development permits issued by the Land Development Regulation Administrator shall be supplied to the Suwannee River Water Management District on a monthly basis.

Section 2. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 4. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1998.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
James T. Valentine, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

ORDINANCE NO. 98-____

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 2.1, ENTITLED DEFINITIONS TO ADD THE DEFINITION OF MARINA AND MARINA DEVELOPMENT; SECTION 4.17.2, ENTITLED PERMITTED PRINCIPAL USES AND STRUCTURES, (PLANNED RESIDENTIAL DEVELOPMENT (PRD)) TO ADD MARINA AND MARINA DEVELOPMENTS AS PERMITTED PRINCIPAL USES; SECTION 4.17.6, ENTITLED PROCEDURE FOR APPROVAL OF A PLANNED RESIDENTIAL DEVELOPMENT TO EXCLUDE MARINA AND MARINA DEVELOPMENTS FROM BUFFER SETBACKS; SECTION 4.17.12, ENTITLED DEVELOPMENT STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS TO EXCLUDE MARINA AND MARINA DEVELOPMENTS FROM REQUIRED BUFFER SETBACKS; SECTION 4.18.31, ENTITLED MARINA TO ALLOW A MARINA TO BE APPROVED AS A PLANNED RESIDENTIAL DEVELOPMENT AS PROVIDED FOR IN SECTION 4.17 AND TO ADD A NEW NUMBER 3 DEFINING PRINCIPAL USES PERMITTED IN CONNECTION WITH THE OPERATION OF A MARINA; AND AMEND 4.18.31.10 TO ALLOW SETBACKS FOR THE MARINA TO BE PROVIDED FOR AND APPROVED AS PART OF A PLANNED RESIDENTIAL DEVELOPMENT MASTER PLAN; PROVIDING SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 98-13, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 98-13, by William R. Miller, to amend the text of the County's Land Development Regulations by amending Section 2.1, entitled Definitions, Section 2.1 of the County's Land Development Regulations is hereby amended to add definitions as follows and renumber all subsequent definitions:

Section 2.1 Definitions

2.1.123 Marina - a marina is a dock, berth, slot or basin providing secure moorings for motorboats and yachts, with accessory uses such as supply, repair and other facilities generally associated with a marina use. Any marina containing one hundred (100) or more slots and/or berths shall be designated as a Development of Regional Impact and as such shall require approval as provided for under Chapter 380, Florida Statutes, as amended.

2.1.124 Marina Development - a marina development is a marine oriented Planned Residential Development which provides on shore dwellings and offshore dockage and moorings for watercraft. A marina development does not include the living aboard watercraft moored within the development.

Section 2. Pursuant to an application, LDR 98-13, by William R. Miller, to amend the text of the County's Land Development Regulations by amending Section 4.17.2, Section 4.17.6 and Section 4.17.12, Section 4.17.2, entitled Permitted Principal Uses and Structures, (Planned Residential Development (PRD)), Section 4.17.6, entitled Procedure for Approval of a Planned Residential Development and Section 4.17.12, entitled Development Standards for Planned Residential Developments of the County's Land Development Regulations Section 4.17 is hereby amended to read as follows:

SECTION 4.17. "PRD" PLANNED RESIDENTIAL DEVELOPMENT

4.17.1 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 within designated urban development areas as defined within the County's Comprehensive Plan, which are intended to: (1) encourage the development of land as planned residential developments; (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 the 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.

4.17.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Residential dwellings, including conventional single family dwellings, duplex dwellings, and multiple family dwellings.

2. Public or private schools offering curricula comparable to that of public schools.

3. Marinas and Marina Developments.

4. Churches and other houses of worship.

5. Golf courses, county clubs, and racquet and tennis clubs.

6. Public buildings and facilities.

4.17.3 PERMITTED ACCESSORY USES AND STRUCTURES

1. On-site signs (see also Section 4.18).

2. 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.

4.17.4 SPECIAL EXCEPTIONS
(see also Articles 12 and 13).

1. Home occupations (see Article 2.1).

4.17.5 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 or attorney who files a petition for a zoning amendment to a Planned Residential Development District.

2. 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.

3. 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.

4. 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, right-of-way, easements, lakes, public and private open space, recreation, and any non-residential uses which are permitted in this Section.

5. 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.

6. Plan. 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.

4.17.6 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 his or her request for change to a Planned Residential Development zoning district containing the following exhibits:

   a. A statement of objectives describing:

      (1) The general purpose of the proposed development.

      (2) The general character of the proposed development.

   b. A Vicinity Map showing the location of the proposed Planned Residential Development in relation to:

      (1) Surrounding streets and thoroughfares.

      (2) Existing zoning on the site and surrounding areas.

      (3) Existing land use on the site and surrounding areas.

      The Vicinity Map should be drawn at a scale suitable to show an area of no less than one thousand (1,000) feet on all sides of the property. A greater area may be required if the Planning and Zoning Board determines that 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 utilized 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 percent (5%), 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, and/or describing the following:

(1) Proposed land uses.

(2) Lot sizes:

The lot sizes should be indicated either by lot lines drawn in their proposed location or a statement noted on the face of the Preliminary Development Plan concerning lot sizes, including minimum lot sizes proposed.

(3) Building setbacks:

Building setbacks should be noted and shall define the distance buildings will be set back from:

(a) Surrounding property lines.

(b) Proposed and existing streets.

(c) Other proposed buildings.

(d) The center line of rivers, streams, and canals.

(e) The high water line of lakes.

(f) Other man-made or natural features which would be affected by building encroachment.

(4) Maximum height of buildings.

(5) Common open spaces.

(6) 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.

(7) Common outside storage areas.

(8) Screening, buffering, and landscaped buffer areas.

Special Provisions: A minimum thirty-five (35) foot natural buffer shall be required from all wetlands, perennial rivers, streams and creeks within this zoning district. The location of residential, and water oriented commercial land uses (with the exception of marinas and marina developments) shall be prohibited within these buffer areas, although non-intensive agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas subject to best management practices.

g. A table showing acreage for each category of land use.

h. A statement concerning gross density and net residential acreage (see Section 4.17.5 for definition of gross density and net residential acreage).

I. 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.

j. 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.

k. 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 Board of County Commissioners. The Board of County Commissioners' actions shall be one (1) of the following:

a. Approval as submitted.

b. Conditional approval.

c. Disapproval.

3. Final Development Plan. If rezoning approval for the Planned Residential Development is granted, 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. If a Final Development Plan is not submitted within this twelve (12) month period, the Land Development Regulation Administrator shall cause the Planned Residential Development district to be removed from the Official Zoning Atlas, mail a notice by registered mail of revocation to the applicant, and reinstate the zoning district which was in effect prior to the approval of the Planned Residential Development. Thirty (30) days prior to any lapse date, the Land Development Regulation Administrator shall notify the Board of County Commissioners and the applicant of such date. The Board of County Commissioners may extend this twelve (12) month period 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:

(1) The general purpose of the proposed development.

(2) The general character of the proposed development.

b. A Topographic Map drawn to scale of one hundred (100) feet to one (1) inch by a registered surveyor and/or engineer showing:

(1) The location of existing private and public property right-of-way lines, streets, buildings, water courses, transmission lines, sewers, bridges, culverts, and drain pipes, water mains, and any public utility easements.

(2) Wooded areas, streams, lakes, marshes, and any other physical conditions affecting the site.

(3) Exiting contours shown at a contour interval of one (1) foot.

c. A Development Plan drawn at a scale of one hundred (100) feet to one (1) inch and showing:

(1) The boundaries of the site, topography, and proposed grading plan.

(2) Width, location, and names of surrounding streets.

(3) Surrounding land use.

(4) Proposed streets and street names and other vehicular and pedestrian circulation systems including off-street parking.

(5) The use, size, and location of all proposed building sites.

(6) Location and size of common open spaces and public or semi-public areas.

d. A Utility Service Plan showing:

(1) Existing drainage and sewer lines.

(2) The disposition of sanitary waste and storm water.

(3) The source of potable water.

(4) Location and width of all utility easements or rights-of-way.

(5) Plans for the special disposition of storm water drainage when it appears that said drainage could substantially harm a body of surface water.

e. A Landscaping Plan showing:

(1) Landscaped areas.

(2) Location, height, and material for walks, fences, walkways, and other man-made landscape features.

(3) Any special landscape features such as, but not limited to, man-made lakes, land sculpture, and waterfalls.

f. Statistical information:

(1) Total acreage of the site.

(2) Maximum building coverage expressed as a percent of the area.

(3) Area of land devoted to landscaping and/or common open space usable for recreation purposes expressed as a percent of the total site area.

(4) Calculated gross density and net residential acreage for the proposed development (see Section 4.17.5 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, must be approved by the County Attorney before final approval of the plan.

4.17.7 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.

4.17.8 REVISION OF A PLANNED RESIDENTIAL DEVELOPMENT

Any proposed major and 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 Board of County Commissioners 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 be 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 and approved by the Land Development Regulation Administrator. 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 substantial and minor changes are:

Substantial changes:

a. Perimeter changes.

b. Major street relocation.

c. Change in building height, density, land use patterns, or buffers.

Minor

a. Change in alignment, location, or length of local street.

b. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density.

c. Reorientation or slight shifts in building locations.

4.17.9 PLANNED RESIDENTIAL DEVELOPMENT TIME LIMITATIONS

If substantial construction, as determined by the Land Development Regulation Administrator, has not begun 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 Board of County Commissioners and the applicant of such date.

The Board of County Commissioners may extend the period for beginning construction, 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, mail a notice by registered mail of revocation to the applicant, and reinstate the zoning district which was in effect prior to the approval of the Planned Residential Development.

4.17.10 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 Board of County Commissioners. Such deviation may cause the County 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.

4.17.11 PHASING

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

4.17.12 DEVELOPMENT STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS

a. The minimum size parcel to be considered for Planned Residential Development shall be five (5) acres.

b. 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.

c. 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 will be changed to indicate the area as a Planned Residential Development.

d. Residential Density and Housing Types. Any combination of residential density and housing types are 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.

e. Dimensional and Bulk Restriction. The location of all proposed building sites shall be shown on the Final Development Plan, subject to the minimum lot sizes, setback lines, lot coverage, or floor area, specified by the Preliminary Development Plan as approved by the Board of County Commissioners.

f. Internal Compatibility. All land uses proposed within a Planned Residential Development must 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 should be based on the following factors:

(1) the existence or absence of, and the location of, common open spaces and recreational areas;

(2) the use of existing and proposed landscaping;

(3) the treatment of pedestrian ways;

(4) the use of the topography, physical environment, and other natural features;

(5) the traffic and pedestrian circulation pattern;

(6) the use and variety of building setback lines, separations, and buffering;

(7) the use and variety of building groupings;

(8) the use and variety of building sizes;

(9) the separation and buffering of parking areas and sections of parking area;

(10) the variety and design of dwelling types;

(11) the particular land uses proposed and the conditions and limitations thereon;

(12) the form of ownership proposed for various uses; and

(13) any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of any proposed use within the Planned Residential Development.

g. External Compatibility. All land uses proposed within a Planned Residential Development must 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:

(1) 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;

(2) the particular uses proposed near the Planned Residential Development perimeter and the conditions and limitations thereon;

(3) the type, number, and location of surrounding external uses;

(4) the Comprehensive Plan designation and zoning on surrounding lands; and

(5) 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.

h. Intensity of Development. The residential density and intensity of use of a Planned Residential Development shall be compatible with (that is, 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:

(1) 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;

(2) 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;

(3) the existing residential density and intensity of use of surrounding lands;

(4) the availability and location of utility services and public facilities and services;

(5) the amount and size of common open spaces and recreation areas;

(6) the existence and treatment of any environmentally sensitive areas on the Planned Residential Development property or surrounding lands;

(7) the access to and suitability of transportation arteries proposed within the Planned Residential Development and existing external transportation systems and arteries; and

(8) any other factor deemed relevant to the limitation of the intensity of development for the benefit of the public health, welfare, and safety.

I. Common Open Space. At least fifteen percent (15%) 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 Board of County Commissioners 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 percent (5%) usable, common open space. Not more than one-half (½) 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, perennial rivers, streams and creeks within this zoning district. The location of residential, and water oriented commercial land uses (with the exception of marinas and marina developments) shall be prohibited within these buffer areas, although non-intensive agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

j. Access and Parking. All streets, thoroughfares, and access ways shall be designed to effectively relate to the traffic circulation plans of the area. Adequate off-street parking shall meet the requirements specified for the particular uses found in the District Regulations and Section 4.18 of these land development regulations.

k. External Transportation Access. A Planned Residential Development shall be located on and provide 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 type or amount of traffic on adjoining minor (local) streets.

l. 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 County specifications as established by the County's Subdivision Regulations. If the Planned Residential Development contains any private roads, such private roads shall be owned and maintained by the applicant or dedicated to a homeowners association or similar group.

m. Perimeter Requirements. The Board of County Commissioners may impose the requirement that structures, buildings, and streets located at the perimeter of the development be permanently screened by providing a landscaped buffer area (see Section 4.18) to protect the privacy of the adjacent existing uses. (See Section 4.18.30 for right-of-way setback requirements.)

n. 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 plan shall continue to be regulated in accordance with the approved Final Development Plan except as otherwise provided for herein.

(1) 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.

(2) 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 Board of County Commissioners 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 3. Pursuant to an application, LDR 98-13, by William R. Miller, to amend the text of the County's Land Development Regulations, Section 4.18.31, entitled Marina is hereby amended to read as follows:

4.18.31 MARINA

Marina. A "Marina" as defined in Section 2.1 may be permitted in any use district (excepting the Conservation zoning district) providing, however, that such use shall be subject to site plan and development approval as provided for in Section 14.11 or approval as a Planned Residential Development as provided for in Section 4.17 of these land development regulations and the following conditions and restrictions:

1. That any marina containing one hundred (100) or more slips and/or berths shall be designated as a Development of Regional Impact and as such shall require approval as provided for under Chapter 380 of the Florida Statutes, as amended.

2. The following structures will be permitted on the premises as an auxiliary or accessory use:

   a. A structure to be designated as a "Control Center" containing not more than three thousand (3,000) minimum square foot floor area with one thousand (1,000) square feet to be restricted for storage only with a height not exceeding two and one-half (2 ½) stories. The side control and security for the marina space for security personnel, management staff, storage, toilet facilities, power service entrance and distribution, on site sanitary waste collection point for discharge to a sanitary sewer system and solid waste collection center for the marina site.

b. A structure to be designated as a "Dockmaster's Building" containing not more than two thousand (2,000) minimum square foot floor area with a height not exceeding two and one-half (2 ½) stories. The dockmaster's building shall be used to provide waterside control for the marina, as well as the center of operations for the boats moored in the marina, radio communications to serve the marina as well as the control center, space for the dockmaster and his or her staff, storage, and toilet facilities.

3. The following principal uses shall be permitted in connection with the operation of a marina:

a. Marina and Marina Development

b. Conventional single family residential dwellings and mobile homes

c. Duplex residential dwelling units (where allowable density permits)

d. Multi-family residential dwelling units (where allowable density permits)

4. The following accessory uses shall be permitted in connection with the operation of a marina:

a. Clubhouse.

b. Swimming pools.

b. Storage of dispensing and of fuels.

c. Laundry facilities.

d. Facilities for the dispensing of food and alcoholic beverages.

e. Launching ramps and/or launching facilities.

f. Parking and/or storage of boat trailers.

g. Mooring of commercial vessels.

h. Repair or overhauling of boats.

I. Rental or lease of boats.

j. Dry storage or stacking of boats.

k. Bait and tackle shop.

l. Retail sales facilities.

m. Sightseeing crafts.

n. Commercial fishing vessels.

o. Charter boats.

p. Yacht brokers.

q. Marine insurance broker.

r. Under no circumstances shall any boat, vessel, watercraft or by whatever name known be used as living or sleeping quarters.

4. Bulkheads and retaining walls shall be provided in accordance with the provisions of these land development regulations and all other applicable codes, ordinances and regulations.

5. Off-street parking shall be provided at the rate of one (1) parking space for each slip or berth plus one (1) parking space for each three hundred (300) square feet of gross floor area of any buildings located on the premises.

6. The marina shall be supplied with a potable water supply system and such water supply shall be protected by properly designed and located backflow preventers including the installation of a vacuum breaker on the discharge side and near the last valve for each water outlet to which a hose can be connected.

   Hoses used for potable water shall be blue or green or labeled and designated by use of a blue or green color code. The nozzle or outlet of the hose shall be protected from contamination, and hoses used for placing water in a sewage holding tank for flushing purposes shall be separate from hoses used for potable water and shall be red, yellow, or brown.

7. The marina shall provide a facility capable of lifting sewage not less than twelve (12) feet under vacuum and delivering it to a receiving facility free from spillage and clogging. Equipment used in connection with the pump-out facility shall be designed to be easily serviced in case of clogging.

   Vacuum hoses used in connection with a pump-out facility shall be pliable, collapse-proof, non-kinking, and equipped with a connection or insert device which will preclude leakage or spillage during the pumpout operation.

Sewage removed from a watercraft holding tank shall be handled in one (1) of the following ways:

a. Discharged into a sanitary sewer by means of a gravity line or a force main.

b. Stored in an on-shore or dockside holding tank, which is watertight and so positioned, or moveable to such a site, that it can be easily serviced in a sanitary manner.

8. The discharge of raw sewage from any boat or watercraft located within the marina shall be prohibited.

9. The marina shall provide for the accumulation and removal of garbage and trash.

10. The setbacks for the marina shall be established in accordance with these land development regulations or as provided and approved as part of a Planned Residential Development master plan.

11. The marina shall comply with the provisions for fire prevention as set forth under the Southern Standard Building Codes, as amended, the National Fire Prevention Association Publication No. 303-1975 entitled, "Fire Protection Standards for Marinas and Boatyards", as amended, and the National Fire Prevention Association Publication No. 87-1975 entitled, "Standards for the Construction and Protection of Piers and Wharves", as amended.

12. Not less than twenty (20) percent of the marina site shall be devoted to landscaped open space. Such area shall be landscaped with trees, shrubbery, hedges and other acceptable landscape material and such landscape material and such landscape area shall be maintained in a neat and orderly appearance.

13. All parking areas shall be provided with a maintained minimum of one-third (1/3) foot-candle of light on the parking surface during the hours of operation and one-half (½) hour after closing.

Any other outdoor lighting for the marina shall not be permitted except under the following conditions:

a. Detailed plans shall be submitted to the Land Development Regulation Administrator showing the location, height, type of lights, intensity, shades, deflectors, and beam directions.

b. As part of the site and development plan approval process, the Planning and Zoning Board may permit such lighting if, after a review of the detailed plans therefore and after consideration of the adjacent area and neighborhood and its use and future development, the proposed lighting will be so located, oriented, adjusted, and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property and providing, however, that in no case shall any light be mounted higher than twenty (20) feet above the finished grade of the ground.

14. The waste water resulting from the periodic washing of impervious surfaces shall be channeled to natural filter or swale areas prior to soil infiltration.

Section 4. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 6. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 7. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1998.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
James T. Valentine, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

√

ORDINANCE NO. 98-____

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 4.3.5, ENTITLED SPECIAL EXCEPTIONS IN ENVIRONMENTALLY SENSITIVE AREA DISTRICTS TO ALLOW BED AND BREAKFAST INNS AS A USE APPROVED BY SPECIAL EXCEPTION; PROVIDING SEVERABILITY; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the Comprehensive Plan;

WHEREAS, an application, LDR 98-16, for an amendment, as described below, to the text of the Dixie County Land Development Regulations, hereinafter referred to as the Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the Land Development Regulations, will further the purposes of the Land Development Regulations and other ordinances, regulations, and actions designed to implement the Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, LDR 98-16, by the Board of County Commissioners, to amend the text of the Land Development Regulations by amending Section 4.3.5, entitled Special Exceptions, Section 4.3.5 of the Land Development Regulations is hereby amended to read as follows:

4.3.5 SPECIAL EXCEPTIONS
(See also Articles 12 and 13)

1. Home occupations.

2. Foster care facilities.

3. Group home care facilities.

4. Water-dependent commercial uses (commercial fishing operations, fishing camps and marinas; see requirements under Section 4.18 of these land development regulations).

5. Campgrounds of less than 200 campsites.

6. Bed and breakfast inns.

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Florida Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Florida Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1998.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
James T. Valentine, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

ORDINANCE NO. 97-___

AN ORDINANCE OF DIXIE COUNTY, FLORIDA, AMENDING ORDINANCE NO. 90-04, AS AMENDED; ENTITLED DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING THE TEXT OF THE DIXIE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SECTION 4.6.5 ENTITLED SPECIAL EXCEPTIONS (RESIDENTIAL, SINGLE FAMILY/MOBILE HOME DISTRICTS) TO ADD BED AND BREAKFAST ESTABLISHMENTS AS A SPECIAL EXCEPTION; REPEALING ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 125.01, Florida Statutes, empowers the Board of County Commissioners of Dixie County, Florida, hereinafter referred to as the Board of County Commissioners, to prepare, adopt and enforce Land Development Regulations;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, requires the Board of County Commissioners to prepare and adopt regulations concerning the use of land and water to implement the Dixie County Comprehensive Plan, hereinafter referred to as the County's Comprehensive Plan;

WHEREAS, an application, LDR 97-2, for an amendment, as described below, to the text of Ordinance No. 90-04, as amended, entitled the Dixie County Land Development Regulations, hereinafter referred to as the County's Land Development Regulations, has been filed with the County;

WHEREAS, the Board of County Commissioners has been designated as the Planning and Zoning Board of Dixie County, Florida, hereinafter referred to as the County's Planning and Zoning Board;

WHEREAS, the Board of County Commissioners has been designated as the Local Planning Agency of Dixie County, Florida, hereinafter referred to as the County's Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the County's Land Development Regulations, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearing, the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations and recommended to the Board of County Commissioners approval of said application for amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, pursuant to Section 125.01, Florida Statutes, the Board of County Commissioners, held the required public hearings, with public notice having been provided, on said application for an amendment, as described below, to the text of the County's Land Development Regulations and at said public hearings, the Board of County Commissioners reviewed and considered all comments received during said public hearings, including the recommendation of the Board of County Commissioners, serving as the Planning and Zoning Board and the Local Planning Agency, concerning said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that a need and justification exists for the approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, is consistent with the purposes and objectives of the comprehensive planning program and the County's Comprehensive Plan;

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, will further the purposes of the County's Land Development Regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan; and

WHEREAS, the Board of County Commissioners has determined and found that approval of said application for an amendment, as described below, to the text of the County's Land Development Regulations, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, as follows:

Section 1. Pursuant to an application, LDR 97-2, by the Frank and Margie Narki to amend the text of the County's Land Development Regulations by amending Section 4.6.5 of the County's Land Development Regulations, entitled Special Exceptions (Residential, Single Family/Mobile Home Districts), Section 4.6.5, entitled Special Exceptions (Residential, Single Family/Mobile Home Districts) of the County's Land Development Regulations is hereby amended to read as follows:

4.6.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Public or 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.

7. Public buildings and facilities in keeping with the character and requirements of the district, except those otherwise specified.

8. Home occupations (see Article 2.1.99).

9. 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 offstreet pick-up and drop-off of children.

10. Foster care facilities.

11. Commercial greenhouses and plant nurseries.

12. Duplexes in RSF-MH-2 and RSF-MH-3 districts.

13. Bed and Breakfast Establishments

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

Section 5. Authority. This Ordinance is adopted pursuant to the authority granted by Section 125.01, Florida Statutes, and Sections 163.3161 through 163.3215, Florida Statutes.

PASSED AND DULY ADOPTED, in regular session with a quorum present and voting, by the Board of County Commissioners, this _____ day of _____ 1997.

BOARD OF COUNTY COMMISSIONERS
OF DIXIE COUNTY, FLORIDA

_____
John Driggers, Chairman

Attest:

_____
Joe Hubert Allen, County Clerk

DIXIE COUNTY

LAND DEVELOPMENT REGULATIONS

Prepared for

Dixie County Board of County Commissioners

Prepared by

Dixie County Local Planning Agency

With Assistance from

North Central Florida Regional Planning Council
2009 N.W. 67th Place
Gainesville, FL 32606
(904) 955-2200

Adopted September 27, 1990
Amended July 16, 1992
Amended September 3, 1992
Amended December 16, 1993
Amended March 3, 1994

ORDINANCE NO. 90-04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA, AMENDING, REVISING, AND REPLACING IN THEIR ENTIRETY ANY AND ALL LAND DEVELOPMENT REGULATIONS OF DIXIE COUNTY, FLORIDA, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 163.3202, FLORIDA STATUTES, WHICH REQUIRE REGULATIONS TO BE PREPARED AND ADOPTED, WHICH IMPLEMENT THE DIXIE COUNTY COMPREHENSIVE PLAN, FOR THE SUBDIVISION OF LAND, USE OF LAND AND WATER, AREAS SUBJECT TO SEASONAL AND PERIODIC FLOODING, PROTECTION OF ENVIRONMENTALLY SENSITIVE LANDS DESIGNATED IN THE DIXIE COUNTY COMPREHENSIVE PLAN, SIGNAGE, PROVISIONS FOR THE PROTECTION OF POTABLE WATER WELLFIELDS, DRAINAGE AND STORMWATER MANAGEMENT, ENSURING THAT PUBLIC FACILITIES AND SERVICES MEET OR EXCEED THE STANDARDS ESTABLISHED IN THE CAPITAL IMPROVEMENTS ELEMENT OF THE DIXIE COUNTY COMPREHENSIVE PLAN AND ARE AVAILABLE WHEN NEEDED FOR DEVELOPMENT AND PROVISIONS FOR ENSURING SAFE AND CONVENIENT ONSITE TRAFFIC FLOW AND CONSIDERING NEEDED VEHICLE PARKING; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners to prepare and enforce Land Development Regulations to implement the Comprehensive Plan of the County; and

WHEREAS, Section 163.3202, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the County to prepare and adopt land development regulations which implement the County's Comprehensive Plan, for the subdivision of land, use of land and water, areas subject to seasonal and periodic flooding, protection of environmentally sensitive lands designated in the County's Comprehensive Plan, signage, provisions for the protection of potable water wellfields, drainage and stormwater management, ensuring that public facilities and services meet or exceed the standards established in the Capital Improvements Element of the County's Comprehensive Plan and are available when needed for development and provisions for ensuring safe and convenient onsite traffic flow and considering needed vehicle parking; and establishment of administrative mechanisms and procedures to carry out the provisions and purposes of the land development regulations; and

WHEREAS, the Board of County Commissioners has been established as the County's Local Planning Agency; and

WHEREAS, the Local Planning Agency, empowered by the above-cited laws and ordinance, and by Sections 163.3161 through 163.3214, Florida Statutes, prepared the above-cited County land development regulations to implement the County's adopted Comprehensive Plan; and

WHEREAS, the Local Planning Agency, in the preparation of the land development regulations, held the required public hearing, and numerous public workshops, and public meetings; and has effectively provided for full public participation, public notification, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, and consideration and response to public and official comments; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Local Planning Agency held the required public hearing on the land development regulations with due public notice having been provided, and having reviewed and considered all comments received during the public hearing and having provided for necessary revisions, and recommended the land development regulations to the Board of County Commissioners for approval; and

WHEREAS, pursuant to Chapter 125, Florida Statutes, the Board of County Commissioners held two public hearings, with due public notice having been provided, on the land development regulations; and

WHEREAS, in exercise of its authority the Board of County Commissioners has determined it necessary and desirable to adopt the land development regulations to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within the County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Dixie County, Florida, as follows:

Section 1. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act Sections 163.3161 through 163.3215, Florida Statutes, as amended, and Chapter 125, Florida Statutes, as amended.

Section 2. Title of Land Development Regulations.

The land development regulations for the County, shall be entitled "The Dixie County Land Development Regulations."

Section 3. County Land Development Regulations.

The Dixie County Land Development Regulations, dated September 1990, are hereby adopted to include:

(a) Article One which includes general provisions;

(b) Article Two which includes definitions, lots divided by district lines and nonconformities;

(c) Article Three which includes administrative mechanisms;

(d) Article Four which includes zoning regulations;

(e) Article Five which includes subdivision regulations;

(f) Article Six which includes prime natural groundwater aquifer recharge and potable water wellfield regulations;

(g) Article Seven which includes stormwater management regulations;

(h) Article Eight which includes flood damage prevention regulations;

(i) Article Nine which includes minimum housing regulations;

(j) Article Ten which includes hazardous building regulations;

(k) Article Eleven which includes historic sites and structures preservation regulations;

(l) Article Twelve which includes appeals, special exceptions, variances and interpretations;

(m) Article Thirteen which includes hearing procedures for special exceptions, variances, certain special permits, appeals and applications for amendment;

(n) Article Fourteen which includes permitting and concurrency management;

(o) Article Fifteen which includes enforcement and review;

(p) Article Sixteen which includes amendment procedures; and

(q) Official Zoning Atlas, dated September 1990, provided for in Article 4.

Section 4. Applicability and Effect.

The applicability and effect of the County's land development regulations shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, as amended, and this Ordinance.

Section 5. Severability.

If any provision or portion of this Ordinance, or the land development regulations adopted by the Board of County Commissioners pursuant to this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance, or the land development regulations adopted the Board of County Commissioners pursuant to this Ordinance shall remain in full force and effect.

Section 6. Conflict.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 7. Copy on File.

(a) A certified copy of the enacting ordinance, as well as certified copies of the County's land development regulations and any amendments thereto, shall be filed with the Clerk of the Circuit Court.

Section 8. Effective Date.

This Ordinance shall be filed with the Office of the Secretary of State of Florida and shall immediately take effect upon receipt of official acknowledgment from the Secretary of State that said ordinance has been filed with that office.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners, Dixie County, Florida, this 17 day of September 1990.

By: Alton J. Land
Alton Land, Chairman

Attest:

By: Joe Hubert Allen
Joe Hubert Allen
Clerk of the Circuit Court

CIRCUIT COURT SEAL DIXIE COUNTY, FLORIDA

CERTIFIED A TRUE AND CORRECT COPY OF THE ORIGINAL
10/01/90
JOE HUBERT ALLEN
Clerk Circuit Court
Dixie County, Florida
By: Winnie Hicks
Deputy Clerk

LAND DEVELOPMENT REGULATIONS

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ARTICLE ONE

GENERAL PROVISIONS

ARTICLE ONE. GENERAL PROVISIONS

SECTION 1.1 SHORT TITLE. The rules and regulations hereby adopted shall be known and cited as the "Land Development Regulations for Dixie County, Florida."

SECTION 1.2 AUTHORITY. These land development regulations are adopted pursuant to the authority contained in Chapter 163, Part II, Florida Statutes and Rule 9J-24, Florida Administrative Code.

Whenever any provision of these land development regulations refer to or cite a section of Florida Statutes or Florida Administrative Code and that section is later amended or superseded, these land development regulations shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

SECTION 1.3 JURISDICTION. These land development regulations shall apply to the entire unincorporated area of the County.

SECTION 1.4 RELATIONSHIP TO EXISTING LAND DEVELOPMENT ORDINANCES. To the extent that the provisions of these land development regulations are the same in substance as the previously adopted provisions that they replace in the various ordinances of the County, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. In particular, a situation that did not constitute a lawful, nonconforming situation under the previously adopted land development regulations does not achieve lawful nonconforming status under these regulations merely by the repeal of the previous land development ordinances.

SECTION 1.5 RELATIONSHIP TO THE COMPREHENSIVE PLAN. In order to accomplish the goals objectives and policies listed within the County's Comprehensive Plan, these land development regulations and accompanying Official Zoning Atlas are guided by, based on, related to, and a means of implementation for the Comprehensive Plan as required by the "Local Government Comprehensive Planning and Land Development Regulations Act" (Chapter 163, Part II, Florida Statutes, as amended). All regulations, districts, and the accompanying Official Zoning Atlas are consistent with the Comprehensive Plan and any amendments thereto shall be consistent with the Comprehensive Plan. The phrase "consistent with the Comprehensive Plan" means in a manner which the land development regulations are compatible wityh and further the Comprehensive Plan. The term "compatible with" means that the land development regulations are not in comflict with the Comprehensive Plan; and the term "furthers" means to take action in the direction of the Comprehensive Plan.

SECTION 1.6 CONFORMITY WITH LAND DEVELOPMENT REGULATION PROVISIONS.

1.6.1 Subject to Article 2.3 of these land development regulations (nonconforming situations), no person may use, occupy, or sell any land or buildings or authorize or permit the use,

occupancy, or sale of land or buildings under his or her control except in accordance with all of the applicable provisions of these land development regulations.

1.6.2 For purposes of this Article, the "use" or "occupancy" of a building or land relates to anything and everything that is done to, on, or in that building or land.

SECTION 1.7 FEES.

1.7.1 Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters may be charged to applicants for zoning permits, sign permits, special exceptions applications, subdivision plat approval, zoning amendments, variances and other administrative relief. The amount of the fees charged shall be as established by resolution of the Board of County Commissioners filed in the office of the Clerk of the Circuit Court of the County.

1.7.2 Fees established in accordance with section 1.8.1 shall be paid upon submission of a signed application or notice of appeal.

SECTION 1.8 SEVERABILITY. In the event any court of competent jurisdiction should hold that any section or provision of these land development regulations to be unconstitutional or invalid, the same shall not effect the validity of these land development regulations as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 1.9 COMPUTATION OF TIME

1.9.1 Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded. When the period of time prescribed is less than seven (7) days, intermediate Saturdays, Sundays and holidays shall be excluded.

1.9.2 Unless otherwise specifically provided, whenever a person has the right or is required to do some act within a prescribed period after the service of a notice or other paper upon him or her and the notice or paper is served by mail, three (3) days shall be added to the prescribed period.

SECTION 1.10 REPEAL OF CONFLICTING ORDINANCES. All ordinances and regulations or parts of ordinances and regulations in conflict with these land development regulations, or inconsistent with the provisions of these land development regulations, are hereby repealed to the extent necessary to give these land development regulations full force and effect.

ARTICLE TWO

BASIC DEFINITIONS, AND INTERPRETATIONS LOTS DIVIDED BY DISTRICT LINES, AND NON-CONFORMITIES

ARTICLE TWO. DEFINITIONS, LOTS DIVIDED BY DISTRICT LINES, AND NONCONFORMING SITUATIONS

SECTION 2.1 Definitions General. For the purpose of these land development regulations, certain terms or words used herein shall be interpreted as follows:

The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word shall is mandatory, the word may is permissive.

The words used or occupied include the words intended, designed, or arranged to be used or occupied.

The word lot includes the words plot, parcel, tract, or site.

The word structure includes the word building as well as other things constructed or erected on the ground, attached to something having location on the ground, or requiring construction or erection on the ground. Among other things, structures include walls, buildings, fences, signs, and swimming pools.

The word land includes the words water, marsh, or swamp.

The word abut shall not include directly across from.

The words Board of County Commissioners shall mean the Board of County Commissioners of Dixie County, Florida.

The word County shall mean Dixie County, Florida.

2.1.1 Abandoned Motor Vehicle. Abandoned motor vehicle is defined as one that is in a state of disrepair and incapable of being moved under its own power.

2.1.2 Abutting or Adjacent Property. Abutting or adjacent property is property that is immediately adjacent to the property being considered under these land development regulations.

2.1.3 Access. Access shall mean the primary means of ingress and egress to abutting property from a dedicated right-of-way.

2.1.4 Accessory Use or Structure. An accessory use or structure is a use or structure of a nature customarily incidental and subordinate to the principal use or structure and, unless otherwise provided, on the same premises. On the same premises with respect to accessory uses and structures shall be construed as meaning on the same lot or on a contiguous lot in the same ownership. Where a building is attached to the principal building, it shall be considered a part thereof, and not an accessory building.

2.1.5 Addition. An addition is an extension or increase in floor area of height of a building or structure.

2.1.6 Administrator. The Administrator is the Land Development Regulation Administrator designated by the Board of County Commissioners for the administration and enforcement of these land development regulations (see Land Development Regulation Administrator).

2.1.7 Adverse Effect. Adverse Effect means increases in flood elevations on adjacent properties attributed to physical changes in the characteristics of the Official 100-Year Flood Area due to development.

2.1.8 Alter or Alteration of a Stormwater Management System. Work done other than that necessary to maintain the system's original design and function.

2.1.9 Alteration. Alter or alteration shall mean any change in size, shape, occupancy, character, or use of a building or structure.

2.1.10 Alley or Service Drive. An alley is a public or private right-of-way which affords only a secondary means of access to property abutting thereon.

2.1.11 Aquifer or Aquifer System. Means a geologic formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield significant quantities of water to wells and springs.

2.1.12 Area of Shallow Flooding. Area of shallow flooding means a designated AO or VO Zone on unincorporated County's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident.

2.1.13 Area of Special Flood Hazard. Area of special flood hazard is the land so designated on the County's Flood Hazard Boundary Map or the Flood Rate Insurance Map.

2.1.14 Arterial Streets. Arterial streets are streets which conduct large volumes of traffic over long distances and are functionally classified as such on the Florida Department of Transportation Current Highway Functional Classification and Systems map for the County, as amended or for local roads as designated by the Board of County Commissioners.

2.1.15 Automobile Wrecking or Automobile Wrecking Yard. The term automobile wrecking or automobile wrecking yard refers to the dismantling or disassembling of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

2.1.16 Automotive Service Station. An automotive service station is an establishment whose principal business is the dispensing at retail of motor fuel and oil primarily for automobiles and where grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail. In addition, an automotive service station may provide accessory facilities for car washing and polishing (but not commercial car wash facilities) and may render minor repair services. However, major mechanical and body work, straightening of frames or body parts, steam cleaning, painting, tire recapping or re-grooving, storage of automobiles not in operating condition, or other work involving undue noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in such stations are prohibited. An automotive service station is not a repair garage, a body shop, truck stop, or a car wash.

For the purposes of these land development regulations, where motor fuel pumps are erected for the purpose of dispensing motor fuel at retail primarily for automobiles, such motor fuel pumps shall be considered to constitute an automotive service station, even where additional services which are customarily associated with an automotive service station are not provided. Where such motor fuel pumps are erected in conjunction with a use which is not an automotive service station, each use shall be considered as a separate principal use and as such, each must meet all applicable requirements of these land development regulations (see Article 4 for special design standards for automotive service stations).

2.1.17 Base Flood. Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

2.1.18 Basement. A basement means that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from the grade to the floor below is less than the vertical distance from the grade to the ceiling provided, however, that the distance from the grade to the ceiling shall be at least four (4) feet six (6) inches. (see Cellar).

2.1.19 Bar, Cocktail Lounge, or Tavern. A bar, cocktail lounge, or tavern is any establishment which is devoted primarily to the retailing and on premises drinking of malt, vinous, or other alcoholic beverages, and which is licensed by the State of Florida to dispense or sell alcoholic beverages.

2.1.20 Bicycle and pedestrian ways. Bicycle and pedestrian ways means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

2.1.21 Block. The term block includes tier or group and means a group of lots existing with well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name through which it may be identified.

2.1.22 Board of Adjustment. The term Board of Adjustment shall mean the Board of Adjustment of the County, as herein provided for within these land development regulations.

2.1.23 Breakaway Wall. A breakaway wall is a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

2.1.24 Buildable Area. The buildable area is that portion of a lot remaining after the required yards have been provided. Buildings may be placed in any part of the buildable area, but limitations on the percent of lot which may be covered by buildings may require open space within the buildable area.

2.1.25 Building. A building is any structure, either temporary or permanent, having a roof impervious to weather, and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials, or property of any kind. This definition shall include tents, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, storerooms, or vehicles serving in any way the function of a building as described herein. This definition of a building does not include screened enclosures not having a roof impervious to weather.

2.1.26 Building Front Yard Setback Line. The building front yard setback line is the rear edge of any required front yard as specified within these land development regulations. Except as specifically provided within these land development regulations, no building or structure may be erected or extended to occupy any portion of a lot streetward of the building line.

2.1.27 Building, Height of. Height of building is the vertical distance measured from the established grade at the center of a front of a building to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. (See Section 20.10, Exclusions from Height Limitations).

2.1.28 Building Line. A building line is the rear edge of any required front yard or the rear edge of any required setback line. Except as specifically provided by these land development regulations, no building or structure may be erected or extended to occupy any portion of a lot streetward or otherwise beyond the building line.

2.1.29 Capital Budget. Capital budget means the portion of the County's annual budget which reflects capital improvements scheduled for a fiscal year.

2.1.30 Capital Improvements. Capital improvements means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purpose of these land development regulations, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

2.1.31 Cellar. Cellar means that portion of a building, the ceiling of which is entirely below grade or less than four (4) feet six (6) inches above grade (see Basement).

2.1.32 Child Care Center. A child care center is an establishment where three (3) or more children, other than members of the family occupying the premises, are cared for during the day. The term includes day nurseries, kindergartens, day care services, nursery school, or play school.

2.1.33 Child Care Center, Overnight. An overnight child care center is an establishment where three (3) or more children, other than members of the family occupying the premises, are cared for not only during the day but overnight. An overnight child care center provides full overnight sleeping facilities for such children.

2.1.34 Clinics, Medical or Dental. A medical or dental clinic is an establishment where patients, who are not lodged overnight, are admitted for examination and treatment by one person or a group of persons practicing any form of the healing arts, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, dentists, or any such profession, the practice of which is regulated by the State of Florida.

2.1.35 Club, Private. For the purposes of these land development regulations, private clubs shall pertain to and include those associations and organizations of a civic, fraternal, recreational, or social character, not operated or maintained for profit. The term "private club" shall not include casinos, nightclubs, bottle clubs, or other establishments operated or maintained for profit.

2.1.36 Coastal High Hazard Area. The Coastal High Hazard Area is the area subject to high velocity waters caused by, but not limited to, hurricane wave wash. The area is designated on the unincorporated County's Flood Insurance Rate Map as Zone VI-30, VE, or V.

2.1.37 Collector Streets. Collector streets are streets which serve as the connecting link for local streets and arterials and which provide for intra-neighborhood transportation. The traffic characteristics generally consist of relatively short trip lengths with moderate speeds and volumes. Collectors should penetrate neighborhoods without forming a continuous network, thus discouraging through traffic which is better served by arterials. In addition, collectors are so functionally classified by the Florida Department of Transportation Current Highway Functional Classification and Systems Map for the County, as amended, or for local roads as designated by the Board of County Commissioners.

2.1.38 Completely Enclosed Building. A completely enclosed building is a building separated on all sides from adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrance and exit doors.

2.1.39 Comprehensive Plan. The phrase Comprehensive Plan shall mean the official County Comprehensive Plan adopted by the Board of County Commissioners pursuant to the "Local Government Comprehensive Planning and Land Development Regulation Act and Chapter 9J-5, Florida Administrative Code, as amended". (Chapter 163, Part II, Florida Statutes, as amended).

2.1.40 Cone of Influence. Cone of influence means an area around one or more major waterwells the boundary of which is determined by the Board of County Commissioners based on groundwater travel or drawdown depth.

2.1.41 Construction, Actual. Actual construction includes the placing of substantial construction materials in permanent position and fastened in a permanent manner; except that where demolition, excavation, or removal of an existing structure has been substantially begun preparatory to new construction, such excavation, demolition, or removal shall be deemed to be actual construction, provided that work shall be continuously carried on until the completion of the new construction involved. Actual construction shall include only work begun under a valid building permit.

2.1.42 County Health Department. The term County Health Department shall mean the Health Department of the County.

2.1.43 Cul-de-sac. A cul-de-sac is a local street of relatively short length with one end open and the other end terminating in a vehicular turnaround.

2.1.44 Curb Break. A curb break is a driveway or any other point of access or opening for vehicles onto a public street.

2.1.45 Day Care Center or Nursery. See Child Care Center.

2.1.46 Density, Gross Residential. The term residential density refers to the number of residential dwelling units permitted per gross acre of land and is determined by dividing the number of units by the total area of land within the boundaries of a lot or parcel including dedicated rights-of-way and except as otherwise provided for in these land development regulations. In the determination of the number of residential units to be permitted on a specific parcel of land, a fractional unit shall not entitle the applicant to an additional unit.

2.1.47 Developer. Developer means any person, including a governmental agency, undertaking any development as defined in Chapter 163, Part II and Chapter 380.04, Florida Statutes, as amended.

2.1.48 Development. Development has the meaning as defined in Chapter 163, Part II and Chapter 380.04, Florida Statutes, as amended.

2.1.49 Development Order. Development Order means any order granting, denying, or granting with conditions an application for a development permit, which includes any building permit, subdivision approval, rezoning, certification or designation, special exception, variance, special or temporary permit, or any other official action of the appropriate County approval body or Land Development Regulation Administrator having the effect of permitting the development of land.

2.1.50 Dormitory. A dormitory is a space in a unit where group sleeping accommodations are provided with or without meals for persons not members of the same family group, in one (1) room, or in a series of closely associated rooms under joint occupancy and single management, as in college dormitories, fraternity houses, and military barracks.

2.1.51 Drive-In Restaurant or Refreshment Stand. A drive-in restaurant or refreshment stand is any place or premises where provision is made on the premises for the selling, dispensing, or serving of food, refreshments, or beverage to persons in automobiles and/or in other than a completely enclosed building on the premises, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages in automobiles on the premises. A restaurant which provides drive-in facilities of any kind shall be deemed a

drive-in restaurant for the purposes of these land development regulations. A barbecue stand or pit having the characteristics noted in this definition shall be deemed a drive-in restaurant.

2.1.52 Drainage Basin. Drainage basin means the area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

2.1.53 Drainage Detention Structure. Drainage detention structure means a structure which collects and temporarily stores stormwater for the purpose of treatment through physical, chemical, or biological processes with subsequent gradual release of the stormwater.

2.1.54 Drainage Facilities. Drainage facilities means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

2.1.55 Drainage Retention Structure. Drainage retention structure means a structure designed to collect and prevent the release of a given volume of stormwater by complete on-site storage.

2.1.56 Drive-In Theater. A drive-in theater is a place of outdoor assembly used for the showing of plays, operas, motion pictures, and similar forms of entertainment which is designed to permit the audience to view the performance from vehicles parked within the theater (see also Article 4).

2.1.57 Dwelling Unit (D.U.). A dwelling unit is a room or rooms connected together, constituting a separate, independent housekeeping establishment for one (1) family, for owner occupancy or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing sleeping facilities and one (1) kitchen.

2.1.58 Dwelling, Conventional Single Family. A conventional single family dwelling is a building containing only one (1) dwelling unit and structurally connected to no other dwelling unit. For regulatory purposes the term is not to be construed as including mobile homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, house boats, or other forms of temporary or portable housing.

2.1.59 Dwelling, Mobile Home or Mobile Home. A mobile home dwelling or mobile home is a detached one (1) family dwelling unit with all the following characteristics: (a) designed for long term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;

(b) designed for transportation after fabrication on streets or highways on its own wheels or on a flatbed or other trailers; (c) arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connection to utilities, and the like; and (d) licensed as a mobile home by the State of Florida. A travel trailer is not to be considered a mobile home.

2.1.60 Dwelling, One Family. A one (1) family dwelling is one (1) building under one (1) roof containing only one (1) dwelling unit. A one (1) family dwelling may be either a single family conventional dwelling or a mobile home dwelling.

2.1.61 Dwelling, Two Family or Duplex. A two (2) family or duplex dwelling is one (1) building under one (1) roof containing only two (2) dwelling units.

2.1.62 Dwelling, Multiple or Multi-Family. A multiple family dwelling is one (1) building under one roof containing three (3) or more dwelling units. Housing for the aged, which does not provide for routine nursing and/or medical care, shall be construed to be a multiple family dwelling.

2.1.63 Dwelling, Multiple Dwelling Use. For purposes of determining whether a lot is in multiple dwelling use, the following considerations shall apply:

a. Multiple dwelling uses may involve dwelling units intended to be rented and maintained under central ownership and management or cooperative apartments, condominiums, and the like.

b. Where an undivided lot contains more than one (1) building and the buildings are not so located that lots and yards conforming to requirements for single or two (2) family dwellings in the district could be provided, the lot shall be considered to be in multiple dwelling use if there are three (3) or more dwelling units on the lot, even though the individual buildings may each contain less than three (3) dwelling units.

c. Guest houses and servant's quarters in connection with single family residences shall not be considered as dwelling units in the computation of (b) above.

d. Any multiple dwelling in which dwelling units are available for rental for periods of less than one (1) week shall be considered a tourist home, a motel, motor hotel, or hotel as the case may be.

2.1.64 Easement. An easement is any strip of land created by a subdivider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

2.1.65 Elevated Building. An elevated building is a non-cellar building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

2.1.66 Engineer. The term engineer shall mean a Professional Engineer registered to practice engineering by the State of Florida who is in good standing with the Florida Board of Engineer Examiners.

2.1.67 Elevation. Elevation means height in feet above mean sea level as established by the National Geodetic Vertical Datum (NGVD) of 1929.

2.1.68 Essential Services. See Article 4.

2.1.69 Estuary. Estuary means a semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has a open connection with oceanic waters. Estuaries include bays, embayments, lagoons, sounds, and tidal streams.

2.1.70 Extermination. Extermination shall mean the control and extermination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods.

2.1.71 Facility. A facility is a building or buildings, appurtenant structures and surrounding land area used by a single business private entity or governmental unit or sub-unit at a single location or site.

2.1.72 Family. A family is one (1) or more persons occupying a single dwelling unit, provided that unless all members are related by blood, adoption, or marriage, no family shall contain over three (3) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a separate or additional family or families and not more than two (2) roomers or boarders may occupy the dwelling unit (for three (3) or more roomers or boarders, see Group Living Facility). The term family shall not be construed to mean a fraternity, sorority, club, monastery or convent, or institutional group.

2.1.73 Fill. Fill means any materials deposited for the purpose of raising the level of natural land surface.

2.1.74 Flood. Flood means the unusual and rapid accumulation or runoff of surface water of any source.

2.1.75 Flood Elevation of Record. Flood Elevation of Record means the maximum flood elevation for which historical records exist.

2.1.76 Flood Hazard Boundary Map (FHBM). The Flood Hazard Boundary Map (FHBM) is the official map of the County, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

2.1.77 Flood Insurance Rate Map (FIRM). The Flood Insurance Rate Map (FIRM) is the official map of the County, issued by the Federal Emergency Management Agency where both the areas of special flood hazard and the risk premium zones applicable to the County have been delineated.

2.1.78 Flood Insurance Study. A Flood Insurance Study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as, the Flood Boundary Floodway Map and the water surface elevation of the base flood for the County.

2.1.79 Floodplains. Floodplains means areas inundated during a 100-year flood event or identified by the Federal Emergency Management Agency as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

2.1.80 Floodway. A floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

2.1.81 Floor Area. Floor Area means, except as may be otherwise indicated in relation to particular districts and uses, the sum of the gross horizontal areas of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings, excluding attic areas with a headroom of less than seven (7) feet, unenclosed stairs or fire escapes, elevator structures, cooling towers, areas devoted to air conditioning, ventilating or heating or other building machinery and equipment, parking structures and basement space where the ceiling is not more than forty-eight (48) inches above the general finished and graded level of the adjacent part of the lot.

2.1.82 Floridan Aquifer System. Flordian Aquifer System means the thick carbonate sequence which includes all or part of the Paleocene to early Miocene Series and functions regionally as a water-yielding hydraulic unit. Where overlaid by either the intermediate aquifer system or the intermediate confining unit, the Floridan contains water under confined conditions. Where overlaid directly by the surficial aquifer system, the Floridan may or may not contain water under confined conditions, depending on the extent of low

permeability materials in the surficial aquifer system. Where the carbonate rocks crop out, the Floridan generally contains water under unconfined conditions near the top of the aquifer system, but, because of vertical variations in permeability, deeper zones may contain water under confined conditions. The Florida Aquifer is the deepest part of the active ground water flow system. The top of the aquifer system generally coincides with the absence of significant thicknesses of clastics from the section and with the top of the vertically persistent permeable carbonate section. For the most part, the top of the aquifer system coincides with the top of the Suwannee Limestone, where present, or the top of the Ocala Group. Where these are missing, the Avon Park Limestone or permeable carbonate beds of the Hawthorn Formation for the top of the aquifer system. The base of the aquifer system coincides with the appearance of the regionally persistent sequence of anhydride beds that lie near the top of the Cedar Keys Limestone.

2.1.83 Frontage of a Lot. See Lot Frontage.

2.1.84 Functionally Dependent Facility. A functionally dependent facility is a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such a docking facility necessary for the loading or unloading of cargo or passengers, boat building, boat repair, or fishery processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

2.1.85 Garage, Parking. A parking garage is a building or portion thereof designed or used for temporary parking of motor vehicles.

2.1.86 Garage, Private. A private garage is a structure designed or used for inside private parking of private passenger vehicles by the occupants of the main building. A private garage attached to or a part of the main structure is to be considered part of the main building. An unattached private garage is to be considered as an accessory building.

2.1.87 Garage, Repair. A repair garage is a building or portion thereof, other than a private, storage, or parking garage or automotive service station, designed or used for repairing, equipping, or servicing of motor vehicles. Such garages may also be used for hiring, renting, storing, or selling of motor vehicles.

2.1.88 Garage, Storage. A storage garage is a building or portion thereof designed and used exclusively for the storage of motor vehicles, and within which temporary parking may also be permitted.

2.1.89 Garbage. Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

2.1.90 Grade. The level of the finished ground surface immediately adjacent to the exterior walls of the building.

2.1.91 Ground Water. Ground water shall mean water in saturated zones or stratum beneath the surface of land or water, whether or not it is flowing through known and definite channels.

2.1.92 Group Living Facility. A group living facility is an establishment where lodging is provided (a) for four (4) or more persons who are not a family or for three (3) or more roomers or boarders, (b) for residents rather than transients, (c) on a weekly or longer basis, and (d) in which residents may share common sleeping or kitchen facilities. The term group living facility includes dormitories, fraternities, sororities, rooming or boarding houses, convents or monasteries, orphanages,and housing for other institutional groups. For the purposes of these land development regulations, one (1), two (2), or multiple family dwellings which constitute separate, individual housekeeping establishments for one (1) family shall not be considered to be group living facilities.

2.1.93 Habitable Story. Habitable story means any story used or to be used for living purposes, which includes working, sleeping, eating cooking, recreation, or a combination thereof. A story used only for storage purposes having only non-loadbearing walls, e.g., breakaway lattice-work, wall, or screen, is not a "habitable story".

2.1.94 Guest House or Guest Cottage. A guest house or guest cottage is a dwelling unit in a building separate from and in addition to the main residential building on a lot, intended for intermittent or temporary occupancy by a non-paying guest, provided, however, that such quarters shall have no cooking facilities, shall not be rented, and shall not have separate utility meters.

2.1.95 Habitable Room. A habitable room is a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space and similar areas are not considered habitable space.

2.1.96 Hazardous Waste. Hazardous Waste means solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

2.1.97 Height of a Building. See Building Height.

2.1.98 Highest Adjacent Grade. Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

2.1.99 Home Occupation. Unless otherwise provided herein, a home occupation is an occupation conducted entirely in a dwelling unit, provided that:

a. Only one (1) additional person other than members of the family residing on the premises shall be engaged in such occupation;

b. 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;

c. 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;

d. 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.

e. 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.

f. 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.

g. 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.

h. 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) fortune-telling or similar activity, (6) outdoor repair, (7) food processing, (8) retail sales, and (9) child care center.

i. 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; and (7) professional offices.

j. A home occupation shall be subject to all applicable occupational licenses and other business taxes.

2.1.100 Hotel, Motel, Motor Hotel, Motor Lodge, Tourist Court. The words hotel, motel, motor hotel, motor lodge, and tourist court are to be considered synonymous terms and to mean a building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental to transients with daily charge, as distinguished from multiple family dwellings and group living facilities, where rentals are for periods of a week or longer and occupancy is generally by residents rather than transients.

2.1.101 Improvements. The term improvements may include, but is not limited to, street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, road and street signs, landscaping, permanent reference monuments ("PRMs"), permanent control points ("PCPs"), or any other improvements required by these subdivision regulations.

2.1.102 Infestation. Infestation shall mean the presence within or around a dwelling, of any insects, rodents, or other pests.

2.1.103 Junk Yard. A junk yard is a place, structure, or lot where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, etc., are brought, bought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, housewrecking yards, heavy equipment wrecking yards, and yards or places for the storage, sale, or handling of salvaged house wrecking or structural steel materials. This definition shall not include automobile wrecking or automobile wrecking yards and establishments for the sale, purchase, or storage of second-hand cars, clothing, salvaged machinery, furniture, radios, stoves,

refrigerators, or similar household goods and appliances, all of which shall be usable, nor shall it apply to the processing of used, discarded, or salvaged materials incident to manufacturing activity on the same site where such processing occurs.

2.1.104 Land. Land means the earth, water and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land.

2.1.105 Land Development Regulations. The term land development regulations shall mean regulations which address the use of land and water, subdivision of land, drainage and stormwater management, protection of environmentally sensitive areas, sign control, standards for public facilities and services, on-site traffic flow and parking and any other regulation so deemed appropriate by the Board of County Commissioners.

2.1.106 Land Development Regulation Administrator. The Land Development Regulation Administrator is the official designated by the Board of County Commissioners for the administration and enforcement of these land development regulations.

2.1.107 Landmark. A building or structure which has been designated as such within the Comprehensive Plan.

2.1.108 Landmark Site. The land on which a landmark and related buildings and structures are located and the land that provides the grounds, the premises or the setting for the landmark.

2.1.109 Level of Service. Level of Service means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service indicates the capacity per unit of demand for each public facility.

2.1.110 Lien. A lien is a claim on the property of another as security against the payment of a just debt.

2.1.111 Local Planning Agency. The term Local Planning Agency means the agency designated by the Board of County Commissioners, under the provisions of Chapter 163, Part II, Florida Statutes, as amended.

2.1.112 Local Streets. Local streets are streets whose primary function is to provide the initial access to the collector and arterial roadways. These facilities are characterized by short trips, low speeds, and small traffic volumes.

2.1.113 Loading Space, Offstreet. Offstreet loading space is space logically and conveniently located for pickups and/or deliveries or for loading and/or unloading, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required offstreet parking spaces are filled.

2.1.114 Lot. A lot is a portion of a subdivision or any parcel of land intended as a unit for building development or for transfer of ownership or both. For the purposes of these land development regulations, a lot shall be of at least sufficient size (a) to meet minimum zoning requirements for use, coverage, and area, and (b) to provide such yards and open spaces as are herein required (provided that certain non-conforming lots of record are exempted from certain of the provisions of these land development regulations (see Section 2.3).

The term "lot" includes the words "plot", "parcel", "tract", or "site" and may consist of:

a. A single lot of record;

b. A portion of a lot of record;

c. A combination of complete lots of record, or complete lots of record and portions of lots of record, or of portions of lots of record;

d. A parcel of land described by metes and bounds; provided, that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of these land development regulations.

2.1.115 Lot Area. The total horizontal area included within lot lines.

2.1.116 Lot Coverage. Lot coverage is that percentage of lot area that is covered or occupied by buildings, including accessory buildings.

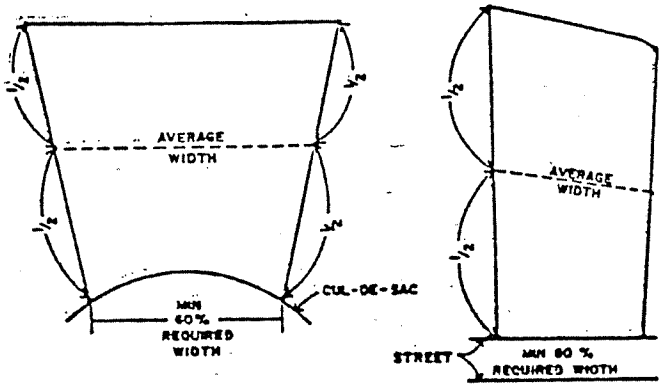
2.1.117 Lot Frontage. The front of an interior lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as set out in these land development regulations.

2.1.118 Lot Line. The lines bounding a lot as established by ownership.

2.1.119 Lot Measurement, Depth. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connection the foremost points on the side lot lines in front and the rearmost points of the side lot lines in the rear.

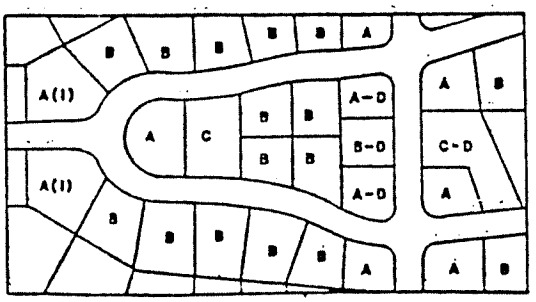
2.1.120 Lot Measurement, Width. Width of a lot shall be considered to be the average distance between straight lines connecting front and rear lot lines at each side of the lot, measured as straight lines between the foremost points of the side lot lines in front (where they intersect with the street line) and the rear most points of the side lot lines in the rear, provided however that the width between the side lot lines at their foremost points in the front shall not be less than eighty percent (80%) of the required lot

width except in the case of lots on the turning circle of a cul-de-sac, where the width shall not be less than sixty percent (60%) of the required lot width.



2.1.121 Lot of Record. A lot of record is (1) a lot which is part of a subdivision recorded in the office of the County Clerk, or (2) a lot or parcel described by metes and bounds, the description of which has been so recorded on or before the effective date of these land development regulations.

2.1.122 Lot Types. The diagram which follows illustrates terminology used in these land development regulations with reference to corner lots, interior lots, reversed frontage lots, and through lots:



In the diagram, A = Corner Lot, defined as a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one-hundred thirty-five (135) degrees. See lot marked A(1) in the diagram.

B = Interior Lot, defined as a lot other than a corner lot with only one (1) frontage on a street.

C = Through Lot, defined as a lot other than a corner lot with frontage on more than one (1) street. Through lots abutting two streets may be referred to as double frontage lots.
D = Reversed Frontage Lot, defined as a lot on which the frontage is at right angles or approximately right angles (interior angle less than one-hundred thirty-five (135) degrees) to the general pattern in the area. A reversed frontage lot may also be a corner lot (A-D in the diagram), an interior lot (B-D), or a through lot (C-D).

2.1.123 Marginal Access Street. A marginal access street is a street, parallel and adjacent to an existing street, providing access to abutting lots.

2.1.124 Mobile Home. See Dwelling, Mobile Home.

2.1.125 Mobile Home Park. A mobile home park consists of a parcel of land under single ownership or management which is operated as a business engaged in providing for the parking of mobile homes to be used for non-transient living or sleeping purposes, and where lots are offered only for rent or lease, and including customary accessory uses such as owners' and managers' living quarters, laundry facilities, and facilities for parks and recreation. (See Section 2.1.59 for the definition of a mobile home.)

2.1.126 Mobile Home Stand. A mobile home stand is a lot or parcel of ground designated for the accommodation of not more than one mobile home.

2.1.127 Mobile Home Subdivision. A mobile home subdivision is a residential subdivision where lots are offered for sale for use exclusively by mobile homes. (See Section 2.1.59 for the definition of a mobile home.)

2.1.128 Motel, Motor Hotel, or Motor Lodge. See Hotel.

2.1.129 National Geodetic Vertical Datum (NGVD). As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the flood plain.

2.1.130 Natural Drainage Features. Natural drainage features means the naturally occurring features of an area which accommodates the flow of stormwater, such as streams, rivers, lakes, and wetlands.

2.2.131 New Construction. New construction means structures for which the "start of construction" commenced on or before the effective date of these regulations.

2.1.132 Newspaper of General Circulation. A newspaper of general circulation means a newspaper published at least on a weekly basis and printed in the language most commonly spoken in the area

within which it circulates, but does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.

2.1.133 Non-Conforming Lot, Structure, Use of Land, Use of Land and Structure, etc. See Section 2.3.

2.1.134 Nuisance. The following shall be defined as nuisances:

1. Any public nuisance known at common law or in equity jurisprudence.

2. Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; or any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation which may prove a hazard for inquisitive minors.

3. Whatever is dangerous to human life or is detrimental to health, as determined by the County health officer.

4. Overcrowding a room with occupants.

5. Insufficient ventilation or illumination.
6. Inadequate or unsanitary sewage or plumbing facilities.

7. Uncleanliness, as determined by the County health officer.

8. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the County health officer.

2.1.135 Nursery School. See Child Care Center.

2.1.136 Nursing Home. A nursing home is a private home, institution, building, residence, or other place, whether operated for profit or not, including those places operated by units of government, which undertakes through its ownership or management to provide for a period exceeding twenty-four (24) hours, maintenance, personal care, or nursing for three (3) or more persons not related by lineal consanguinity or marriage to the operator, who by reason of illness, physical infirmity, or advanced age are unable to care for themselves; provided, that this definition shall include homes offering services for less than three (3) persons where the homes are held out to the public to be establishments which regularly provide nursing, extended care, and custodial services. (See also, Residential Home for the Aged.)

2.1.137 Office, Business. A business office is an office for such operations as real estate agencies, advertising agencies (but not

sign shop), insurance agencies, travel agencies and ticket sales, chamber of commerce, credit bureau (but not finance company), abstract and title agencies, insurance companies, stockbroker, employment agencies, billing office, and the like. It is characteristic of a business office that retail or wholesale goods are not shown to or delivered from the premises to a customer.

2.1.138 Office, Professional. A professional office is an office for the use of a person or persons generally classified as professional such as architects, engineers, attorneys, accountants, doctors, lawyers, dentists, veterinarians (but not including boarding of animals on the premises, except as part of treatment and then only in soundproof buildings), psychiatrists, psychologists, and the like. It is characteristic of professional offices that the use is devoted principally to an offering of consultive services.

2.1.139 100-Year Flood Area. 100-Year Flood Area means those areas within the scope of these land development regulations that have a land elevation less than the Official 100-Year Flood Elevations.

2.1.140 Official 100-Year Flood Map. Official 100-Year Flood Map means the map issued by the Federal Emergency Management Agency that delineates, to the nearest section, the areas having ground elevations that are less than the Official 100-Year Flood Elevations.

2.1.141 Official 10-Year Flood Elevations. Official 10-Year Flood Elevations means the most recent and reliable flood elevations based on a Log Pearson type III probability distribution produced by the United States Geological Survey and based on historical data.

2.1.142 Openable Area. Openable Area (window) shall mean that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

2.1.143 Open Spaces. Open spaces means undeveloped lands suitable for passive recreation or conservation uses.

2.1.144 Operator. Operator shall mean any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

2.1.145 Owner. Owner shall mean the holder of the title in fee simple and any person, group of persons, company, association or corporation in whose name tax bills on the property are submitted. It shall also mean any person who, alone or jointly or severally with others:

(a) shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or

(b) shall have charge, care or control of any dwelling or dwelling unit, as owner, executor, executrix, administrator,

trustee, guardian of the estate of the owner, mortgagee or vendee in possessions, or assignee of rents, lessee, or other person firm, or corporation in control of a building; of their duly authorized agents. Any such person thus representing the actual owner shall be bound to comply with the provisions of these land development regulations to the same extent as if he were the owner. It is his responsibility to notify the actual owner of the reported infractions of these regulations pertaining to the property which apply to the owner.

2.1.146 Package Liquor Store. A package liquor store is a place where alcoholic beverages are dispersed or sold in containers for consumption off the premises.

2.1.147 Parcel of Land. Parcel of Land means any quantity of land capable of being described with such definiteness that its locations and boundaries may be established, which is designated by its owner or developer as land to be used, or developed as, a unit or which has been used or developed as a unit.

2.1.148 Parking Space, Handicapped. A handicapped parking space is an offstreet parking space which is reserved for persons who are physically disabled or handicapped.

2.1.149 Parking Space, Offstreet. For the purposes of these land development regulations, an offstreet parking space shall consist of a space adequate for parking a standard size automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room. Required offstreet parking areas for three (3) or more automobiles shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street or walk and so that any automobile may be parked and unparked without moving another. For purposes of rough computation, an offstreet parking space and necessary access and maneuvering room may be estimated at three hundred (300) square feet, but offstreet 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 County. (See also Article 4, Offstreet Parking Requirements).

2.1.150 Performance Bond. See Surety Device.

2.1.151 Permanent Control Point (PCP). A permanent control point (PCP) is a secondary horizontal control monument which shall be a metal marker with the point of reference marked thereon or a four (4) inch by four (4) inch concrete monument a minimum of twenty-four (24) inches long with the point of reference marked thereon. P.C.P.'s shall bear the registration number of the surveyor filing the plat of record.

2.1.152 Permanent Reference Monument (PRM). A permanent reference monument (PRM) is a metal rod a minimum of twenty-four (24) inches long or a one and one-half (1 1/2) inch minimum diameter metal pipe a minimum of twenty (20) inches long, either of which shall be encased in a solid block of concrete or set in natural bedrock, a minimum of six (6) inches in diameter, and extending a minimum of eighteen (18) inches below the top of the monument, or a concrete monument four (4) inches by four (4) inches, a minimum of twenty-four (24) inches long, with the point of reference marked thereon. A metal cap marker, with the point of reference marked thereon, shall bear the registration number of the surveyor certifying the plat of record, and the letters PRM shall be placed in the top of the monument.

2.1.153 Plat. A plat is a map or drawing depicting the division of land into lots, blocks, parcels, tracts, sites, or other divisions, however the same may be designated, and other information required by these land development regulations. The word plat includes the terms replat or revised plat.

9.2.2.1.154 Plat, Final. A final plat is a finished drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording.

2.1.155 Planning and Zoning Board. The term Planning and Zoning Board shall refer to the Planning and Zoning Board of the County, as herein provided for within these land development regulations.

2.1.156 Plumbing. Plumbing shall mean the practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, appliances, and appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities, the venting system and the public or private water-supply systems, within or adjacent to any building structure, or conveyance; also the practice and materials used in the installation, maintenance, extension, or alteration of storm-water, liquid-waste, or sewerage, and water-supply systems of any premises to their connection with any point of public disposal or other acceptable terminal.

2.1.157 Plot. See Lot.

2.1.158 Premises. Premises shall mean a lot, plot or parcel of land including the buildings of structures thereon.

2.1.159 Product tight. Product tight shall mean impervious to the hazardous material which is or could be contained so as to prevent the seepage of the hazardous material form the containment system. To be product tight, the containment system shall be made of a material that is not subject to physical or chemical deterioration by the hazardous material being contained.

2.1.160 Public Areas. Public Areas means an unoccupied open space adjoining a building and on the same property, that is permanently

maintained accessible to the Fire Department and free of all incumbrances that might interfere with its use by the Fire Department.

2.1.161 Public Buildings and Facilities. For the purposes of these land development regulations, the term public buildings and facilities shall mean the use of land or structures by a municipal, county, State, or Federal governmental entity for a public service purpose. More specifically public facility means major capital improvements including but not limited to transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreation, and health systems and facilities. For the purposes of these land development regulations, essential service shall not be considered public buildings and facilities.

2.1.162 Recreational Facility. Recreation facility means a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.

2.1.163 Recreational Uses. Recreational uses means activities within areas where recreation occurs.

2.1.164 Regulated materials. Shall be the following materials:

a. Petroleum products, which include fuels (gasoline, diesel fuel, kerosene and mixtures of these products, lubricating oils, motor oils, hydraulic fluids and other similar products. This term does not include liquified petroleum gas, American Society for Testing and Materials grade number 5 and number 6 residual oils, bunker C residual oils, intermediate fuel oils used for marine bunkering with a viscosity of 30 and higher and asphalt oils.

b. Substances listed by the Secretary of the Florida Department of Labor and Employment Security pursuant to Chapter 442, Florida Statutes, as amended (Occupational Health and Safety). This list, known as the Florida Substances List, is provided in Chapter 38F-41, Florida Administrative Code, as amended.

c. Substances listed by the Administrator of the United States Environmental Protection Agency pursuant to Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended. This list is provided in Title 40 (Protection of the Environment) of the Code of Federal Regulations, Part 302, Designation, Reportable Quantities and Notification, as amended.

d. Substances listed by the Administrator of the United States Environmental Protection Agency pursuant to Title III of the Superfund Amendments and Reauthorization Act of 1986, as amended. The list is provided in Title 40 of the Code of Federal Regulations, Part 355, Emergency Planning and Notification, as amended.

e. Materials listed by the Secretary of the United States Department of Transportation pursuant to the Hazardous Materials Transport Act. This list is provided in Title 49 (Transportation) of the Code of Federal Regulations, Part 172, Hazardous Materials Tables and Communications Regulations, as amended.

f. The following elemental metals, if they are stored in a easily crumbled, powered, or finely divided state: aluminum, beryllium, cadmium, chromium, copper, lead, manganese, mercury, molybdenum, nickel, rhodium, silver, terrurium, tin and zinc.

g. Mixtures containing the above materials if they contain one per cent (1%) or more by volume or if they are wastes.

h. Any material not included above which may present similar or more severe risks to human health or the environment as determined by the Land Development Regulation Administrator. Such determinations must be based upon competent testing or other objective means with conclusions which indicate that the material may pose a significant potential or actual hazard.

2.1.165 Repair. Repair means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building, or that would affect or change required existing facilities, a vital element of an elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provisions of law or ordinance. The term repair or repairs shall not apply to any change of construction.

2.1.166 Residential Buildings. Regulated Buildings means buildings in which families or households live or in which sleeping accommodations are provided and all dormitories, shall be classified as residential occupancy. Such buildings include, among others, the following: dwellings, multiple dwellings and rooming houses (see also dwelling unit Section 2.1.57).

2.1.167 Residential Home for the Aged. A residential home for the aged is a health care facility containing characteristics of multiple family housing, providing a maximum in independent living conditions for individuals or couples and a minimum of custodial services which would include daily observation of the individual residents by designated staff personnel. As accessory uses, residential homes for the aged may include dining rooms and infirmary facilities for intermediate or skilled nursing care solely for the use of the occupants residing in the principal facility.

2.1.168 Restaurant. A restaurant is an establishment where meals or prepared food, including beverages and confections, are served to customers for consumption on or off the premises. The term

restaurant includes cafes, coffee shops, donut shops, delicatessens, cafeterias, and other establishments of a similar nature.

2.1.169 Retention. Retention means the collection and storage of runoff without subsequent discharge to surface waters.

2.1.170 Right-of-Way. Right-of-way is land dedicated, deeded, used, or to be used for a street, alley, pedestrian way, crosswalk, bikeway, drainage facility, or other public uses, wherein the owner gives up his or her rights to the property so long as it is being or will be used for the dedicated purpose. Right-of-way also is a land measurement term, meaning the distance between lot property lines which generally contains not only the street pavement, but also the sidewalk, grass area, and underground or aboveground utilities.

2.1.171 Riverbank Setback Line. Riverbank Setback Line means a line running parallel to a river and at a distance as specified within these land development regulations.

2.1.172 Roadway Functional Classification. Roadway functional classification means the assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.

2.1.173 Rooming House. Rooming House means any dwelling, or that part of any dwelling containing one (1) or more rooming units, in which space is let by the owner or operator to three (3) or more persons which are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator.

2.1.174 Rooming Unit. Rooming unit means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

2.1.175 Rubbish. Rubbish shall mean combustible and non-combustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke, or other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber leather, tree branches, yard trimmings, tin cans, metal, mineral matter, glass crockery, and dust.

2.1.176 Sanitary Sewer Facilities. Sanitary sewer facilities means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants, and disposal systems.

2.1.177 Sediment. Sediment means the mineral or organic particulate material that is in suspension or has settled in surface or ground waters.

2.1.178 Servants' Quarters. Servants' quarters are accommodations, without cooking facilities or separate utility meters, for domestic servants employed on the premises. Such units may be in either a principal or an accessory building but no such living quarters shall be rented, leased, or otherwise be made available for compensation of any kind except in the form of housing for servants.

2.1.179 Service Station. See Automotive Service Station.

2.1.180 Sidewalk. A sidewalk is that portion of the street right-of-way outside the roadway, which is improved for the use of pedestrian or bike traffic.

2.1.181 Sign. A sign is any device designed to inform or attract the attention of persons not on the premises on which the sign is located. Unless otherwise specified, a sign may have one (1) or two (2) faces. (See Article 4 for general regulations governing signs.)

2.1.182 Sign, Surface Area. The surface area of a sign shall be computed as including the entire area within the periphery of a regular geometric form, or combinations of regular geometric forms, comprising all of the display area of the sign, and including all of the elements of the matter displayed, but not including blank masking, frames, or structural elements of the sign and bearing no advertising matter. In the case of double face signs, each sign face shall be measured as surface area and the combined surface area of both faces shall not exceed the maximum permitted for the building or use.

2.1.182 Sign, On-Site. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises. On-site signs do not include signs erected by the outdoor advertising industry in the conduct of the outdoor advertising business.

2.1.183 Sign, Off-Site. An off-site sign is a sign other than an on-site sign.

2.1.184 Sign, Animated. An animated sign is a sign with externally moving parts or messages, or so operating as to give a viewer the illusion of moving parts or messages.

2.1.185 Sign, Attached. An attached sign is a sign painted on the exterior face of a building or attached to a building. Attached signs include canopy signs, marquee signs, wall signs, roof signs, and projecting or hanging signs supported or attached to a canopy, awning, marquee, or building.

2.1.186 Sign, Flashing. A flashing sign is a sign designed to attract attention by the inclusion of a flashing, changing, revolving, or flickering light source or a change of light intensity.

2.1.187 Sign, Freestanding. A freestanding sign is a sign which is not attached to a building. Freestanding signs include ground signs, pole signs, and portable signs.

2.1.188 Sign, Identification. An identification sign is a sign which depicts the name and/or address or a building or establishment on the premises where the sign is located as a means of identifying said building or establishment. An identification sign shall not contain promotional or sales material.

2.1.189 Sign, Non-Flashing. A non-flashing sign is a sign which does not have a flashing, changing, revolving, or flickering light source or which does not change light intensity.

2.1.190 Site. See Lot.

2.1.191 Soil Survey. The term soil survey shall mean the United States Department of Agriculture, Soil Conservation Service Soil Survey for the County.

2.1.192 Solid Waste. Solid waste means sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

2.1.193 Solid Waste Facilities. Solid waste facilities means structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

2.1.194 Solid Waste Processing Plant. Solid waste processing plant means a facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.

2.1.195 Solid Waste Transfer Station. Solid waste transfer station means a facility for temporary collection of solid waste prior to transport to a processing plant or to final disposal.

2.1.196 Special Exception. A special exception is a use that would not be appropriate generally or without restriction throughout a zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare.

Such uses may be permissible in a zoning district as a special exception if specific provision for such a special exception is made in these land development regulations. (For the procedure in securing special exceptions, see Sections 22.3 and 22.5).

2.1.197 Stairway. Stairway means one (1) or more flights of stairs and the necessary landings and platforms connecting then, to form a continuous and uninterrupted passage from one (1) story to another in a building or structure.

2.1.198 Start of Construction. Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348)), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one-hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

2.1.199 Stormwater. Stormwater means the flow of water which results from and that occurs immediately following a rainfall.

2.1.200 Stormwater Runoff. Stormwater Runoff means that portion of the stormwater that flows from the land surface of a site either naturally, in manmade ditches, or in a closed conduit system.

2.1.201 Stormwater Management System. The system, or combination of systems, designed to treat stormwater, or collect, convey, channel, hold, inhibit, or divert the movement of stormwater on, through and from a site.

2.1.202 Story. A story is that portion of a building included between the surface of any floor and the surface of the next floor above it (including basement), or if there be no floor above it, then the space between such floor and the ceiling next above it. (see habitable story Section 2.1.93).

2.1.203 Street. A street is a public or private roadway which affords the principal means of access to abutting property. The term street includes lanes, ways, places, drives, boulevards, roads, avenues, or other means of ingress or egress regardless of the descriptive term used.

2.1.204 Street Line. The street line is the line between the street and abutting property. A street line is also referred to as the right-of-way line.

2.1.205 Structure. See General, Section 2.1.

2.1.206 Subdivider. The term subdivider shall refer to any person, firm, corporation, partnership, association, estate, or trust or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision as herein defined, including a developer or an agent of a developer.

2.1.207 Subdivision. Subdivision is the division of a parcel of land, whether improved or unimproved, into three (3) or more lots or parcels of land, for the purpose whether immediate or future, of transfer of ownership, whether by deed, metes and bounds description, devise, lease, map, plat or other recorded instrument or if the establishment of a new street is involved, any division of such parcel. The term shall not mean the division of land into parcels of more than ten (10) acres, on an existing publicly maintained street which meets the minimum requirements of these land development regulations, not involving any new street as defined herein, or change in street lines; the transfer of property by sale or gift or testate succession by the property owner to his or her spouse or lineal descendants; or the transfer of property between tenants in common for the purpose of dissolving the tenancy in common among those tenants. The term includes a resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land subdivided.

2.1.208 Subdivision, Major. A major subdivision is any subdivision not classified as a minor subdivision, including but not limited to subdivisions of six (6) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities, or the creation of any public improvements, except where otherwise specifically exempted from the requirements of these land development regulations.

2.1.209 Subdivision, Minor. A minor subdivision is any subdivision containing not more than five (5) lots fronting on an existing street, not involving any new street or road, or the extension of local governmental facilities or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjacent property, and not in conflict with any provision or portion of the Comprehensive Plan or these land development regulations.

2.1.210 Substantial Improvement. Substantial Improvement means for a structure built prior to the enactment of these land development regulations any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the improvement or repair is started. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration on any wall, ceiling, floor, or other structural part of the building 3/3/94

commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places.

2.1.211 Supplied. Supplied means paid for, furnished, or provided by or under control of, the owner or operator.

2.1.212 Surface Water. Surface Water means water above the surface of the ground whether or not flowing through definite channels, including the following:

1. Any natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernible shoreline; or

2. Any natural or artificial stream, river, creek, channel, ditch, canal, conduit culvert, drain, waterway, gully, ravine, street, roadway, swale or wash in which water flows in a definite direction, either continuously or intermittently and which has a definite channel, bed or banks; or

3. Any wetland.

2.1.213 Surficial Aquifer System. Surficial Aquifer System means the permeable hydrogeologic unit contiguous with land surface that is comprised principally of unconsolidated to poorly indurated clastic deposits. It also includes well-indurated carbonate rocks, other than those of the Floridan Aquifer System where the Floridan is at or near land surface. Rocks making up the surficial aquifer system belong to all or part of the upper Miocene to Holocene Series. It contains the water table and water within it is under mainly unconfined or locally confined conditions to prevail in its deeper parts. The lower limit of the surficial aquifer system coincides with the top of laterally extensive and vertically persistent beds of much lower permeability. Within the surficial aquifer system, one (1) or more aquifers may be designated base on lateral or vertical variations on water bearing properties.

2.1.214 Surety Device. A surety device is an agreement by a subdivider with the Board of County Commissioners for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

2.1.215 Surveyor, Land. The term land surveyor shall mean a Land Surveyor registered under Chapter 472, Florida Statutes, as amended, who is in good standing with the Florida State Board of Engineer Examiners and Land Surveyors.

2.1.216 To Plat. The phrase to plat shall mean to divide or subdivide land into lots, blocks, parcels, tracts, sites, or other divisions, however the same may be designated, and the recording of the plat in the office of the County Clerk in the manner provided for in these land development regulations.

2.1.217 Travel Trailer. A travel trailer is a vehicular, portable structure built on a chassis, designed to be a temporary dwelling for travel, recreational, and vacation purposes, which: (a) is identified on the unit by the manufacturer as a travel trailer; (b) is not more than eight (8) feet in body width; and (c) is of any weight provided its body length does not exceed thirty-five (35) feet.

2.1.218 Truck Stop. A truck stop is an establishment where the principal use is primarily the refueling and servicing of trucks and tractor-trailer rigs. Such establishments may have restaurants or snack bars and sleeping accommodations for the drivers of such over-the-road equipment and may provide facilities for the repair and maintenance of such equipment.

2.1.219 Unsafe Building. Any building or structure that has any of the following conditions, such that the life, health, property, or safety of the general public is endangered:

(a) Whenever the stress in any material, member or portion thereof, due to all imposed loads including dead load exceeds the working stresses allowed in the County Building Code for new buildings.
(b) Whenever a building, structure or portion thereof has been damaged by fire, flood, earthquake, wind or other cause to the extent that the structural integrity of the buildings or structures is less than it was prior to the damage and is less than the minimum requirement established by the County Building Code for new buildings.

(c) Whenever for any reason a building, structure or portion thereof is manifestly unsafe or unsanitary for the purpose for which it is designed.

(d) Whenever any building, structure or portion thereof as a result of decay, deterioration or dilapidation is likely to fully or partially collapse.

(e) Whenever any building, structure or portion thereof has been constructed or maintained in violation of a specific requirement of County regulations.

(f) Whenever any building, structure or portion thereof is unsafe, unsanitary or not provided with adequate egress, or which constitutes a fire hazard, or is otherwise dangerous to human life, or, which in relation to existing use, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.

2.1.220 Use. Use means the purpose for which land or water or a structure thereon is designed, arranged, or intended to be occupied or utilized or for which it is occupied or maintained. The use of land or water in the various zoning districts is governed by these land development regulations.

2.1.221 Use of Land. The term use of land includes use of land, water surface, and land under water to the extent covered by these land development regulations, and over which the Board of County Commissioners have jurisdiction.

2.1.222 Utilities. The term utilities includes but is not necessarily limited to water systems, electrical power, sanitary sewer systems, storm water management systems, and telephone or television cable systems; or portions, elements, or components thereof.

2.1.223 Valuation or Value. As applied to a building, valuation or value means the estimated cost to replace the building in kind.

2.1.224 Variance. A variance is a relaxation of the terms of these land development regulations where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of these land development regulations would result in unnecessary and undue hardship on the land. Establishment or expansion of a use otherwise prohibited or not permitted shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning classification or district or adjoining zoning classifications or districts. (For the procedure in securing variances, see Article 12).

2.1.225 Ventilation. Ventilation means the process of supplying and removing air by natural or mechanical means to or from any space.

2.1.226 Watercourse. Watercourse means any natural or artificial channel, ditch, canal, stream, river, creek, waterway or wetland through which water flows in a definite direction, either continuously or intermittently and which has a definite channel, bed, bank, or other discernible boundary.

2.1.227 Water-dependent Uses. Water-dependent Uses means activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply.

2.1.228 Water-related Uses. Water-related Uses means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.

2.1.229 Water Wells. Water wells means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural, or potable water for general public consumption.

2.1.230 Well. Well means any excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise constructed when intended use of such excavation is to conduct ground water from an aquifer or aquifer system to the surface by pumping or natural flow, to conduct waters or other liquids from the surface into any area beneath the surface of land or water by pumping or natural flow, or to monitor the characteristics of ground water within an aquifer system(s). For the purposes of these land development regulations, geotechnical borings greater than twenty (20) feet in depth shall be included in the definition of "well".

2.1.231 Well Field Management Zone. Wellfield Management Zone is a wellfield protection area of four-hundred (400) feet around wellheads with a permitted capacity of one-hundred thousand (100,000) gallons per day or more (see Section 6.2).

2.1.232 Wetlands. Wetalands means land that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient of support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term includes, but is not limited to, swamp hammocks, hardwood swamps, riverine cypress stands, cypress ponds, bayheads and bogs, wet prairies, freshwater marshes, tidal flats, salt marshes and marine meadows.

2.1.233 Yard. A yard is a required open space unoccupied and unobstructed from the ground upward, provided however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

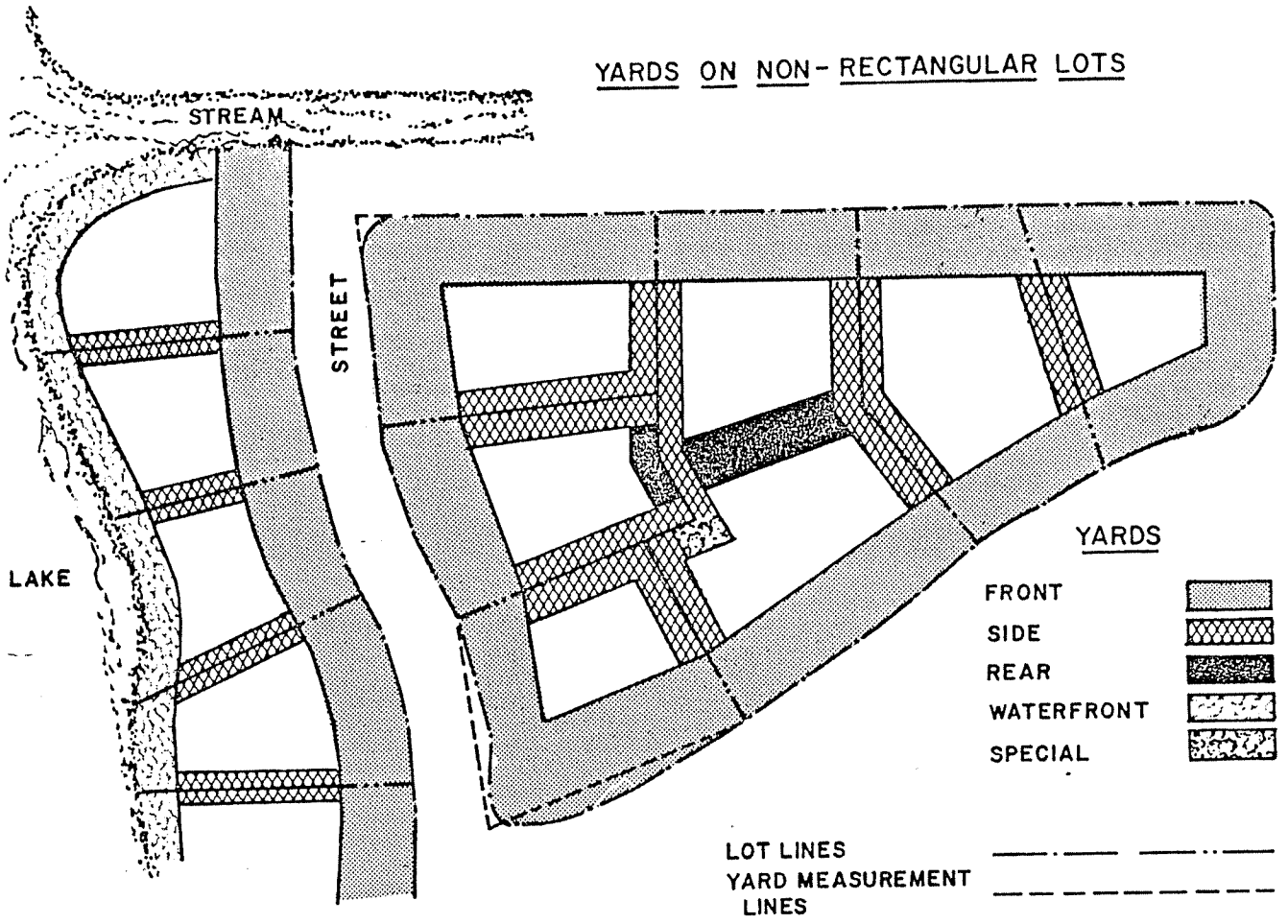
For explanation of how to measure the various types of yards, on rectangular and non-rectangular lots, as defined in the following definitions, see accompanying diagrams.

2.1.234 Yard, Front. A front yard is a yard extending between side lot lines across the front of a lot adjoining a public street.

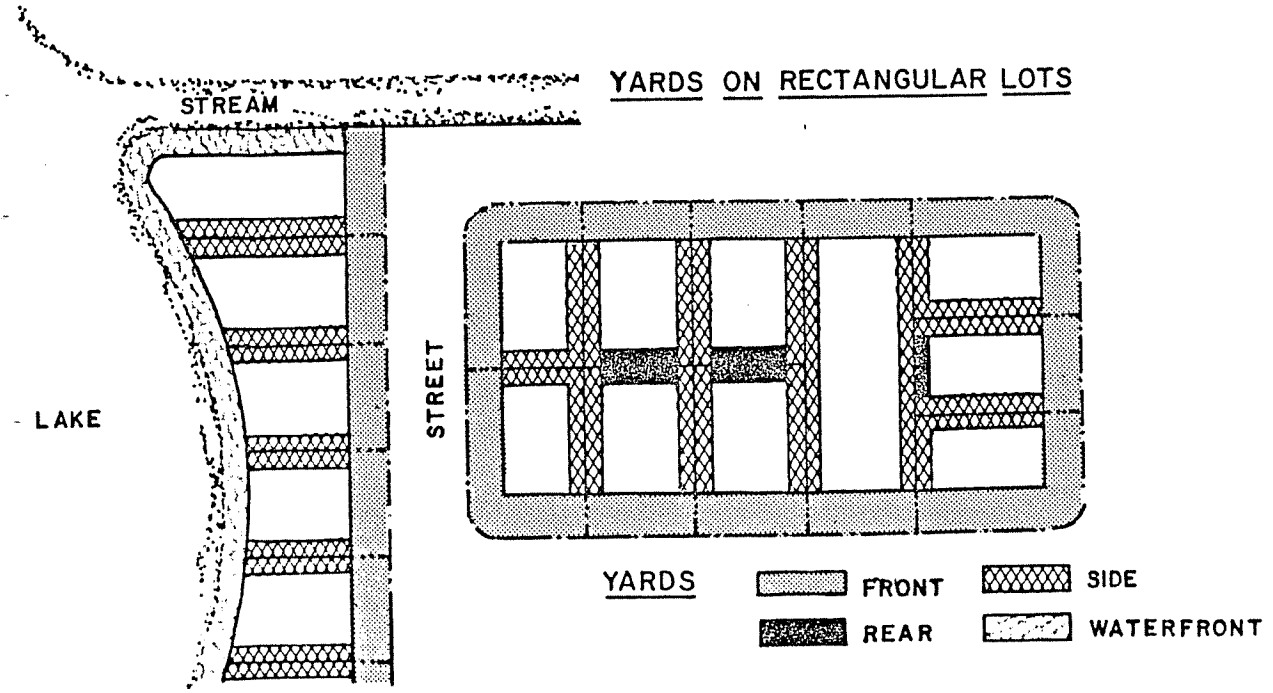
In the case of through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, front yards shall be provided on all frontages. Where one of the front yards that would normally be required on a through lot is not in keeping with the prevailing yard pattern, the Land Development Regulation Administrator may waive the requirement for the normal front yard and substitute therefore a special yard requirement which shall not exceed the average of the yards provided on adjacent lots.

In the case of corner lots and reverse frontage lots, a front yard of the required depth shall be provided on both frontages.

YARDS ON NON-RECTANGULAR LOTS



YARDS ON RECTANGULAR LOTS



2.1.235 Yard Front, Depth Required Yard Front, Depth Required shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding.

2.1.236 Yard, Side. A side yard is a yard extending from the rear line of the required front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot farthest from the intersection of the lot line involved with the public street. In the case of through lots, side yards shall extend from the rear lines of front yards required. In the case of corner lots, yards remaining after front yards have been established on both frontages shall be considered side yards.

2.1.237 Yard, Side; Depth Required Yard, Side; Depth Required shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

2.1.238 Yard, Rear. A rear yard is a yard extending across the rear of the lot between inner side yard lines. In the case of through lots and corner lots, there will be no rear yards, but only front and side yards.

2.1.239 Yard Rear; Depth Required Yard, Rear; Depth Required shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.

2.1.240 Yard, Special. A special yard is a yard behind any required yard adjacent to a street required to perform the same functions as a side or rear yard, but adjacent to a lot line and so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the Land Development Regulation Administrator shall require a yard with minimum dimensions as generally required for a side yard or a rear yard in the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable area thereon.

2.1.241 Yard, Waterfront. A waterfront yard is a yard measured from and parallel to the mean high water mark of the lake, stream, or other watercourse on which the lot is located.

SECTION 2.2 LOTS DIVIDED BY DISTRICT LINES

2.2.1 Whenever a single lot is located within two (2) or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

SECTION 2.3. NON-CONFORMING LOTS, NON-CONFORMING USES OF LAND, NON-CONFORMING STRUCTURES, NON-CONFORMING CHARACTERISTICS OF USE, NON-CONFORMING USE OF STRUCTURES AND PREMISES. Within the districts established by these land development regulations or amendments that may later be adopted there may exist (1) lots, (2) uses of land, (3) structures, (4) characteristics of use, and (5) use of structures and premises which were lawful before these land development regulations were adopted or amended, but which would be prohibited, regulated, or restricted under the terms of these land development regulations or future amendments.

It is the intent of these land development regulations to permit these non-conformities to continue until they are voluntarily removed or removed as required by these land development regulations.

To avoid undue hardship, nothing in these land development regulations shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of these land development regulations and upon which actual building construction has been carried on diligently (see Section 2.1.41 for definition of actual construction). Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation, demolition, or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

2.3.1 Non-Conforming Lots of Record. In any district in which one (1) family dwellings are permitted, a one (1) family dwelling and customary accessory buildings may be erected, expanded, or altered on any single lot of record at the effective date of adoption or amendment of these land development regulations notwithstanding limitations imposed by other provisions of these land development regulations. However, provided that the Board of County Commissioners may determine that such lots in the same ownership and of continuous frontage with other lots of the same ownership be required to be combined to meet the minimum lot size requirements as stated within these land development regulations by considering: (a) the stage of development (developed, undeveloped partially developed); (b) the ownership pattern of the development; (c) whether the health safety and welfare of the public is protected; and (d) whether the density/intensity provisions of the Comprehensive Plan can be met.

If all or part of the lots do not meet the requirements established for lot width and for area, the lands involved shall be considered to be an undivided parcel for the purposes of these land development regulations, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by these land development regulations, not shall any division of any parcel be made which creates a lot with width or area below the requirements stated in these land development regulations.

2.3.2 Non-Conforming Uses of Land. Where, at the effective date of adoption or amendment of these land development regulations, lawful use of land exists which would not be permitted by the regulations imposed by these land development regulations, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:

1. Enlargement, increase, intensification, alteration. No such non-conforming use shall be enlarged, increased, intensified, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of these land development regulations.

2. Movement. No such non-conforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of these land development regulations.

3. Discontinuance. If any such non-conforming use ceases for any reason (except when governmental action impedes access to the premises) for a period of more than six (6) consecutive months, any subsequent use of such land shall conform to the regulations specified by these land development regulations for the district in which such land is located.

4. Structure additions. No structures shall be added on such land, except for the purposes and in a manner conforming to the regulations for the district in which such land is located.

2.3.3 Non-Conforming Structures. Where a structure exists lawfully under these land development regulations at the effective date of their adoption or amendment that could not be built under these land development regulations by reason of restrictions on area, lot coverage, height, yards, location on the lot, or requirements other than use concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. Enlargement or alteration. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;

2. Destruction. Should such non-conforming structure or non-conforming portion of structure be destroyed by any means to an extent of more than fifty percent (50%) of its replacement value at time of destruction, it shall not be reconstructed except in conformity with the provisions of these land development regulations.

3. Movement. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the

regulations for the district in which it is located after it is moved.

2.3.4 Non-Conforming Characteristics of Use. If characteristics of use, such as residential densities, signs, off-street parking or off-street loading, or other matters pertaining to the use of land, structures, and premises are made non-conforming by these land development regulations as adopted or amended, no change shall thereafter be made in such characteristics of use which increases non-conformity with the regulations set out in these land development regulations; provided, however, that changes may be made which do not increase, or which decrease, such non-conformity.

2.3.5 Non-Conforming Use of Structures and Premises. Where a lawful use of a structure, or of a structure and premises in combination, exists at the effective date of adoption or amendment of these land development regulations, that would not be allowed in the district under the terms of these land development regulations, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. Enlargement, extension, alteration, etc. No existing structure devoted to a use not permitted by these land development regulations in the district in which such use is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

2. Extension of use. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the effective date of adoption or amendment of these land development regulations. Any non-conforming use which occupied a portion of a building not originally designed or intended for such use shall not be extended to any other part of the building. No non-conforming use shall be extended to occupy any land outside the building, nor any additional building on the same lot or parcel, not used for such non-conforming use at the effective date of adoption or amendment of these land development regulations.

3. Change in tenancy or ownership. There may be a change in tenancy, ownership, or management of a non-conforming use provided there is no change in the nature or character of such non-conforming use.

4. Change in use. Any non-conforming use of a structure, or of a structure and premises in combination, may be changed to another non-conforming use of the same character, or to a more restricted but non-conforming use, provided that the Board of Adjustment shall find after due public notice and hearing that the proposed use is equally or more appropriate to the district than the existing non-conforming use and that the

relation of the structure to surrounding properties is such that adverse effects on occupants and neighboring properties will not be greater than if the existing non-conforming use is continued. In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the intent and purpose of these land development regulations.

5. Change to conforming use requires future conformity with district regulations. Any structure, or structure and premises in combination, in or on which a non-conforming use is superseded by a permitted use shall thereafter conform to the regulations for the district in which such structure is located, and the non-conforming use shall not thereafter be resumed nor shall any other non-conforming use be permitted.

6. Discontinuance. If any non-conforming use of a structure, or structure and premises in combination, ceases for any reason (except where governmental action impedes access to the premises) for a period of more than six (6) consecutive months, any subsequent use shall conform to the regulations for the district in which the use is located.

7. Structure additions. No structures shall be added on such premises, except for purposes and in a manner conforming to the regulations for the district in which such premises are located.

8. Destruction. Should a structure containing a non-conforming use be destroyed by any means to the extent of more than fifty percent (50%) of its replacement value at the time of destruction, its status as a non-conforming use is terminated and it shall not be reconstructed except in conformity with all provisions of these land development regulations and unless the use of land and structures thereafter conforms to the regulations for the district in which such land is located.

2.3.6 Casual, Temporary, or Illegal Use. The casual, temporary, or illegal use of land or structures, or land and structures in combination, shall not be sufficient to establish the existence of a non-conforming use or to create rights in the continuance of such use.

2.3.7 Uses Under Special Exception Provisions not Non-Conforming Uses.

Any use which is permitted as a special exception in a district under the terms of these land development regulations shall not be deemed a non-conforming use in such district, but shall without further action be deemed a conforming use in such district. However any enlargement or expansion of any such uses shall be subject to the procedures for securing special exceptions (see Section 12.2).

SECTION 2.4. VESTED RIGHTS. In recognition of the fact that certain land development rights of property owners may be vested with respect to the County's Comprehensive Plan, and these land development regulations adopted to implement the Comprehensive Plan, and the requirements for the determination of capacity of public facilities and availability of public facilities (concurrency), this section sets forth a procedure for the determination of vested rights. Any person claiming vested rights to develop property shall make application for a Vested Rights Certificate pursuant to this section, notwithstanding the foregoing, development specifically approved in a Development of Regional Impact development order is vested in accordance with Section 163.3167(8), Florida Statutes (1987), and is exempt from the provisions of this section.

2.4.1 Determination of vested rights.

2.4.1.1 An application for a Vested Rights Certificate shall be approved and a Vested Rights Certificate issued if an applicant has demonstrated rights that are vested under the standards of this section. Possession of a vested Rights Certificate shall enable a permittee to complete the development approved under such certificate up to and through issuance of appropriate certificates of occupancy, subject to the limitation set forth in this section and subject to compliance with such laws and regulations against which the development is not vested.

2.4.1.2 Applications for Vested Rights Special Use Permit may be submitted to the County's Land Development Regulation Administrator prior to the initiation of Zoning Conformance for the area in which the subject property is located.

2.4.1.3 An application for a Vested Rights Certificate shall be filed within one (1) year from the conclusion of the Zoning Conformance public hearing(s) for the subject property. Except as provided in the section, below, failure to file an application within the required period will constitute an abandonment of any claim to vested rights. Judicial relief will not be available unless administrative remedies set forth in the section are exhausted.

2.4.1.4 If a property owner is absent from the state of Florida during the entire filing period, and does not have any agent present in the state during such period, such property owner may, with documentation sufficient to indicate a probable lack of notice, be granted leave by the County Attorney to file an application within one (1) year after the individual's return to the state of Florida.

2.4.1.5 Notwithstanding the provisions of this section the Board of County Commissioners may, in extraordinary circumstances, allow a property owner to submit an application after the one (1) year deadline where such extension is necessary to avoid undue hardship to the property owner.

2.4.2 Standards for Vested Rights.

2.4.2.1 An application for vested rights determination shall be approved if the applicant has demonstrated all of the following:

(a) The applicant:

(1) As to the vesting for the Comprehensive Plan, owned the property proposed for development on March 15, 1990, the effective date of the County's Comprehensive Plan; as to vesting for Concurrency and these land development regulations adopted to implement the Comprehensive Plan, owned the property on October 1, 1990.

(2) Entered into a contract or option to purchase the property on or before such date(s); or

(3) Presents facts such that it would be inequitable, unjust or fundamentally unfair to deny an application for vested rights where the applicant acquired ownership after such date; and

(b) There was a valid, unexpired act of an agency or authority of government upon which the applicant reasonably relied in good faith; and

(c) The applicant, in reliance upon the valid unexpired act of government, has made a change in position or has incurred extensive obligations or expenses; and

(d) It would be inequitable, unjust or fundamentally unfair to destroy the rights acquired by the applicant. In making this determination, the County may consider a number of factors, including but not limited to:

(1) Whether construction or other development activity has commenced and is continuing in good faith.

(2) Whether the expense or obligation incurred cannot be substantially utilized for a development permitted by the County's Comprehensive Plan and these land development regulations.

(e) The following are not considered development expenditures or obligations in and of themselves, without more evidence of actions in reliance, unless the applicant was unable to obtain further approvals because of extraordinary delays, beyond the applicants control:

(1) Expenditures for legal and other professional services that are not related to the design or construction of improvements.

(2) Taxes paid.

(3) Expenditures for initial acquisition of the land.

2.4.3 Presumptive Vesting. Notwithstanding the criteria set forth in this section, possession of a valid, unexpired building permit, certificate of occupancy, preliminary or final plat approval shall presumptively vest the development approved under such permit for the purposes of the Comprehensive Plan if issued prior to March 15, 1990; if issued prior to October 1, 1990, for purposes of these land development regulations adopted to implement the Comprehensive Plan and Concurrency. Possession of an expired permit or approval issued prior to March 15, 1990 for purposes of the Comprehensive Plan, and prior to October 1, 1990 for purposes of these land development regulations, shall vest the development approved under such permit as indicated in this sentence, but shall not vest such development for Concurrency unless the permit or approval expired through no fault of the applicant and would have customarily been extended by the County. Such valid approvals or permits shall, in and of themselves, constitute sufficient evidence of compliance with the standards set forth in this section. Verification of such approvals or permits shall be made by the County Attorney.

Notwithstanding the foregoing, if the County determines that the development proposed in the application would constitute an imminent peril to the public health, safety, or welfare, the application may be denied. Development authorized by the presumptive permit may proceed during the period between application and determination by the County.

2.4.4 Section 380.06 Vested Rights. Developments of regional impact which are authorized under Chapter 380.06, Florida Statutes (1987), pursuant to a valid, unexpired Binding Letter of Vested Rights issued by the state land planning agency, including approved modifications to such Binding Letter of Vested Rights (the "Binding Letter"), shall automatically qualify for a Vested Rights Certificate to be issued upon completion of the procedure set forth below in this paragraph. Such permit shall recognize the vesting of the development as set forth in the Binding Letter for purposes of the Comprehensive Plan, from these land development regulations adopted to implement the Comprehensive Plan and from Concurrency. In lieu of subsection 2.4.5.1, below, such vesting shall continue until development approved in the Binding Letter is complete or until the expiration or invalidation of the Binding Letter, whichever occurs first. Notwithstanding subsection 2.4.5.3, a proposed change to a development vested hereunder shall be reviewed pursuant to the substantial deviation or change criteria provided for in Chapter 380.06, Florida Statutes (1987). Any substantial deviation after March 15, 1990 shall cause those development rights that are the subject of such deviation to become subject to the Comprehensive Plan, these land development regulations and Concurrency. The request for issuance of the Vested Rights Certificate shall consist of the Binding Letter, along with the master plan of development or similar document previously approved by the Board of County Commissioners. Such document shall be provided to the Land Development Regulation Administrator for verification of authenticity. The Land Development Regulation Administrator may require additional documents or materials necessary for the County to determine the extent of development vested and to estimate the capital improvements required by the development.

Submission of the Binding Letter along with the appropriate master plan or similar document and any additional materials required by the Land Development Regulation Administrator shall entitle the applicant to a Vested Rights Certificate, which shall be issued by the Board of County Commissioners upon receipt of verification by the Land Development Regulation Administrator of the authenticity and sufficiency of such submitted documents. Development of Regional Impact scale development which are vested under Section 380.06 and for which a Binding Letter has not been issued shall qualify for a Vested Rights Certificate upon establishment, in accordance with the procedures set forth in these land development regulations, that, prior to July 1, 1973, the County issued a building permit or other authorization to commence development and that in reliance on such permit or other authorization that there has been a change of position as required under the provisions of Section 380.06(20) Vested Rights; provided however, in lieu of the limitation set forth in subsection 2.4.5.1 and 2.4.5.2, such vesting shall continue until such development is complete or until the state land planning agency determines that such development is not entitled to be vested under Section 380.06, whichever occurs first.

2.4.5 Limitation on Determination of Vested Rights

2.4.5.1 All development subject to a Vested Rights Certificate must be consistent with the terms of the development approval(s) upon which the Certificate was based. Any substantial deviation for a prior approval, except a deviation required by governmental action, shall cause the development involved to be subject to the policies and implementing decisions and regulations set forth in the County's Comprehensive Plan, including Concurrency. The County Attorney shall determine whether a proposed change is a substantial deviation in light of the following criteria:

(a) Any change in use or intensity of use that would increase the development's impacts on those public facilities subject to Concurrency by more than five (5) percent.

(b) Any change in access to the project that would increase the development's transportation impacts by more than five (5) percent on any road subject to Concurrency unless the access change would result in an overall improvement to the transportation network.

(c) Except for changes that meet the criteria of (a) or (b) of this subsection, proposed changes shall not cause the development approved under the Vested Rights Certificate to become subject to Concurrency, but to the extent feasible, shall cause such development to become subject to these land development regulations.

The permittee may appeal a substantial deviation determination to the Board of County Commissioners within thirty (30) days of such determination.

2.4.5.2 A Vested Rights Certificate shall apply to the land and is therefore transferrable from owner to owner of the land subject to the Permit.

2.4.5.3 Notwithstanding anything in this section to the contrary, a vested rights determination may be revoked upon a showing by the County of a peril to public health, safety or general welfare of the residents of the County unknown at the time of approval.

2.4.6 Vested Rights Applications. Applications for a determination of vested rights shall be submitted to the Land Development Regulation Administrator on forms provided by the County. The County shall establish a schedule of hearing dates and an application deadline for each respective hearing. The County shall review the application for sufficiency, an insufficient application shall be returned to the applicant for additional information. Upon acceptance by the County, the application shall be assigned a hearing date.

2.4.7 Application Forms. The application for determination of vested rights shall contain information sufficient to permit a determination by the County pursuant to the criteria set forth in this section.

ARTICLE THREE

ADMINISTRATIVE MECHANISMS

ARTICLE THREE. ADMINISTRATIVE MECHANISMS

SECTION 3.1 PLANNING AND ZONING BOARD.

3.1.1 Planning and Zoning Board: Organization

3.1.1.1 Establishment. A Planning and Zoning Board is hereby established for the County.

3.1.1.2 Appointment. The Planning and Zoning Board shall consist of five (5) residents of the County who shall be appointed by the Board of County Commissioners.

The Board of County Commissioners may by resolution designate members of the Planning and Zoning Board to perform the functions of the Board of Adjustment. If the Board of County Commissioners so elects, the terms of office of members of the Planning and Zoning Board shall run concurrently with said members term of office on the Board of Adjustment.

3.1.1.3 Term of office. The term of office shall be concurrent with the terms of office of the Board of County Commissioners.

3.1.1.4 Removal for cause. Members of the Planning and Zoning Board may be removed for cause by the Board of County Commissioners after filing of written charges, a public hearing, and a majority vote of the Board of County Commissioners.

3.1.1.5 Removal for absenteeism. The term of office of any member, of the Planning and Zoning Board who is absent from three (3) consecutive, regularly scheduled meetings of the Planning and Zoning Board, shall be declared vacant by the Board of County Commissioners.

3.1.1.6 Appointments to fill vacancies. Vacancies in Planning and Zoning Board membership shall be filled by appointment by the Board of County Commissioners for the unexpired term of the member affected. It shall be the duty of the Chairman of the Planning and Zoning Board to notify the Board of County Commissioners within ten (10) days after any vacancy shall occur among members of the Planning and Zoning Board.

3.1.2 Planning and Zoning Board: Procedure

3.1.2.1 Rules and regulations. The Planning and Zoning Board shall establish rules and regulations for its own operation not inconsistent with the provisions of applicable State statutes or of these land development regulations. Such rules of procedure shall be available in a written form to persons appearing before the Planning and Zoning Board and to the public.

3.1.2.2 Officers. The Planning and Zoning Board shall elect from within the Board a Chairman, who shall be the presiding member; a Vice Chairman, who shall preside in the Chairman's absence or disqualification. The Land Development Regulation Administrator shall serve as the Secretary for the Planning and Zoning Board. Terms of all elected officers shall be for one (1) year. Elected officers shall serve no more than two (2) consecutive terms in the same position.

3.1.2.3 Meetings and quorum. The Planning and Zoning Board shall meet at regular intervals at the call of the Chairman, at the written request of three (3) or more regular members, or within thirty (30) days after receipt of a matter to be acted upon by the Planning and Zoning Board, provided that the Planning and Zoning Board shall hold a least one (1) regularly scheduled meeting each month, on a day to be scheduled by the Planning and Zoning Board. Three (3) members of the Planning and Zoning Board shall constitute a quorum.

All meetings of the Planning and Zoning Board shall be public. A record of all its resolutions, transactions, findings, and determinations shall be made, which record shall be a public record on file in the office of the Land Development Regulation Administrator.

3.1.2.4 Disqualification of members. If any member of the Planning and Zoning Board shall find that his or her private or personal interests are involved in a matter coming before the Planning and Zoning Board, he or she shall disqualify himself or herself from all participation in that case. No member of the Planning and Zoning Board shall appear before the Planning and Zoning Board as agent or attorney for any person.

3.1.2.5 Decisions. The concurring vote of a majority of the members of the Planning and Zoning Board, who are present and voting, shall be necessary to pass any motion which is considered by the Planning and Zoning Board.

3.1.2.6 Appropriations, fees, and other income. The Board of County Commissioners shall make available to the Planning and Zoning Board such appropriations as it may see fit for expenses necessary in the conduct of Planning and Zoning Board work.

3.1.3 Planning and Zoning Board: Functions, Powers, and Duties: Generally. The functions, powers, and duties of the Planning and Zoning Board in general shall be:

1. To acquire and maintain such information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions. Such information and material may include maps and photographs of man-made and natural physical features of the County, statistics on past trends and present conditions with respect to population, property values, economic base, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the County.

2. To prepare and recommend to the Board of County Commissioners for adoption, and from time to time amend and revise a comprehensive and coordinated general plan (the Comprehensive Plan) for meeting present requirements and such future requirements as may be foreseen.

3. To recommend principles and policies for guiding action affecting development in the County.

4. To prepare and recommend to the Board of County Commissioners ordinances, regulations, and other proposals promoting orderly development along the lines indicated as desirable by the Comprehensive Plan.

5. To determine whether specific proposed developments conform to the principles and requirements of the Comprehensive Plan, especially relating to the management of concurrency requirements as stated within the Comprehensive Plan and these land development regulations.

6. To serve as the County's Historic Preservation Agency to meet the requirements and carry out the policies and responsibilities of the Comprehensive Plan and Article 11 of these land development regulations.

7. To review preliminary plats to determine conformity with the Comprehensive Plan and these land development regulations and make recommendations to the Board of County Commissioners.

8. To conduct an annual review of the County's Capital Improvement Element of the Comprehensive Plan, in conformance with the Procedure for Monitoring and Evaluation of the Capital Improvements Element (see Chapter VIII of the Comprehensive Plan). This review is conducted to ensure that the fiscal resources are available to provide the public facilities needed to support the established level of service standards.

9. To conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the Comprehensive Plan and ordinances, codes, and regulations related to it.

10. To make any necessary special studies on the location, adequacy, and conditions of specific facilities in the County. These may include but are not limited to studies on housing, commercial and industrial conditions and facilities, recreation, public and private utilities, roads and traffic, transportation, parking, and the like.

11. To keep the Board of County Commissioners informed and advised on these matters.

12. To perform such other duties as may be lawfully assigned to it, or which may have bearing on the preparation or implementation of the Comprehensive Plan.

All employees of the County shall, upon request and within a reasonable time, furnish to the Planning and Zoning Board such available records or information as may be required in its work. The Planning and Zoning Board may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized agents or employees of the County, and shall have such other powers as are required for the performance of official functions in carrying out of the purposes of the Planning and Zoning Board.

3.1.4 Planning and Zoning Board: Powers and Duties: Special Exceptions. It is the intent of these land development regulations that all proposed special exceptions shall be heard in the first instance by the Planning and Zoning Board as set out in Articles 12 and 13 of these land development regulations.

3.1.5 Planning and Zoning Board: Powers and Duties: Amendments. It is the intent of these land development regulations that all proposed amendments shall be heard in the first instance by the Planning and Zoning Board as set out in Articles 13 and 16 of these land development regulations.

3.1.6 Planning and Zoning Board: Powers and Duties: Land and Water Fills, Dredging, Excavation, and Mining. It is the intent of these land development regulations that all proposals for land and water fills, dredging, excavation, and mining shall be heard in the first instance by the Planning and Zoning Board as set out in Article 14 of these land development regulations.

3.1.7 Planning and Zoning Board: Powers and Duties: Bulkheads, Docks, Piers, Wharves, and Similar Structures. It is the intent of these land development regulations that all proposals to erect or enlarge bulkheads, docks, piers, wharves, and similar structures shall be heard in the first instance by the Planning and Zoning Board as set out in Article 14 of these land development regulations.

3.1.8 Planning and Zoning Board: Powers and Duties: Temporary Use Permits. It is the intent of these land development regulations that temporary use permits which are issued by the Board of County Commissioners shall be heard in the first instance by the Planning and Zoning Board as set out in Article 14 of these land development regulations

3.1.9 Planning and Zoning Board: Powers and Duties: Site and Development Plans. It is the intent of these land development regulations that all applications for site and development plan approval shall be heard by the Planning and Zoning Board as set out in Article 14 of these land development regulations.

SECTION 3.2 BOARD OF ADJUSTMENT.

3.2.1 Board of Adjustment: Organization.

3.2.1.1 Establishment. A Zoning Board of Adjustment, hereinafter referred to as a Board of Adjustment, is hereby established for the County.

3.2.1.2 Appointment. The Board of Adjustment shall consist of five (5) residents of the County who shall be appointed by the Board of County Commissioners.

The Board of County Commissioners may by resolution designate members of the Board of Adjustment to perform the functions of the Planning and Zoning Board. If the Board of County Commissioners so elects, the terms of office of members of the Planning and Zoning Board shall run concurrently with said members term of office on the Board of Adjustment.

3.2.1.3 Term of office. The term of office shall be concurrent with the terms of office of the Board of County Commissioners.

3.2.1.4 Removal for cause. Members of the Board of Adjustment may be removed for cause by the Board of County Commissioners after filing of written charges, a public hearing, and a majority vote of the Board of County Commissioners.

3.2.1.5 Removal for absenteeism. The term of office of any member of the Board of Adjustment, who is absent from three (3) consecutive, regularly scheduled meetings of the Board of Adjustment, shall be declared vacant by the Board of County Commissioners.

3.2.1.6 Appointments to fill vacancies. Vacancies in Board of Adjustment membership shall be filled by appointment by the Board of County Commissioners for the unexpired term of the member affected. It shall be the duty of the Chairman of the Board of Adjustment to notify the Board of County Commissioners within ten (10) days after any vacancy shall occur among members of the Board of Adjustment.

3.2.2 Board of Adjustment: Procedure.

3.2.2.1 Rules and regulations. The Board of Adjustment shall establish rules and regulations for its own operation not inconsistent with the provisions of applicable State statutes or of these land development regulations. Such rules of procedure shall be available in a written form to persons appearing before the Board of Adjustment and to the public.

3.2.2.2 Offices. The Board of Adjustment shall elect from within the Board a Chairman, who shall be the presiding member; a Vice Chairman, who shall preside in the Chairman's absence or disqualification. The Land Development Regulation Administrator shall serve as the Secretary for the Board of Adjustment. Terms of all elected officers shall be for one (1) year. Elected officers shall serve no more than two (2) consecutive terms in the same position.

3.2.2.3 Meetings and quorum. The Board of Adjustment shall meet at regular intervals at the call of the Chairman, at the written request of three (3) or more regular members, or within thirty (30) days after receipt of a matter to be acted upon by the Board of Adjustment; provided, that the Board shall hold at least one (1) regularly scheduled meeting each month, on a day to be scheduled by the Board of Adjustment. Three (3) members of the Board of Adjustment shall constitute a quorum.

All meetings of the Board of Adjustment shall be public. A record of all its resolutions, transactions, findings, and determinations shall be made, which record shall be a public record on file in the office of the Land Development Regulation Administrator.

3.2.2.4 Disqualification of members. If any member of the Board of Adjustment shall find that his or her private or personal interests are involved in a matter coming before the Board, he or she shall disqualify himself or herself from all participation in that case. No member of the Board of Adjustment shall appear before the Board of Adjustment as agent or attorney for any person.

3.2.3 Board of Adjustment: Powers and Duties: Administrative Review. The Board of Adjustment shall have the power to hear and decide appeals when it is alleged that there is error in any order, requirement, decision, or determination made by the Land Development Regulation Administrator in the enforcement of these land development regulations.

The procedure for taking an appeal for an alleged error in an order, requirement, decision, or determination made by the Land Development Regulation Administrator shall be as set forth in Section 12.2.1 Board of Adjustments- Appeals: How Taken, and in addition any person appealing an alleged error in any order, requirement, decision, or determination made by the Land Development Regulation Administrator shall make such appeal within thirty (30) days after rendition of the order, requirement, decision, or determination appealed to the Board of Adjustment and file such appeal in writing, with supporting facts and data with the Land Development Regulation Administrator.

This provision does not, however, restrict the filing of a request for special exception or variance by any person at any time as provided elsewhere in these land development regulations.

3.2.4 Board of Adjustment: Powers and Duties: Special Exceptions. The Board of Adjustment shall have the power to hear and decide upon appeal in specific cases such special exceptions as the Board of Adjustment is specifically authorized to pass on under the terms of these land development regulations; to decide such questions as are involved in the determination of when special exceptions should be granted; and to grant special exceptions with appropriate conditions and safeguards or to deny special exceptions when not in harmony with the purpose and intent of these land development regulations.

Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which special exception is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations within Article 15.

If the Board of Adjustment shall deny a special exception, it shall state fully in its record its reasons for doing so. Such reasons shall take into account the factors stated in Article 12 of these land development regulations, or such of them as may be applicable to the action of denial, and the particular regulations relating to the specific special exception requested, if any.

The procedure for taking an appeal for a special exception shall be as set forth in Section 12.2, Board of Adjustment: Powers and Duties: Special Exception.

3.2.5 Board of Adjustment: Powers and Duties: Variances. The Board of Adjustment shall have power to authorize upon appeal such variance from the terms of these land development regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these land development regulations will result in unnecessary and undue hardship.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with these land development regulations, including but not limited to, reasonable time limits within which the action for which variance is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these land development regulations.

Under no circumstances shall the Board of Adjustment grant a variance to permit a use not permitted under the terms of these land development regulations in the zoning district involved, or any use expressly or by implication prohibited by the terms of these land development regulations in the zoning district.

No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.

The procedure for taking an appeal for a variance shall be as set forth in Section 12.3 Board of Adjustment: Variances - General.

ARTICLE FOUR

ZONING REGULATIONS

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, (public lands)
ESA-1,2,3,4	Environmentally Sensitive Areas
A-1,2,3,4,5	Agricultural
RR	Rural Residential
RSF-1,2,3	Residential, (Conventional) 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, Multiple Family
O	Office
CN	Commercial, Neighborhood
CG	Commercial, General
CI	Commercial, Intensive
ILW	Industrial, Light and Warehousing
I	Industrial
PRD	Planned Residential Development

4.1.2 OFFICIAL ZONING ATLAS

The land areas subject to these land development regulations are hereby divided into zone districts as set out in this Article above and as shown on the Official Zoning Atlas of the County. 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. The Official Zoning Atlas shall be identified by the signature of the Chairman of Board of County Commissioners and attested by the Clerk of the Circuit Court of the County.

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

No changes of any nature shall be made on the Official Zoning Atlas or matter shown thereon except in conformity with the procedures set forth in these land development regulations.

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

All 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 zoning status of land and water areas prior to such date.

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, a district symbol or name shown within district boundaries on the Official Zoning Atlas indicates that district regulations pertaining to the district extend throughout the whole 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 indicated 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 indicated as approximately following lot lines, public property lines, and the like 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. City or Town Limits. Boundaries indicated as approximately following city or town limits shall be construed as following such city or town limits.

4. Railroad tracks. Boundaries indicated as following railroad tracks shall be construed as being 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 as moving with the change, except where such moving would change the zoning status of a lot or parcel; and in such case, the boundary shall be interpreted in such a manner as to avoid changing the zoning status of any lot or parcel.

6. Body of water. Boundaries indicated as entering any body of water but not continuing to intersection with other zoning boundaries or with the limits of jurisdiction of Board of County Commissioners shall be construed as extending in the direction in which they enter the body of water to intersection with other zoning boundaries or with the limits of jurisdiction of the Board of County Commissioners.

7. Boundaries parallel. Boundaries indicated as parallel to or extensions of features indicated in (1) through (6) above shall be construed as being parallel to or extensions of such features.

8. Measurement of district boundaries. Distances not specifically indicated 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 Lane 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 4.18, 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 or less lot area per dwelling unit;
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 (1) 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 including dedication, condemnation, purchase, and the like. 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 "environmentally sensitive area districts", "zoned environmentally sensitive", "environmentally sensitive zone", or phraseology of similar intent are used in these land development regulations, the phrases shall be construed to include the following districts:

ESA-1,2,3,4	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 districts:

A-1,2,3,4,5	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:

RR	Residential, Rural
RSF-1,2,3	Residential, (Conventional) 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:

RR	Residential, Rural
RSF-1,2,3	Residential, (Conventional) 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, Multiple Family

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

O	Office

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
CI	Commercial, Intensive

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:

ILW	Industrial, Light and Warehousing
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

SECTION 4.2. CONSERVATION DISTRICT

4.2.1 DISTRICTS AND INTENT

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

4.2.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Residential and non-residential uses necessary to manage conservation land uses.

2. Public access.

4.2.3 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.

4.2.4 PROHIBITED USES AND STRUCTURES

1. Residential uses (excepting forestry stations or scientific stations for the study of the natural resources within the conservation district).

2. Any use or structure not specifically, provisionally or by reasonable implication permitted herein or permissible as a special exception.

4.2.5 SPECIAL EXCEPTIONS

1. Essential services, to include and be limited to water, sewer, gas, solid waste disposal, telephone, television, radio, electrical systems (including transmission lines and substations) and telecommunication towers (see Section 4.18.9 for exemption).

2. Recreational activities, such as archery ranges, rifle, shotgun and pistol ranges, campsites and similar uses.

4.2.6 MINIMUM LOT REQUIREMENTS

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

4.2.7 MINIMUM YARD REQUIREMENTS (See Section 4.18.30 for right-of-way setback requirements.)

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and a seventy-five (75) foot natural buffer shall be required from perennial rivers, streams and creeks identified as regionally significant areas within the Comprehensive Plan. The location of any structure shall be prohibited within these buffer areas, although non-intensive resource-based recreation activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.2.8 MINIMUM HEIGHT OF STRUCTURES

Unrestricted.

4.2.9 MINIMUM LOT COVERAGE

None.

4.2.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS

None.

4.2.11 MINIMUM OFFSTREET PARKING REQUIREMENTS

None.

SECTION 4.3. ENVIRONMENTALLY SENSITIVE AREAS

4.3.1 DISTRICTS AND INTENT

The "ESA" category includes four (4) zone districts: ESA-1, 2, 3, 4. Lands in these districts are considered in need of special planning and treatment regarding land development regulation. These are not preservation districts, but land uses permitted within these districts are to provide mitigating measures to protect the natural functions of the County's environmentally sensitive areas as designated within the Comprehensive Plan as regionally significant areas, and with a special emphasis on the planning and treatment of land development within the one-hundred (100) year floodplain of the Suwannee River. These regulations prohibit intensive residential, 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.

4.3.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Agricultural uses subject to the provisions of Section 4.18.32 and silviculture uses operating under best management practices (with the exception of feedlot operations and buildings housing livestock within the one-hundred (100) year floodplain of the Suwannee River).

2. Conventional single family dwellings.

3. Mobile homes.

Note: The uses permitted within this district shall be so located on site so that the development activity will not significantly alter the natural functions of adjacent natural resources.

4.3.3 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.

   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.

4.3.4 PROHIBITED USES AND STRUCTURES

Industrial uses, high intensity agricultural uses within the one-hundred (100) year floodplain of the Suwannee River (i.e. feedlots and buildings housing livestock), private recreational uses and 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. Home occupations.

2. Foster care facilities.

3. Water-dependent resource-based uses .

4. Campgrounds of less than 100 campsites.

5. Radar installations and related facilties.

4.3.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Conventional single family dwellings and mobile homes:

ESA-1	Minimum lot area;	100 acres
	Minimum lot width;	1000 ft.
ESA-2	Minimum lot area;	40 acres
	Minimum lot width;	600 ft.
ESA-3	Minimum lot area;	10 acres
	Minimum lot width;	400 ft.
ESA-4	Minimum lot area;	5 acres
	Minimum lot width	300 ft.

Note: Minimum lot areas for those portions of the area designated as environmentally sensitive which is outside of the 100-year floodplain as designated by the Federal Emergency Management Agency, Flood Insurance Rate Map, shall conform to the following minimum lot requirements :

ESA-1	Minimum lot area;	100 acres
	Minimum lot width;	1000 ft.
ESA-2	Minimum lot area;	40 acres
	Minimum lot width;	600 ft.
ESA-3	Minimum lot area;	5 acres
	Minimum lot width;	300 ft.
ESA-4	Minimum lot area;	2 acres
	Minimum lot width	150 ft.

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

   Minimum lot area; 10 acres
   Minimum lot width; 400 ft.

4.3.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yard) (See Section 4.18.30 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 thirty-five (35) foot natural buffer shall be required for from all wetlands and a seventy-five (75) foot natural buffer shall be required from perennial rivers, streams and creeks. The location of residential, and water-dependent commercial land uses (with the exception of marinas) shall be prohibited within these buffer areas, although non-intensive agriculture, silviculture and public resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.3.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED:

Unrestricted

4.3.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

20%

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

4.3.10 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.

4.3.11 MINIMUM OFFSTREET PARKING REQUIREMENTS

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Group home care facilities: One (1) space for each bedroom.

3. Commercial marinas: one (1) parking space for each slip or berth plus one (1) parking space for each three hundred (300) square feet of gross floor area of any buildings located on the premises.

4.3.12 ADDITIONAL RESTRICTIONS IN ENVIRONMENTALLY SENSITIVE AREAS

Environmentally Sensitive Areas, including wetlands, shall be conserved by prohibiting, where other alternatives for development exist, any development or dredging and filling which would alter the natural function of a wetland.

SECTION 4.4. "A" AGRICULTURAL

4.4.1 DISTRICTS AND INTENT

The "A" Agricultural category includes five (5) zone districts: A-1, A-2, A-3, A-4 and A-5. Lands in these districts are intended to provide for areas primarily consisting of agricultural and residential uses consistent with the areas as designated rural within the County's Comprehensive Plan.

4.4.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. All agricultural activities subject to the provisions of Section 4.18.32 (but 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; provided, that no structure used for housing of animals or any commercial feed lot operation shall be located within three hundred (300) feet of any lot line, and no structure used for housing domestic animals shall be located within one hundred (100) feet of any lot line.

2. The processing, storage, and sale of agricultural products and commodities which are raised on the premises (but not including livestock or poultry slaughterhouses); provided, that no building used for these activities shall be located within three hundred (300) feet of any side or rear lot line.

3. Conventional single family dwellings.

4. Mobile homes.

5. Churches and other houses of worship.

6. Cemeteries and mausoleums.

7. Plant nurseries and greenhouses.

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.

   c. Do not involve operations or structures 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 4.18)

   e. 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

Junk yard or automobile wrecking yard, 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 Sections 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. Livestock auction arenas.

3. Livestock or poultry slaughterhouses; provided, that no building used for these activities shall be located within three hundred (300) feet of any lot line.

4. Sawmills and planing mills; provided, that no building used for these activities shall be located within three hundred (300) feet of any side or rear lot line.

5. Agricultural equipment and related machinery sales.

6. Agricultural feed and grain packaging, blending, storage, and sales.

7. Agricultural fertilizer storage and sales.

8. Agricultural fairs and fairground activities.

9. 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 parks or campgrounds, including day camps; hunting or fishing camps; and similar uses.

10. Riding or boarding stables; provided that no building used for housing of animals shall be located within three hundred (300) feet of any lot line.

11. Drive-in theaters (See Section 4.18 for special design standards).

12. Hospitals, sanitariums, nursing homes, and residential homes for the aged.

13. 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.

14. Group living facilities.

15. Crematories.

16. Airplane landing fields.

17. 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 offstreet pick-up and drop-off of children.

18. Home occupations (see also Article 2.1.99).

19. Public or private schools offering curricula comparable to that of public schools.

20. Public buildings and facilities (unless otherwise specified).

21. Private clubs and lodges.

22. Off-site signs (see also Section 4.18).

23. Solid waste facilities.

24. Foster care facilities.

25. Group home care facilities.

26. Explosives, manufacturing or storage.

27. Flea markets.

28. Paper and pulp manufacturing

29. Radar installations and related facilities.

4.4.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Conventional single family dwellings, mobile homes, and group living facilities:

A-1 Minimum lot area; 100 acres
Minimum lots width; 1000 feet

A-2 Minimum lot area; 40 acres
Minimum lot width; 600 ft.

A-3 Minimum lot area; 10 acres
Minimum lot width; 400 ft.

A-4 Minimum lot area; 5 acres
Minimum lot width; 300 ft.

A-5 Minimum lot area; 2 acres
Minimum lot width; 150 ft.

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

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

4.4.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yard) (See Section 4.18.30 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 thirty-five (35) foot natural buffer shall be required from all wetlands and perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.4.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED:
(see also Section 4.18 for exceptions)

Unrestricted

4.4.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

20%

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

4.4.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

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 OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high school: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

7. Child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

8. Group living facilities: one (1) space for each bedroom.

9. Hospitals: one (1) space for each bed.

10. Sanitariums and nursing homes: one (1) space for each 2 beds.

11. Residential home for the aged: one (1) space for each dwelling unit.

12. Commercial and service establishments (unless otherwise specified): one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

13. Livestock or poultry slaughterhouse; saw mills and planing mills; crematories; agricultural feed and grain packaging, blending, storage and sales; agricultural fertilizer storage and sales: one (1) space for each five hundred (500) sq. ft. of floor area.

14. Livestock auction arenas; agricultural equipment and related machinery sales; agricultural fairs and fairground activities; drive-in theaters; racetracks and speedways; golf and archery ranges; rifle, shotgun, and pistol ranges; commercial kennels; veterinary clinics; and animal shelters: one (1) space for each three hundred fifty (350) sq. ft. of floor area, plus, where applicable, one (1) space for each one thousand (1,000) sq. ft. of lot or ground area outside buildings used for any type of sales, display, or activity.

15. Foster care facilities: two (2) spaces for each dwelling unit.

16. Group home care facilities: one (1) space for each bedroom.

17. For other special exceptions as specified herein: to be determined by findings in the particular case.

SECTION 4.5. "RR" RURAL RESIDENTIAL

4.5.1 DISTRICTS AND INTENT

The "RR" residential category includes one (1) zone district: RR. Lands in this district is intended to provide for areas primarily consisting of low density residential uses and limited agricultural uses within the designated urban development area as defined within the County's Comprehensive Plan.

4.5.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Conventional single family dwellings.

2. Mobile homes.

3. Agricultural activities subject to the provisions of Section 4.18.32 (but not including livestock or poultry slaughterhouses), including the raising of livestock and poultry, the cultivation of field crops and fruits and berries, forestry, apiculture, and similar uses; provided, that no structure used for housing of animals or any commercial feed lot operation shall be located within one-hundred fifty (150) feet of any lot line, and no structure used for housing domestic animals shall be located within one hundred (100) feet of any lot line.

4. The processing, storage, and sale of agricultural products and commodities which are raised on the premises (but not including livestock or poultry slaughterhouses); provided, that no building used for these activities shall be located within one hundred fifty (150) feet of any side or rear lot line.

5. Plant nurseries and greenhouses.

6. Churches and other houses of worship.

4.5.3 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.

   c. Do not involve operations or structures 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 4.18)

   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, livestock or poultry slaughterhouse, saw mills and planing mills and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

4.5.5 SPECIAL EXCEPTIONS
(see also Sections Articles 12 and 13)

1. Riding or boarding stables; provided that no building used for housing of animals shall be located within one hundred fifty (150) feet of any lot line.

2. Hospitals, sanitariums, nursing homes, and residential homes for the aged.

3. Commercial kennels, veterinary clinics, and animal shelters; provided, that no open runs or buildings used for housing of animals shall be located within one hundred fifty (150) feet of any lot line.

4. Group living facilities.

5. 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 offstreet pick-up and drop-off of children.

6. Home occupations (see also Article 2.1.99).

7. Public or private schools offering curricula comparable to that of public schools.

8. Public buildings and facilities (unless otherwise specified).

9. Private clubs and lodges.

10. Off-site signs (see also Section 4.18).

11. Foster care facilities.

12. Group home care facilities.

13. Cemeteries and mausoleums.

14. Crematories.

4.6.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Conventional single family dwellings, mobile homes, and group living facilities:

RR Minimum lot area; 1 acre
Minimum lots width; 100 feet

2. All other permitted or permissible 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 4.18.30 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 thirty-five (35) foot natural buffer shall be required from all wetlands and perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.5.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED:
(see also Section 4.18 for exceptions)

Unrestricted

4.5.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

20%

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

4.5.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

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 OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high school: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

7. Child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

8. Group living facilities: one (1) space for each bedroom.

9. Hospitals: one (1) space for each bed.

10. Sanitariums and nursing homes: one (1) space for each 2 beds.

11. Residential home for the aged: one (1) space for each dwelling unit.

12. Foster care facilities: two (2) spaces for each dwelling unit.

13. Group home care facilities: one (1) space for each bedroom.

14. For other special exceptions as specified herein: to be determined by findings in the particular case.

SECTION 4.6 "RSF" RESIDENTIAL, (CONVENTIONAL) SINGLE FAMILY

4.6.1 DISTRICTS AND INTENT

The "RSF" Residential, (Conventional) 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 conventional single family areas of 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 within the designated urban development area as defined within the County's Comprehensive Plan. 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. Conventional single family dwellings.

2. Public parks and recreational areas.

4.6.3 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.

   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.

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 4.18).

4.6.4 PROHIBITED USES AND STRUCTURES

Trade or service establishments or storage in connection with such establishments, storage or overnight parking of commercial or industrial vehicles in excess of one (1) ton capacity, storage of building materials (except in connection with active construction activities on the premises), new mobile homes except as permitted in Section 4.10.2 and 14.18.15, signs except as specifically permitted, the keeping of horses, cows, swine, sheep, goats, or poultry, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

4.6.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Public or 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 Article 2.1.99).

9. 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 offstreet pick-up and drop-off of children.

10. Foster care facilities.

11. Commercial greenhouses and plant nurseries.

12. Duplexes in RSF-2 and RSF-3.

4.6.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Conventional single family dwellings:

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 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 are available and accessible.

2. Duplexes:

Minimum lot area; 10,000 sq. ft.
Minimum lot width; 85 ft.
Note: Duplexes shall only be permitted where community water systems are available and accessible.

3. Other permitted or permissible 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 4.18.30 for right-of-way setback requirements.)

1. Conventional single family dwellings:

RSF-1: Front; 30 ft.
Side; 15 ft. for each side yard.
Rear; 15 ft.

Conventional single family dwellings and duplexes:

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

RSF-3: Front; 20 ft.
Side; 10 ft. for each side yard.
Rear; 15 ft.

2. Public and private schools, child care centers, churches, other houses of worship, private clubs and lodges, and other all permitted or permissible 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 perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.6.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED:
(see also Section 4.18 for exceptions)

=35 ft.

4.6.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

1. Conventional single family dwellings and duplexes, including their accessory buildings: 40%

2. Other permitted buildings in connection with permitted or permissible uses, including their accessory buildings: 35%

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

4.6.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

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 or permissible uses (unless otherwise specified):

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

4.6.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high school: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

7. Childcare centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

8. Foster care facilities: two (2) spaces for each dwelling unit.

9. Commercial greenhouses and plant nurseries: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

10. For other special exceptions as specified herein: to be determined by findings in the particular case.

SECTION 4.6 "RSF/MH" RESIDENTIAL, (MIXED) SINGLE FAMILY/MOBILE HOME

4.6.1 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 low to medium density for conventional single family dwellings and individual mobile homes within designated urban areas as defined within the County's Comprehensive Plan. 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.

The minimum size for a single family, mobile home district shall be ten (10) acres in order to avoid spotty development and the intermixing of single-family/mobile home districts in conventional single-family areas. Variation among the RSF-MH-1, RSF-MH-2 and RSF-MH-3 districts is in the requirements for lot area, width and certain yards.

4.6.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Conventional single family dwellings.

2. Mobile home dwellings.

3. Public parks and recreational areas.

4.6.3 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.

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. On-site signs (see Section 4.18).

4.6.4 PROHIBITED USES AND STRUCTURES

Trade or service establishments or storage in connection with such establishments, storage or overnight parking of commercial or industrial vehicles in excess of one (1) ton capacity, storage of building materials (except in connection with active construction activities on the premises), mobile home parks, signs except as specifically permitted, the keeping of horses, cows, swine, sheep, goats, or poultry, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

4.6.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Public or 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.

8. Home occupations (see Article 2.1.99).

9. 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 offstreet pick-up and drop-off of children.

10. Foster care facilities.

11. Commercial greenhouses and plant nurseries.

12. Duplexes in RSF-MH-2 and RSF-MH-3 districts.

4.6.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Conventional single family dwellings and mobile homes:

   Minimum site area for single family/mobile home district; 10 acres.

   RSF/MH-1: Minimum site area for residential (mixed) single family/mobile home district; 10 acres.

   Minimum lot area; 20,000 sq. ft.
   Minimum lot width; 100 ft.

   RSF/MH-2: Minimum site area for residential (mixed) single family/mobile home district; 10 acres.

   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 are available and accessible.

   RSF/MH-3: Minimum site area for residential (mixed) single family/mobile home district; 10 acres.

   Minimum lot area; 7,500 sq. ft.
   Minimum lot width; 50 ft.

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

2. Duplexes:

   Minimum lot area; 10,000 sq. ft.
   Minimum lot width; 85 ft.

   Note: Duplexes shall only be permitted where community water systems are available and accessible.

3. Other permitted or permissible 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 rear yard, width of side of yards) (See Section 4.18.30 for right-of-way setback requirements.)

1. Conventional single family dwellings and mobile homes:

RSF/MH-1: Front; 30 ft.
Side; 15 ft. for each side yard
Rear; 15 ft.

2. Conventional single family dwellings, mobile homes and duplexes:

RSF/MH-2: Front; 25 ft.
Side; 10 ft. for each side yard
Rear: 15 ft.

RSF/MH-3: Front; 20 ft.
Side; 10 ft. for each side yard.
Rear; 15 ft.

3. Public and private schools, child care centers, churches, other houses of worship, private clubs and lodges, and all other permissible 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 perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.6.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED (see also Section 4.18 for exceptions)

35 ft.

4.6.9 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 or permissible uses, including their accessory buildings: 35%.

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

4.6.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

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 10 ft. in width along the affected rear and/or side yards as the case may be.

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

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

4.6.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high schools: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Childcare centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

7. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

8. Foster care facilities: two (2) spaces for each dwelling unit.

9. Commercial greenhouses and plant nurseries: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

10. For other special exceptions as specified herein: to be determined by findings in the particular case.

4.6.12 ADDITIONAL REQUIREMENTS FOR MOBILE HOMES

1. Anchoring. 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.

   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 from the mobile home unless that portion of the mobile home is permanently attached in such a manner that it cannot be readily be removed therefrom.

2. Skirting. A skirt or apron which is continually and properly maintained shall surround each mobile home between the bottom of the unit and the ground. This skirt shall be continually and properly maintained by the owner of the mobile home.

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 within the designated urban development area, as defined within the County's Comprehensive Plan. Non-residential uses in these districts may be subject to restrictions and requirements necessary to protect the residential character of these districts.

The minimum size for a mobile home subdivision zone shall be ten (10) acres in order to avoid spotty development and the intermixing of conventional single family areas and mobile home subdivision areas. Variation among the RMH-1, RMH-2 and RMH-3 districts is in requirements for lot area, width, and certain yards.

4.8.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Mobile homes.

2. Public parks and recreational areas.

4.8.3 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.

   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. On-site signs (see Section 4.18).

4.8.4 PROHIBITED USES AND STRUCTURES

Trade or service establishments or storage in connection with such establishments, storage or overnight parking of commercial or industrial vehicles in excess of one (1) ton capacity, storage of building materials (except in connection with active construction activities on the premises), new conventional single family dwelling units, mobile home parks, signs except as specifically permitted, the keeping of horses, cows, swine, sheep, goats, or poultry, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

4.8.5 SPECIAL EXCEPTIONS
(See also Articles 12 and 13)

1. Public or 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 2.1).

9. 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 offstreet pick-up and drop-off of children.

10. Foster care facilities.

11. Commercial greenhouses and plant nurseries.

4.8.6 MINIMUM LOT REQUIREMENTS (areas, width)

1. Mobile homes:

RMH-1:
Minimum site area for mobile home subdivision; 10 acres.
Minimum lot area; 20,000 sq. ft.
Minimum lot width; 100 ft.

RMH-2:
Minimum site area for mobile home subdivision; 10 acres.
Minimum lot area; 10,000 sq. ft.
Minimum lot width; 85 ft.
Note: RMH-2 districts shall only be permitted where a community water system is available and accessible.

RMH-3:
Minimum site are for mobile home subdivision; 10 acres.
Minimum lot area; 7,500 sq. ft.
Minimum lot width; 50 ft.
Note: RMH-3 districts shall only be permitted where a community water system is available and accessible.

2. Other permitted or permissible 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 4.18.30 for right-of-way setback requirements.)

1. Mobile homes:

RMH-1: Front; 30 ft.
Side; 15 ft. for each side yard.
Rear; 15 ft.

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

RMH-3: Front; 20 ft.
Side; 10 ft. for each side yard
Rear; 15 ft.

2. Public and private schools, child care centers, churches, other houses of worship, private clubs and lodges, and all other permitted or permissible 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 perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.8.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED
(see also Section 4.18 for exceptions)

35 ft.

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 or permissible uses, including their accessory buildings: 35%.

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

4.8.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

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 be not less than ten (10) ft. in width along the affected rear and/or side yards as the case may be.

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

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

4.8.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high schools: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

7. Child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

8. Foster care facilities: two (2) spaces for each dwelling unit.

9. Commercial greenhouses and plat nurseries: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

10. For other special exceptions as specified herein: to be determined by findings in the particular case.

4.8.12 ADDITIONAL REQUIREMENTS FOR MOBILE HOMES

1. Anchoring. 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. 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 from the mobile home unless that portion of the mobile home is permanently attached in such a manner that it cannot readily be removed therefrom.

2. Skirting. A skirt or apron which is continually and properly maintained 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.

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 within designated urban development areas, as defined within the County's Comprehensive Plan. This is a high 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, and not a commercial district. The minimum size for a mobile home park shall be five (5) 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 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.

   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. 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 4.18).

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 or overnight parking of commercial or industrial vehicles in excess of one (1) ton capacity, storage of building materials (except in connection with active construction activities on the premises), signs except as specifically permitted, the keeping of horses, cows, swine, sheep, goats, or poultry, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

4.9.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Public or 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 or mausoleums.

5. Private clubs and lodges.

6. Public parks; 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 Article 2.1.99).

9. Child care centers, provided:

   a. No outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.

   b. Provision is made for areas for offstreet pick-up and drop-off of children.

4.9.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Mobile home parks:

   Site requirements:
   Minimum site area; 5 acres.
   Minimum site width; 100 ft.
   Minimum land area per dwelling unit; 5,445 sq.ft. (Density; 8 dwelling units per acre).

   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 or permissible 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 4.18.30 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.

   A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas subject to best management practices.

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

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

4.9.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED (see also Section 4.18 for exceptions)

35 ft.

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 or permissible uses, including their accessory buildings: 35%.

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

4.9.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS (see also Section 4.18)

1. Mobile home parks:

   Where a use under (1) 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. Churches, other houses of worship, private clubs and lodges, 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 along the affected rear and/or side yards as the case may be.

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

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

4.9.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high schools: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

7. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

8. For other special exceptions as specified herein: to be determined by findings in the particular case.

4.9.12 ADDITIONAL REQUIREMENTS FOR MOBILE HOME PARKS

1. Mobile home stands. The following requirements shall be met:

   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 Board of County Commissioners.

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, MULTIPLE FAMILY

4.10.1 DISTRICTS AND INTENT

The "RMF" Residential, Multiple 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 to high density within designated urban development areas as defined within the County's Comprehensive Plan and only when community potable water 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 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).

4.10.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Conventional single family dwellings.

2. Duplex dwellings.

3. Multiple family dwellings.

4. Public parks and recreational areas.

For uses under (3) above: Site and development plan approval is required for multiple family developments consisting of five (5) or more dwellings or two (2) or more separate buildings (see Article 14).

4.10.3 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.

   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 multiple family dwellings: administrative/management offices for the multiple family complex and recreational and laundry facilities intended for use solely by the residents of the multiple family complex and their guests.

   e. On-site signs (see Section 4.18).

4.10.4 PROHIBITED USES AND STRUCTURES

Trade or service establishments or storage in connection with such establishments, storage or overnight parking of commercial or industrial vehicles, in excess of one (1) ton capacity, storage of building materials (except in connection with active construction activities on the premises), signs except as specifically permitted, the keeping of horses, cows, swine, sheep, goats, or poultry, and any use or structure not specifically, provisionally, or by reasonable implication permitted herein or permissible as a special exception.

4.10.5 SPECIAL EXCEPTIONS
(See also Articles 12 and 13)

1. Public or 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 Article 2.1.99).

9. Child care centers, provided:

   a. No outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.

   b. Provision is made for areas for offstreet pick-up and drop-off of children.

10. Group living facilities.

11. Nursing homes and residential homes for the aged.

12. Foster care facilities.

13. Group home care facilities.

4.10.6 MINIMUM LOT REQUIREMENTS (area, width)

1. Conventional 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. Multiple 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 per acre).
   RMF-2: 2,178 sq. ft. (Density; 20 dwelling units per acre).

4. Other permitted or permissible 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 4.18.30 for right-of-way setback requirements.)

1. Conventional single family dwellings, mobile homes, and duplexes:

   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 perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas subject to best management practices.

2. Multiple 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 multiple family structures are located together on one (1) site, no detached residential structure shall be closer than twenty (20) ft. to another.

3. Public and private 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 or permissible 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 PORTION SHALL EXCEED (see also Section 4.18 for exceptions)

45 ft.

4.10.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

1. Conventional single family dwellings, including their accessory buildings: 40%

2. Duplexes and multiple family development, including their accessory buildings: 40%

3. Other permitted buildings in connection with permitted or permissible uses, including their accessory buildings: 35%

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

4.10.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

1. In the RMF-2 district only, multiple 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, 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 along the affected rear and/or side yards as the case may be.

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

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

4.10.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Each residential dwelling unit: two (2) spaces for each dwelling unit.

2. Elementary and junior high schools: two (2) spaces for each classroom or office room, plus one (1) space for each three (3) seats in any auditorium or gymnasium.

3. Senior high schools: four (4) spaces for each classroom or office room, plus two (2) spaces for each three (3) seats in any auditorium or gymnasium.

4. Churches or other houses of worship: one (1) space for each six (6) permanent seats in the main auditorium.

5. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

6. Child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

7. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

8. Group living facilities: one (1) space for each bedroom.

9. Nursing homes: one (1) space for each two (2) beds.

10. Residential homes for the aged: one (1) space for each dwelling unit.

11. Foster care facilities: two (2) spaces for each dwelling unit.

12. Group home care facilities: two (2) spaces for each dwelling unit.

13. For other special exceptions as specified herein: to be determined by findings in the particular case.

SECTION 4.11. "O' OFFICE

4.11.1 DISTRICTS AND INTENT

The "O" Office category includes one zone district: O. This district is intended for business and professional offices, banks and financial institutions, and public and semi-public buildings and facilities and accessory structures as may be desirable with such development, as well as surrounding development. This district is not to be deemed a commercial district and shall be located within designated urban development areas as defined by the County's Comprehensive Plan.

4.11.2. PERMITTED PRINCIPAL USES AND STRUCTURES

1. Medical and dental offices, clinics, and laboratories.

2. Business and professional offices.

3. Banks and financial institutions.

4. Residential dwelling units which existed within this district on the date of adoption or amendment of these zoning regulations.

For uses under (1), (2), and (3) above with one (1) acre or more of land or twenty thousand (20,000) square feet of building floor area, site and development plan approval is required (see Section 14.11).

4.11.3 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.

   c. Do not involve operations or structures not in keeping with the character of the district.

2. On-site signs (see also Section 4.18.22).

3. On the same premises and in conjunction with permitted principal uses and structures, dwelling units only for occupancy by owners or employees thereof.

4.11.4 PROHIBITS USES AND STRUCTURES

Any use or structure not specifically, provisionally or by reasonable implication permitted herein or permissible by special exception, including the following which are listed for emphasis:

1. New residential uses, except as specified under 0 accessory uses.

2. Sales, display, or outside storage of goods or merchandise.

3. Restaurants.

4. Automotive service stations and car washes.

5. Bars, cocktail lounges, taverns, and package store for sale of alcoholic beverages.

6. Off-site signs.

4.11.5. SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Public or private schools offering curricula comparable to that of public schools.

2. Parks maintained by any private association of persons residing in the district.

3. Public buildings and facilities, except those otherwise specified.

4. Art galleries, community or little theaters (but not moving picture theaters or drive-in movies).

5. Private clubs and lodges.

6. Churches and other houses of worship.

7. Funeral homes without crematories.

8. Hospitals, nursing homes, and residential homes for the aged.

9. Home occupations (see Section 2.1).

10. Professional, business, and technical schools, provided all activities are conducted in completely enclosed buildings.

11. 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 offstreet pick-up and drop-off of children.

12. Recovery homes.

13. Residential treatment facilities.

14. Pharmacies.

4.11.6. MINIMUM LOT REQUIREMENTS (area, width)

1. Permitted or permissible uses and structures:

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

4.11.7. MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards) (See Section 4.18.30 for right-of-way setback requirements).

1. Public and private schools, child care centers, overnight child care centers, churches and other houses of worship, private clubs and lodges, nursing homes, residential homes for the aged, public buildings, and facilities (unless otherwise specified):

   Front; 35 ft.
   Side; 25 ft.
   Rear; 35 ft.

2. Medical and dental offices, clinics, and laboratories; hospitals; business and professional offices; banks and financial institutions; and all other permitted or permissible uses unless otherwise specified:

   Front; 30 ft.
   Side; 20 ft. for each side yard.
   Rear; 20 ft.

   Special provisions; As a minimum, no less than 1/2 the depth of any required front yard shall be maintained as a landscaped areas; the remainder may be used for offstreet parking, but not for buildings.

The depth of this landscaped area 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. This landscaped area may be penetrated at right angles by driveways.

A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and perennial rivers, streams and creeks. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

3. Existing conventional single family dwellings and duplexes:

   Front; 20 ft.
   Side; 10 ft. for each side yard.
   Rear; 15 ft.

4. Existing multiple family dwellings: (to be applied to site perimeters).

   Front; 30 ft.
   Side; 15 ft. for each side yard.
   Rear; 20 ft.
   Special provisions; Where 2 or more multiple family structures are located together on one side, no detached residential structure shall be closer than 20 ft. to another.

4.11.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED
(see also Section 4.18)

35 ft.

4.11.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

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

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

4.11.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

1. All permitted or permissible 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) feet in width along the affected rear and/or side yards as the case may be.

2. Public schools and existing residential dwelling units:

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

4.11.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Medical or dental offices, clinics, and laboratories: 1 space for each 150 sq. ft. of floor area.

2. Business and professional offices: 1 space for each 200 sq.ft. of floor area.

3. Banks and financial institutions: 1 space for each 150 sq. ft. of non-storage floor area.

4. Public buildings and facilities (unless otherwise specified): 1 space for each 200 sq. ft. of floor area.

5. Art galleries: 1 space for each 300 sq. ft. of floor area.

6. Community or little theaters: 1 space for each 4 seats.

7. Dance, art, and music studios: 1 space for each 350 sq. ft. of floor area.

8. Private clubs and lodges: 1 space for each 300 sq. ft. of floor area.

9. Churches and other houses of worship: 1 space for each 6 permanent seats in the main auditorium.

10. Funeral homes: 1 space for each 3 seats in chapel.

11. Elementary and junior high schools: 2 spaces for each classroom or office room, plus 1 space for each 3 seats in any auditorium or gymnasium.

12. Senior high school: 4 spaces for each classroom or office room, plus 2 spaces for each 3 seats in any auditorium or gymnasium.

13. Professional, business, and technical schools: 1 space for each 200 sq. ft. of floor area.

14. Hospitals: 2 space for each bed.

15. Nursing homes: 1 space for each 2 beds.

16. Child care centers and overnight child care centers: 1 space for each 300 sq. ft. of floor area devoted to child care activities.

17. Group living facilities: 1 space for each bedroom.

18. Residential homes for the aged: 1 space for each dwelling unit.

19. Foster care facilities: 2 spaces for each dwelling unit.

20. Group home facilities: 1 space for each bedroom.

21. Recovery homes: 1 space for each bedroom.

22. Residential treatment facilities: 1 space for each bed.

23. Pharmacies: 1 space for each 150 sq. ft. of non-storage floor area.

24. For other special exceptions as specified herein: to be determined by findings in the particular case.

SECTION 4.12. "CN" COMMERCIAL, NEIGHBORHOOD

4.12.1 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) within both rural and designated urban development areas as defined within the County's Comprehensive Plan. 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 should be located on a collector or arterial road.

4.12.2 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 station.

The above uses are subject to the following limitations: (1) floor area of each individual outlet or establishment shall not exceed ten thousand (10,000) sq. ft.; (2) sale, display, preparation, and storage to be conducted within a completely enclosed building, and no more than twenty percent (20%) of floor area to be devoted to storage; (3) products to be sold only at retail; and (4) site and development plan approval is required for all developments (see Article 14).

4.12.3 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 4.18)

3. 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.

4.12.4 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.

4.12.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Automotive service stations (see Section 4.18 for special design standards for automotive service stations).

2. 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 offstreet pick-up and drop-off of children.

3. Off-site signs.

4.12.6 MINIMUM LOT REQUIREMENTS (area, width)

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

4.12.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards) (See Section 4.18.30 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 perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas subject to best management practices. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.12.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED
(see also Section 4.18 for exceptions)

35 ft.

4.12.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

40%

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

4.12.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

1. All permitted or permissible 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.

4.12.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Commercial and service establishments (unless otherwise specified): one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

2. Childcare centers and overnight child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

3. Each residential dwelling unit: two (2) spaces for each dwelling unit.

Note: Offstreet loading required (see Section 4.18)

SECTION 4.13. "CG" COMMERCIAL, GENERAL

4.13.1 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 CG and 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. This district is not suitable for highly automotive-oriented uses and shall be located within designated urban development areas as defined by the County's Comprehensive Plan.

4.13.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Retail commercial outlets for sale of food, 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 and radio (including repair incidental to sales), florist or gift shop, delicatessen, bake shop (but not wholesale bakery), drugs, 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 in completely enclosed buildings, and similar uses.

3. Service establishments such as barber or beauty shop, shoe repair shop, restaurant, 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, and similar uses.

4. Service establishments such as radio or television station (but not television or radio towers or antennae); funeral home, radio and television 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. Public buildings and facilities, except those otherwise specified.

9. Banks and financial institutions.

10. Professional, business, and technical schools.

11. Commercial recreational facilities in completely enclosed, soundproof buildings, such as indoor motion picture theater, community or little theater, billiard parlor, bowling alley, and similar uses.

12. Hotels and motels.

13. Dry cleaning and laundry package plants in completely enclosed buildings using non-flammable liquids such as perchlorethylene and with no odor, fumes, or steam detectable to normal senses from off the premises.

14. Residential dwelling units, which existed within this district on the date of adoption or amendment of these land development regulations.

15. Churches and other houses of worship.

16. Art galleries.

17. Private clubs and lodges.

18. Miscellaneous uses such as telephone exchange and commercial parking lots and parking garages.

19. Recovery homes.

20. Residential treatment facilities.

Unless otherwise specified, the above uses are subject to the following limitations: (1) sale, display, preparation, and storage to be conducted within a completely enclosed building, and no more than thirty percent (30%) of floor space to be devoted to storage; (2) products to be sold only at retail; and (3) site and development plan approval (see Article 14) is required for the following uses:

1. All commercial developments.

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 Section 4.18).

4.13.4 PROHIBITED USES AND STRUCTURES

1. Manufacturing activities, except as specifically permitted or permissible.

2. Warehousing or storage, except in connection with a permitted or permissible use.

3. Off-site signs.

4. Retail commercial outlets for sale of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, heavy machinery and equipment, lumber and building supplies, and monuments.

5. Motor vehicle body shop.

6. Any other uses or structures not specifically, provisionally, or by reasonable implication permitted herein. Any use which is potentially dangerous, noxious, or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, radiation, or likely for other reasons to be incompatible with the character of the district. Performance standards apply (see Section 4.18.20).

4.13.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Automotive service stations (see Section 4.18.6 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.

   b. Provision is made for areas for offstreet pick-up and drop-off of children.

4.13.6 MINIMUM LOT REQUIREMENTS (area, width)

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

   Minimum lot area; None.

   Minimum lot width; None.

4.13.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards) (See Section 4.18.30 for right-of-way setback requirements.)

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

   Front; 20 ft.
   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 all wetlands and perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.13.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED
(see also Section 4.18 for exceptions)

35 ft.

4.13.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

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

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

4.13.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

1. All permitted or permissible 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 along the affected rear and/or side yards as the case may be.

2. Existing conventional single-family dwellings and mobile homes:

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

4.13.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Commercial and service establishments (unless otherwise specified): one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

2. Commercial establishments selling home furnishings and major appliances, and office equipment and furniture: one (1) space for each five hundred (500) sq. ft. of non-storage floor area.

3. Restaurants, cocktail lounges, bars, and taverns: one (1) space for each three (3) seats in public rooms.

4. Funeral homes: one (1) space for each three (3) seats in the chapel.

5. Medical or dental offices, clinics, or laboratories: one (1) space for each one hundred fifty (150) sq. ft. of floor area.

6. Business and professional offices: one (1) space for each two hundred (200) sq. ft. of floor area.

7. Newspaper office: one (1) space for each three hundred fifty (350) sq. ft. of floor area.

8. Public buildings and facilities (unless otherwise specified): one (1) space for each two hundred (200) sq. ft. of floor area.

9. Banks and financial institutions: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

10. Professional, business, and technical schools: one (1) space for each two hundred (200) sq. ft. of floor area.

11. Community and little theaters, indoor motion picture theaters: one (1) space for each four (4) seats.

12. Hotels and motels: one (1) space for each sleeping room, plus two (2) spaces for the owner or manager, plus required number of spaces for each accessory use such as restaurant, bar, etc. as specified.

13. Dry cleaning and laundry package plants: one (1) space for each one hundred fifty (150) sq. ft. of non-storage floor area.

14. Each residential dwelling unit: two (2) spaces for each dwelling unit.

15. Churches and houses of worship: one (1) space for each six (6) permanent seats in main auditorium.

16. Art galleries: one (1) space for each three hundred (300) sq. ft. of floor area.

17. Dance, art, and music studios: one (1) space for each three hundred fifty (350) sq. ft. of floor area.

18. Private clubs and lodges: one (1) space for each three hundred (300) sq. ft. of floor area.

19. Hospitals: one (1) space for each bed.

20. Nursing homes: one (1) space for each three (3) beds.

21. Telephone exchange, motor bus or other transportation terminals: one (1) space for each three hundred fifty (350) sq. ft. of floor area.

22. Childcare centers and overnight child care centers: one (1) space for each three hundred (300) sq. ft. of floor area devoted to child care activities.

23. For other special exceptions as specified herein: to be determined by findings in the particular case.

Note: Offstreet loading required (see Section 4.18).

SECTION 4.14. "CI" COMMERCIAL, INTENSIVE

4.14.1 DISTRICTS AND INTENT

The "CI" Commercial, Intensive category includes one (1) zone district: CI. This district is intended for intensive, highly automotive-oriented uses that require a conspicuous and accessible location convenient to streets carrying large volumes of traffic and shall be located within designated urban development areas as defined within the County's Comprehensive Plan. Such activities generally require large land areas, do not cater directly in appreciable degree to pedestrians, and require ample offstreet parking and offstreet loading space. This district permits certain uses not of a neighborhood or general commercial type and serves the entire County.

4.14.2 PERMITTED PRINCIPAL USES AND STRUCTURES

As for CG, and in addition:

1. Retail commercial outlets for sale of new and used automobiles, motorcycles, trucks and tractors, mobile homes, boats, heavy machinery and equipment, dairy supplies, feed, fertilizer, lumber and building supplies, monuments, and outdoor retail commercial display areas associated with sale of said items.

2. 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, 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.

3. Commercial recreation facilities such as drive-in theater (see Section 4.18), golf driving range, miniature golf course, skating rink, skateboard arena, go-cart track, and similar uses.

4. Palmist, astrologist, psychics, clairvoyants, and phrenologists.

5. Miscellaneous uses such as express or parcel delivery office, motor bus or other transportation terminal.

6. Wholesaling from sample stocks only, providing no manufacturing or storage for distribution is permitted on the premises.

Site and development plan approval (see Article 14) is required for the following uses:

1. All commercial developments.

4.14.3 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 4.18).

3. Outdoor storage yard in connection with permitted or permissible use only; provided, this provision shall not permit wrecking yards (including automobile wrecking yard), 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.

4.14.4 PROHIBITED USES AND STRUCTURES

1. Manufacturing activities, except as specifically permitted or permissible.

2. Any other uses or structures not specifically, provisionally, or by reasonable implication permitted herein. Any use which is potentially dangerous, noxious, or offensive to neighboring uses in the district or to those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio or television reception, radiation, or likely for other reasons to be incompatible with the character of the district. Performance standards apply (see Section 4.18.20)

4.14.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Wholesale, warehouse, or storage use in completely enclosed buildings. However, bulk storage of flammable liquids is not permitted.

2. Package store for sale of alcoholic beverages, bar, tavern, or cocktail lounge.

3. Off-site signs (see also Section 4.18).

4. Truck stops and automotive service stations (see Section 4.18 for special design standards for automotive service stations).

5. Service establishments such as crematory.

6. Agricultural fairs and fairground activities, livestock auction arenas.

7. Commercial tourist attractions.

8. Building trades contractor with on premises storage yard for materials and equipment.

4.14.6 MINIMUM LOT REQUIREMENTS (area, width)

1. All permitted or permissible 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 yard) (See Section 4.18.30 for right-of-way setback requirements.)

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

    Front; 20 ft.
    Side; None, except where a side yard is provided, then aside yard of at least ten (10) ft. must be provided.
    Rear; 15 ft.

Special Provisions: A minimum thirty-five (35) foot natural buffer shall be required from all wetlands and perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas subject to best management practices. For all uses other than single-family residential, agricultural and silvicultural

adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.14.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED
(see also Section 4.18 for exceptions)

35 ft.

4.14.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

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

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

4.14.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

1. All permitted or permissible 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 10 ft. in width along the affected rear and/ or side yards as the case may be.

4.14.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. For uses specifically listed under CG: As for CG OFFSTREET PARKING REQUIREMENTS.

2. Commercial or service establishments (unless otherwise specified); agricultural fairs and fairgrounds; livestock auction arena: one (1) space for each three hundred fifty (350) sq. ft. of floor area, plus, where applicable, one (1) space for each one thousand (1,000) sq. ft. of lot or ground area outside buildings used for any type of sales, display, or activity.

3. Express or parcel delivery office, motor bus or other transportation terminal: one (1) space for each three hundred fifty (350) sq. ft. of floor area.

4. Palmist, astrologist, psychics, clairvoyants, and phrenologist: one (1) space for each two hundred (200) sq. ft. of floor area.

5. Wholesale establishments: one (1) space for each five hundred (500) sq. ft. of floor area.

6. Warehouse or storage use only: one (1) space for each one thousand five hundred (1,500) sq. ft. of floor area.
7. Each existing residential dwelling unit: two (2) spaces for each dwelling unit.

Note: Offstreet loading required (see Section 4.18).

SECTION 4.15. "ILW" INDUSTRIAL, LIGHT AND WAREHOUSING

4.15.1 DISTRICTS AND INTENT

The "ILW" Industrial, Light and Warehousing category includes one (1) zone district: ILW. This district is intended for light manufacturing, processing, storage and warehousing, wholesaling, and distribution within the designated urban development areas defined within the County's Comprehensive Plan. Service and commercial activities relating to the character of the district and supporting its activities are permitted. Certain commercial uses relating to automotive and heavy equipment sales and repair are permitted, but this district is not to be deemed commercial in character. Regulations are intended to prevent or reduce friction between uses in this district and also to protect nearby residential and commercial districts. Performance standards are applied at lot lines (see Article 14).

4.15.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Wholesaling, warehousing, storage, or distribution establishments and similar uses.

2. Research laboratories and activities in completely enclosed buildings.

3. Light manufacturing, assembling, processing (including food processing, but not slaughter house), packaging, or fabricating in completely enclosed building.

4. Printing, lithographing, publishing, photographic processing, blue printing, or similar establishments.

5. 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.

6. 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.

7. 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.

8. Service establishments such as crematory.

9. Vocational, technical, trade, or industrial schools and similar uses.

10. Medical clinic in connection only with industrial activity.

11. Miscellaneous uses such as express or parcel delivery office, telephone exchange, commercial parking lots and garages, motor bus or truck or other transportation terminal.

12. Radio and television stations.

13. Building trades contractor including on premises storage yard for materials and equipment, but no manufacturing of concrete or asphalt is permitted.

14. Railroad switching, freight, and storage yards; railroad buildings and maintenance structures.

15. Public buildings and facilities (unless otherwise specified).

Site and development plan approval (see Section Article 14) is required for the following uses:

16. All commercial or industrial developments.

4.15.3 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 4.18).

4.15.4 PROHIBITED USES AND STRUCTURES

Any uses or structures not specifically, provisionally, or by reasonable implication permitted herein, including the following, which are listed for purposes of emphasis:

1. Petroleum bulk storage and sales.

2. Yards or lots for scrap or salvage operations or for processing, storage, display, or sale of any scrap, salvage, or second-hand building materials and automotive vehicle parts.

3. Wrecking yards (including automotive vehicle wrecking yards) and junk yards.

4. Manufacturing activities not in completely enclosed buildings.

5. Any use not conforming to performance standards of Article 14.

4.15.5 SPECIAL EXCEPTIONS
(see also Articles 12 and 13)

1. Off-site signs (see also Section 4.18).

2. Truck stops and automotive service stations (see Section 4.18 for special design standards for automotive service stations).

4.15.6 MINIMUM LOT REQUIREMENTS (area, width)

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

Minimum lot area; None.
Minimum lot width; None.

4.15.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yard) (See Section 4.18.30 for right-of-way setback requirements.)

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

Front; 20 ft., of which no less than 1/2 the depth shall be maintained as a landscaped area; the remainder may be used for off-street parking, but not for buildings. The depth of this landscaped area 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. This landscaped area may be penetrated at right angles by driveways.

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 perennial rivers, streams and creeks. The location of residential, commercial and industrial land uses shall be prohibited within

these buffer areas, although agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.15.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED
(see also Section 4.18 for exceptions)

35 ft.

4.15.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

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

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

4.15.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS
(see also Section 4.18)

1. All permitted or permissible 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-five (25) ft. in width along the affected rear and/or side yards as the case may be.

4.15.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Warehousing and storage only: one (1) space for each one thousand five hundred (1,500) sq. ft. of floor area.

2. 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 shops; retail establishments for sale of farm supplies, lumber and building supplies, monuments, and automotive vehicle parts and accessories; crematories; and similar uses: one (1) space for each three hundred fifty (350) sq. ft. of floor area, plus, where applicable, one (1) space for each one thousand (1,000) sq. ft. of lot or ground area outside buildings used for any type of sales, display, or activity.

3. Restaurants: one (1) space for each three (3) seats in public rooms.

4. Miscellaneous uses such as express or parcel delivery office, telephone exchange, motor bus or truck or other transportation terminal: one (1) space for each three hundred fifty (350) sq. ft. of floor area.

5. For uses specifically listed under CI: As for CI OFFSTREET PARKING REQUIREMENTS.

6. Other permitted or permissible uses (unless otherwise specified): one (1) space for each five hundred (500) sq. ft. of floor area.

Note: Offstreet loading required (see Section 4.18).

SECTION 4.16. "I" INDUSTRIAL

4.16.1 DISTRICTS AND INTENT

The "I" Industrial category includes one (1) zone district: "I". This district is intended primarily for manufacturing and closely related uses within designated urban development areas as defined by the County's Comprehensive Plan. 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 otherwise not be permitted are allowable in portions of the district well away from district boundary lines.

4.16.2 PERMITTED PRINCIPAL USES AND STRUCTURES

As for ILW, and in addition:

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.

   Site and development plan approval (see Article 14) is required for the following uses:

   1. All industrial developments.

4.16.3 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 4.18).

4.16.4 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.

4.16.4 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 4.18).

10. Truck stops and automotive service stations (see Section 4.18 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 which are similar to the ones listed above.

15. Radar installations and related facilities.

4.16.6 MINIMUM LOT REQUIREMENTS (area, width)

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

   Minimum lot area; None.
   Minimum lot width; None.

4.16.7 MINIMUM YARD REQUIREMENTS (depth of front and rear yard, width of side yards) (See Section 4.18.30 for right-of-way setback requirements.)

1. All permitted or permissible 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, perennial rivers, streams and creeks within this zoning district. The location of residential, and water oriented commercial land uses (with the exception of marinas) shall be prohibited within these buffer areas, although non-intensive agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

4.16.8 MAXIMUM HEIGHT OF STRUCTURES: NO PORTION SHALL EXCEED (see also Section 4.18)

35 ft.

4.16.9 MAXIMUM LOT COVERAGE BY ALL BUILDINGS

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

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

4.16.10 MINIMUM LANDSCAPED BUFFERING REQUIREMENTS (see also Section 4.18)

1. All permitted or permissible 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-five (25) ft. in width along the affected rear and/or side yards as the case may be.

4.16.11 MINIMUM OFFSTREET PARKING REQUIREMENTS
(see also Section 4.18)

1. Warehousing and storage only: one (1) space for each one thousand five hundred (1,500) sq. ft. of floor area.

2. 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 shops; retail establishments for sale of farm supplies, lumber and building supplies, monuments, and automotive vehicle parts and accessories; wrecking yards; and similar uses: one (1) space for each three hundred fifty (350) sq. ft. of floor area, plus where applicable, one (1) space for each one thousand (1,000) sq. ft. of lot or ground area outside buildings used for any type of sales, display, or activity.

3. Restaurants: one (1) space for each three (3) seats in public rooms.

4. Miscellaneous uses such as express or parcel delivery office, telephone exchange, motor bus or truck or other transportation terminal: one (1) space for each three hundred fifty (350) sq. ft. of floor area.

5. For uses specifically listed under ILW: As for ILW OFFSTREET PARKING REQUIREMENTS.

6. Other permitted or permissible uses (unless otherwise specified): one (1) space for each five hundred (500) sq. ft. of floor area.

Note: Offstreet loading required (see Section 4.18).

SECTION 4.17. "PRD" PLANNED RESIDENTIAL DEVELOPMENT

4.17.1 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 within designated urban development areas as defined within the County's Comprehensive Plan, which are intended to: (1) encourage the development of land as planned residential developments; (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 the 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.

4.17.2 PERMITTED PRINCIPAL USES AND STRUCTURES

1. Residential dwellings, including conventional single family dwellings, duplex dwellings, and multiple 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.

4.17.3 PERMITTED ACCESSORY USES AND STRUCTURES

1. On-site signs (see also Section 4.18).

2. 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.

4.17.4 SPECIAL EXCEPTIONS

(see also Articles 12 and 13).

1. Home occupations (see Article 2.1).

4.17.5 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 or attorney who files a petition for a zoning amendment to a Planned Residential Development District.

2. 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.

3. 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.

4. 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, right-of-way, easements, lakes, public and private open space, recreation, and any non-residential uses which are permitted in this Section.

5. 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.

6. Plan. 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.

4.17.6 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 his or her request for change to a Planned Residential Development zoning district containing the following exhibits:

   a. A statement of objectives describing:

      (1) The general purpose of the proposed development.

      (2) The general character of the proposed development.

   b. A Vicinity Map showing the location of the proposed Planned Residential Development in relation to:

      (1) Surrounding streets and thoroughfares.

      (2) Existing zoning on the site and surrounding areas.

      (3) Existing land use on the site and surrounding areas.

      The Vicinity Map should be drawn at a scale suitable to show an area of no less than one thousand (1,000) feet on all sides of the property. A greater area may be required if the Planning and Zoning Board determines that 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 utilized 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 percent (5%), 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, and/or describing the following:

(1) Proposed land uses.

(2) Lot sizes:

The lot sizes should be indicated either by lot lines drawn in their proposed location or a statement noted on the face of the Preliminary Development Plan concerning lot sizes, including minimum lot sizes proposed.

(3) Building setbacks:

Building setbacks should be noted and shall define the distance buildings will be set back from:

(a) Surrounding property lines.

(b) Proposed and existing streets.

(c) Other proposed buildings.

(d) The center line of rivers, streams, and canals.

(e) The high water line of lakes.

(f) Other man-made or natural features which would be affected by building encroachment.

(4) Maximum height of buildings.

(5) Common open spaces.

(6) 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.

(7) Common outside storage areas.

(8) Screening, buffering, and landscaped buffer areas.

Special Provisions: A minimum thirty-five (35) foot natural buffer shall be required from all wetlands, perennial rivers, streams and creeks within this zoning district. The location of residential, and water oriented commercial land uses (with the exception of marinas) shall be prohibited within these buffer areas, although non-intensive agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas subject to best management practices.

g. A table showing acreage for each category of land use.

h. A statement concerning gross density and net residential acreage (see Section 4.17.5 for definition of gross density and net residential acreage).

i. 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.

j. 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.

k. 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 Board of County Commissioners. The Board of County Commissioners' actions shall be one (1) of the following:

a. Approval as submitted.

b. Conditional approval.

c. Disapproval.

3. Final Development Plan. If rezoning approval for the Planned Residential Development is granted, 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. If a Final Development Plan is not submitted within this twelve (12) month period, the Land Development Regulation Administrator shall cause the Planned Residential Development district to be removed from the Official Zoning Atlas, mail a notice by registered mail of revocation to the applicant, and reinstate the zoning district which was in effect prior to the approval of the Planned Residential Development. Thirty (30) days prior to any lapse date, the Land Development Regulation Administrator shall notify the Board of County Commissioners and the applicant of such date. The Board of County Commissioners may extend this twelve (12) month period 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:

      (1) The general purpose of the proposed development.

      (2) The general character of the proposed development.

   b. A Topographic Map drawn to scale of one hundred (100) feet to one (1) inch by a registered surveyor and/or engineer showing:

      (1) The location of existing private and public property right-of-way lines, streets, buildings, water courses, transmission lines, sewers, bridges, culverts, and drain pipes, water mains, and any public utility easements.

      (2) Wooded areas, streams, lakes, marshes, and any other physical conditions affecting the site.

      (3) Exiting contours shown at a contour interval of one (1) foot.

   c. A Development Plan drawn at a scale of one hundred (100) feet to one (1) inch and showing:

      (1) The boundaries of the site, topography, and proposed grading plan.
      (2) Width, location, and names of surrounding streets.

(3) Surrounding land use.

(4) Proposed streets and street names and other vehicular and pedestrian circulation systems including off-street parking.

(5) The use, size, and location of all proposed building sites.

(6) Location and size of common open spaces and public or semi-public areas.

d. A Utility Service Plan showing:

(1) Existing drainage and sewer lines.

(2) The disposition of sanitary waste and storm water.

(3) The source of potable water.

(4) Location and width of all utility easements or rights-of-way.

(5) Plans for the special disposition of storm water drainage when it appears that said drainage could substantially harm a body of surface water.

e. A Landscaping Plan showing:

(1) Landscaped areas.

(2) Location, height, and material for walks, fences, walkways, and other man-made landscape features.

(3) Any special landscape features such as, but not limited to, man-made lakes, land sculpture, and waterfalls.

f. Statistical information:

(1) Total acreage of the site.

(2) Maximum building coverage expressed as a percent of the area.

(3) Area of land devoted to landscaping and/or common open space usable for recreation purposes expressed as a percent of the total site area.

(4) Calculated gross density and net residential acreage for the proposed development (see Section 4.17.5 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, must be approved by the County Attorney before final approval of the plan.

4.17.7 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.

4.17.8 REVISION OF A PLANNED RESIDENTIAL DEVELOPMENT

Any proposed major and 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 Board of County Commissioners 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 be 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 and approved by the Land Development Regulation Administrator. 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 substantial and minor changes are:

Substantial changes:

a. Perimeter changes.

b. Major street relocation.

c. Change in building height, density, land use patterns, or buffers.

Minor

a. Change in alignment, location, or length of local street.

b. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density.

c. Reorientation or slight shifts in building locations.

4.17.9 PLANNED RESIDENTIAL DEVELOPMENT TIME LIMITATIONS

If substantial construction, as determined by the Land Development Regulation Administrator, has not begun 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 Board of County Commissioners and the applicant of such date.

The Board of County Commissioners may extend the period for beginning construction, 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, mail a notice by registered mail of revocation to the applicant, and reinstate the zoning district which was in effect prior to the approval of the Planned Residential Development.

4.17.10 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 Board of County Commissioners. Such deviation may cause the County 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.

4.17.11 PHASING

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

4.17.12 DEVELOPMENT STANDARDS FOR PLANNED RESIDENTIAL DEVELOPMENTS

a. The minimum size parcel to be considered for Planned Residential Development shall be five (5) acres.

b. 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.

c. 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 will be changed to indicate the area as a Planned Residential Development.

d. Residential Density and Housing Types. Any combination of residential density and housing types are 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.

e. Dimensional and Bulk Restriction. The location of all proposed building sites shall be shown on the Final Development Plan, subject to the minimum lot sizes, setback lines, lot coverage, or floor area, specified by the Preliminary Development Plan as approved by the Board of County Commissioners.

f. Internal Compatibility. All land uses proposed within a Planned Residential Development must 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 should be based on the following factors:

(1) the existence or absence of, and the location of, common open spaces and recreational areas;

(2) the use of existing and proposed landscaping;

(3) the treatment of pedestrian ways;

(4) the use of the topography, physical environment, and other natural features;

(5) the traffic and pedestrian circulation pattern;

(6) the use and variety of building setback lines, separations, and buffering;

(7) the use and variety of building groupings;

(8) the use and variety of building sizes;

(9) the separation and buffering of parking areas and sections of parking area;

(10) the variety and design of dwelling types;

(11) the particular land uses proposed and the conditions and limitations thereon;

(12) the form of ownership proposed for various uses; and

(13) any other factor deemed relevant to the privacy, safety, preservation, protection, or welfare of any proposed use within the Planned Residential Development.

g. External Compatibility. All land uses proposed within a Planned Residential Development must 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:

(1) 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;

(2) the particular uses proposed near the Planned Residential Development perimeter and the conditions and limitations thereon;

(3) the type, number, and location of surrounding external uses;

(4) the Comprehensive Plan designation and zoning on surrounding lands; and

(5) 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.

h. Intensity of Development. The residential density and intensity of use of a Planned Residential Development shall be compatible with (that is, 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:

(1) 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;

(2) 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;

(3) the existing residential density and intensity of use of surrounding lands;

(4) the availability and location of utility services and public facilities and services;

(5) the amount and size of common open spaces and recreation areas;

(6) the existence and treatment of any environmentally sensitive areas on the Planned Residential Development property or surrounding lands;

(7) the access to and suitability of transportation arteries proposed within the Planned Residential Development and existing external transportation systems and arteries; and

(8) any other factor deemed relevant to the limitation of the intensity of development for the benefit of the public health, welfare, and safety.

i. Common Open Space. At least fifteen percent (15%) 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 Board of County Commissioners 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 percent (5%) 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, perennial rivers, streams and creeks within this zoning district. The location of residential, and water oriented commercial land uses (with the exception of marinas) shall be prohibited within these buffer areas, although non-intensive agriculture, silviculture and resource-based recreational activities shall be permitted within these buffer areas. For all uses other than single-family residential, agricultural and silvicultural adjacent to a "Work of the District" as established in Rule 40B-4, Florida Administrative Code, as amended, a minimum buffer setback shall be required for rivers, streams and creeks, and their floodways, as required within such rule.

j. Access and Parking. All streets, thoroughfares, and access ways shall be designed to effectively relate to the traffic circulation plans of the area. Adequate off-street parking shall meet the requirements specified for the particular uses found in the District Regulations and Section 4.18 of these land development regulations.

k. External Transportation Access. A Planned Residential Development shall be located on and provide 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 type or amount of traffic on adjoining minor (local) streets.

l. 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 County specifications as established by the County's Subdivision Regulations. If the Planned Residential Development contains any private roads, such private roads shall be owned and maintained by the applicant or dedicated to a homeowners association or similar group.

m. Perimeter Requirements. The Board of County Commissioners may impose the requirement that structures, buildings, and streets located at the perimeter of the development be permanently screened by providing a landscaped buffer area (see Section 4.18) to protect the privacy of the adjacent existing uses. (See Section 4.18.30 for right-of-way setback requirements.)

n. 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 plan shall continue to be regulated in accordance with the approved Final Development Plan except as otherwise provided for herein.

(1) 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.

(2) 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 Board of County Commissioners 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 4.18. SUPPLEMENTARY DISTRICT REGULATIONS

4.18.1 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.

4.18.2 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.

4.18.2.1 Application. The requirements of Section 4.18 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.

4.18.2.2 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 4.18.17.5, Off-street Parking: Handicapped Parking Spaces, for the number, dimensions, and other requirements for handicapped parking spaces).

4.18.3 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 Department of Transportation Access Management Manual.

4.18.3.1 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. In general, not more than three (3) curb breaks entering on a particular street will be permitted from a single property or development. But, in extensive property development (property exceeding ten (10) acres in total land area and/or containing more than one thousand (1,000) parking spaces), additional curb breaks may be permitted provided all other requirements of this Section are met and the minimum distance between adjacent curb breaks equals or exceeds three hundred (300) feet.

4.18.3.2 Width of curb break.

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

Location	Minimum	Maximum
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.

4.18.3.3 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.

4.18.3.4 Curb break permit. No curb break shall be established or altered without a permit issued by the Land Development Regulation Administrator, and in addition, for roads within the state highway system, the Florida Department of Transportation.

4.18.4 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) that accessory structures for the housing of persons, such as guest houses, shall not be located in any required yard, nor shall air conditioner compressor units be located in any required yard; and (2) structures used for water related activities such as boat docks, boat houses, and similar uses may be located anywhere in a required waterfront yard.

No separate accessory building shall be located within five (5) feet of any building.

4.18.5 ALCOHOLIC BEVERAGES

Indications in the Schedule of District Regulations that the sale of alcoholic beverages is permitted in any zoning district shall not in any way be deemed to limit, qualify, or repeal any other existing local regulations or regulations of the State of Florida relating to the licensing, dispensing, or sale of such beverages or the location of alcoholic beverage establishments.

4.18.6 AUTOMOTIVE SERVICE STATIONS

The following regulations shall apply to the location, design, construction, operation, and maintenance of automotive service stations.

4.18.6.1 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.

4.18.6.2 Lighting. All lights and lighting for an automotive service station shall be so designed and arranged that no source of light shall be visible from any residential district.

4.18.6.3 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.

4.18.6.4 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.

4.18.6.5 Trash storage. Adequate, enclosed trash storage facilities shall be provided on the site.

4.18.7 DRIVE-IN THEATERS

The following regulations apply to the construction and operation of drive-in theaters:

1. The screen must be so oriented that the picture is not visible from any existing or proposed major street.

2. Not more than two (2) exits shall be provided to each access highway but such exits may be suitably channelized to provide for right and left turns onto the highway, and not more than one (1) traffic lane shall be permitted for each traffic lane on the highway available to vehicles leaving the theater.

3. No entrance or exit shall be within five hundred (500) feet of the intersection of the right-of-way lines of any public street.

4. Sufficient area shall be provided between the highway and the viewing area to provide storage space for vehicles equal to not less than twenty-five (25) percent of theater capacity and of that storage space so provided not less than ten (10) percent of the theater capacity shall be provided between the highway and the ticket booths. In all cases, sufficient storage space shall be provided so that vehicles will not back onto the traveled way of the highway. Storage area shall be calculated on the basis of one (1) space per twenty-five (25) lineal feet of storage lane.

5. An individual speaker shall be provided for each vehicle. All speakers shall be equipped with sufficient cord to permit the speaker to be placed inside the vehicle. Speakers must not be audible beyond the boundaries of the theater property lines.

4.18.8 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.

4.18.9 ESSENTIAL SERVICES

Essential services are permissible by special exception in any zoning district. Essential services are hereby defined to include and be limited to water, sewer, gas, solid waste disposal, telephone, television, radio, and electrical systems, including sub-stations, lift stations, towers and antennae, and pumping, aeration, or treatment facilities necessary for the performance of these services; provided, however, that:

1. Poles, wires, mains, hydrants, drains, pipes, conduits, telephone booths, school bus shelters, bicycle racks, bus stop benches, newspaper delivery boxes, mail boxes, police or fire call boxes, traffic signals, and other similar structures, but not including buildings, are exempted from the definition of essential services. Such structures are permitted by right in any zone district and are exempt from district setbacks.

2. For the purposes of these land development regulations, gas and electrical generating plants and hazardous waste disposal sites shall not be considered to be essential services. These uses are barred from all zone districts except where they are specifically permitted or permissible.

3. This Section shall not be deemed to permit the erection of structures for (a) commercial activities such as sales or the collection of bills or (b) service establishments such as radio or television stations or studios in districts from which such activities would be otherwise barred.

   Where permanent structures are involved in providing essential services, such structures shall conform insofar as possible to the character of the district in which the property is located, as to architecture and landscaping characteristics of adjoining properties.

The procedure in connection with the application and granting of special exceptions for essential services shall generally conform to that outlined in Articles 12 and 13 of these land development regulations; provided, however, that the criteria for the granting of a special exception for essential services shall be limited to a showing of the need for such services in the requested location, that it is in the public interest that such special exception be granted, and in compliance with the other provisions heretofore set out in this Section.

4.18.10 EXCLUSIONS FROM HEIGHT LIMITATIONS

The height limitations contained in the Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, elevator shaft enclosures, airport control towers, or other appurtenances usually required to be placed above the roof level and, excepting airport control 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 or airport zoning regulations within the flight-approach zone of airports.

5.18.11 FALLOUT SHELTERS

Fallout shelters are permitted in all zoning districts. Individual structures in residential districts shall be considered as accessory structures.

4.18.12 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.

4.18.13 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.

4.18.13.1 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 1/2) 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 offstreet 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 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.

4.18.13.2 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.

4.18.13.4 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 4.18 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.

4.18.13.5 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.

4.18.13.6 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.

4.18.14 MINIMUM LIVING AREA

No one (1) family, two (2) family, or multiple family dwelling, shall be erected with less than four hundred and fifty (450) square feet of floor area devoted to living space per dwelling unit, exclusive of the area of any open porch or attached garage or similar space not suited or intended for occupancy as living quarters. 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 adjoining property owners must be notified in writing of the Board of Adjustment meeting when the request will be heard.

4.18.15 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.

4.18.16 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 County.

4.18.17 OFFSTREET 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 offstreet parking facilities (including in certain specified cases, offstreet 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 offstreet loading facilities. Such offstreet parking and offstreet loading facilities shall be maintained and continued so long as the main use continues. (For definitions of "loading space, offstreet", "parking space, handicapped", and "parking space, offstreet", see Definitions, Section 2.1.114, 2.1.148 and 2.1.149)

4.18.17.1 Offstreet parking and offstreet loading: general.

1. Offstreet 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 offstreet parking or offstreet 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, offstreet parking and offstreet 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 offstreet parking and offstreet loading facilities to the extent that the use shall provide additional parking spaces amounting to the difference between the required number of parking spaces 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 offstreet parking and offstreet loading facilities do not apply to one (1) and two (2) family (duplex) dwellings.

5. Required offstreet 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 offstreet parking requirements.

6. Unless otherwise specified and subject to meeting required landscaped buffer requirements, all required yards may be used for offstreet parking.

4.18.17.2 Offstreet parking and offstreet loading facilities: identification, surfacing, drainage, lighting, access. The required offstreet parking and offstreet loading facilities shall be:

1. Identified as to purpose and location when not clearly evident.

2. Surfaced with one (1) inch of Type II asphaltic concrete surface course or the equivalent as approved as meeting standards established by the Board of County Commissioners and maintained in a smooth, well-graded condition (driveways, access aisles, and parking spaces for public and private schools offering academic courses may be surfaced with grass or lawn).

3. Drained so as not to cause any nuisance on adjacent property.

4. So lighted as to prevent glare or excessive light on adjacent property.

5. Arranged for convenient access and safety of pedestrians and vehicles.

6. Designed to conform to curb break requirements (see Section 4.18.3).

7. So arranged that no vehicle shall be required to back from such facilities directly onto public streets.

8. Designed to provide curbs or motor vehicle stops or similar devices so as to prevent vehicles from overhanging on or into public right-of-way or adjacent property.

4.18.17.3 Offstreet parking: location. The required offstreet 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 offstreet 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 Board of County Commissioners with enforcement running to the Board of County Commissioners 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 Board of County Commissioners if other offstreet facilities are provided in accord with these land development regulations.

4.18.17.4 Offstreet parking: dimensional standards. Each offstreet parking space, with the exception of handicapped parking spaces, shall be a minimum of ten (10) feet by twenty (20) feet in size. Minimum aisle width shall be as follows:

Angle of Parking	Aisle Width: One Way	Aisle Width: 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 offstreet parking space and necessary access and maneuvering room may be estimated at three hundred (300) square feet, but offstreet 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 Board of County Commissioners.

4.18.17.5 Offstreet parking: handicapped parking spaces. Except as otherwise specified herein, required offstreet 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 4.18.2 for additional provisions regarding accessibility for physically handicapped persons.)

4.18.17.6 Offstreet 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 offstreet parking. The plan shall accurately designate the required parking spaces, access aisles, and driveways, and the relation of the offstreet parking facilities to the uses or structures such facilities are designed to serve.

4.18.17.7 Offstreet parking: combined offstreet parking. Two (2) or more owners or operators of buildings or uses requiring offstreet 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 offstreet parking shall be subject to the filing of a legal instrument satisfactory to the Attorney for the Board of County Commissioners insuring that such offstreet parking will be maintained in the future so long as a use or uses requiring such offstreet parking continue.

No part of an offstreet parking area required for any building or use shall be included as a part of an offstreet 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.

4.18.17.8 Offstreet parking: fractional measurements. When units or measurements determining number of required offstreet parking spaces result in requirement of a fractional space, then such fraction equal or greater than one half (1/2) shall require a full offstreet parking space.

4.18.17.9 Offstreet 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) offstreet parking space, unless specific provision to the contrary is made herein.

4.18.17.10 Offstreet parking: landscaping requirements. Wherever in any zoning district offstreet parking facilities are provided, such offstreet 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 offstreet parking area shall be landscaped with grass, plants, shrubs, and/or trees. Required landscaping may, in part, be located around the periphery of the offstreet parking area; however, where possible a portion of the required landscaping shall also be located within the interior of the offstreet 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 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 4.18.3, Visibility at intersections and curb breaks.

4.18.17.11 Offstreet loading: specifications, amounts. Offstreet 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. Offstreet loading facilities supplied to meet the needs of one (1) use may not be considered as meeting the needs of another use. Offstreet parking facilities may not be used or counted as meeting offstreet loading requirements.

When the use of a structure or land or any part thereof is changed to a use requiring offstreet loading facilities, the full amount of offstreet 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 offstreet 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 offstreet loading space shall be directly accessible from a street or alley without crossing or entering any other required offstreet loading space. Such loading space shall be arranged for convenient and safe ingress and egress by motor truck and/or trailer combination.

4.18.17.2 Offstreet loading: dimensional standards. Each offstreet 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.

4.18.17.3 Offstreet loading: plans required. A plan shall be submitted with every application for a building permit for any use or structure required to provide offstreet loading facilities. The plan shall accurately designate the required offstreet loading spaces, access thereto, dimensions, and clearance.

4.18.17.4 Offstreet loading: combined offstreet loading. Collective, joint, or combined provisions for offstreet loading facilities for two (2) or more buildings or uses may be made, provided that such offstreet 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 offstreet loading shall be subject to the filing of a legal instrument satisfactory to the Attorney for the Board of County Commissioners insuring that such offstreet loading will be maintained in the future so long as a use or uses requiring such offstreet loading continue.

4.18.17.5 Offstreet loading requirements. Offstreet 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.		Sq. Ft.	No. of Spaces
Over 5,000	but not over	25,000	1
25,000	to	60,000	2
60,000	to	120,000	3
120,000	to	200,000	4
200,000	to	290,000	5

Plus one (1) additional offstreet 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 40,000 (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 offstreet loading facilities for a use which is so mentioned and to which the unmentioned use is similar shall apply.

4.18.18 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. 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 twenty-four (24) hours during loading and unloading.

4.18.19 PARKING AND STORAGE OF CERTAIN VEHICLES

In residential districts, automotive vehicles or trailers of any type without current license plates shall not be parked or stored other than in completely enclosed buildings.

4.18.20 PERFORMANCE STANDARDS

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

4.18.20.1 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.

4.18.20.2 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 17-2, Florida Administrative Code, as amended. Regulations controlling open burning shall be the same as those contained in Chapter 17-5, Florida Administrative Code, as amended.

4.18.20.3 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 17-2, Florida Administrative Code, as amended.

4.18.20.4 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 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.

4.18.20.5 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 Standards Association.

4.18.20.6 Odor. Regulations controlling the emission of objectional odorous gases or other odorous matter, except those associated with normal agricultural practices, shall be the same as those contained in Chapter 17-2, Florida Administrative Code, as amended.

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

4.18.21 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.

4.18.22 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.

4.18.22.1 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.

4.18.22.2 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 County, and all other applicable ordinances and regulations of the County, as well as other, State and Federal rules and regulations.

4.18.22.3 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.

4.18.22.4 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 red, green, blue, or amber lights is 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. Signs which are higher than eighteen (18) feet from established grade.

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 handing signs with less than a nine (9) ft. minimum clearance between the bottom of the sign and the ground surface.

4.18.22.5 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.

4.18.22.6 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 the required front yard, but shall not be located within twenty (20) ft. of any

adjacent property line. Signs under (3) below may be located on or may overhang or infringe upon the right-of-way of streets, roads, or public ways.

1. Signs not exceeding one (1) sq. ft. 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, County, 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 Board of County Commissioners.

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) sq. ft., 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) sq. ft. in surface area.

4.18.22.7 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 4.18.26).

3. On-site signs shall not exceed a height above established grade of eighteen (18) feet.

4.18.22.8 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 be no nearer the street right-of-way line than fifteen (15) feet.

   b. No off-site sign shall be erected so as to obstruct visibility at intersections and curb breaks (see Section 4.18.26).

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.

4.18.23 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 zone in which certain intensive non-residential uses are prohibited.

Where a commercial or industrial district adjoins 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.

4.18.24 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) sq.ft. 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.

4.18.25 USE OF LAND IN A RESIDENTIAL DISTRICT FOR ACCESS

No land in a residential or residential/office 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.

4.18.26 VISIBILITY AT INTERSECTIONS AND CURB BREAKS

4.18.26.1 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 intersection.

4.18.26.2 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.

4.18.26.3 Retaining walls. The requirements of this Section shall not be deemed to prohibit any necessary retaining wall.

4.18.26.4 Trees. Trees shall be permitted in the clear space provided that foliage is cut away within the prescribed heights.

4.18.27 WATERFRONT YARDS - MINIMUM REQUIREMENT

No structure shall be located closer than fifty (50) feet to the mean high water line (see Section 4.18.4 for exceptions for certain accessory structures).

4.18.28 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.

4.18.29 AIRPORT LAND USE RESTRICTIONS

1. Use Restrictions. Not withstanding 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.

   a. 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.

   b. 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.

   c. No operations from any land use type shall produce electronic interference with navigation signals or radio communication between the airport and aircraft.

   d. 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.

   e. 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.

4.18.30 SPECIAL RIGHT-OF-WAY REQUIREMENTS

4.18.30.1 For all new arterial and collector roadways extra right-of-way, as provided within the Florida Department of Transportation Bicycle Facilities Planning and Design Manual, Official Standards, Revised Edition, 1982, shall be provided for integrated or parallel bicycle ways or lanes.

4.18.30.2 All new structures shall provide a minimum setback of one hundred fifty (150) feet as measured from the center line of the right-of-way for new or realigned arterial roads.

4.18.31 MARINA

Marina. A "Marina" as defined in Section 2.1 may be permitted in any use district (excepting the Conservation zoning district) providing, however, that such use shall be subject to site plan and development approval as provided for in Section 14.11 of these land development regulations and the following conditions and restrictions:

1. That any marina containing one hundred (100) or more slips and/or berths shall be designated as a Development of Regional Impact and as such shall require approval as provided for under Chapter 380 of the Florida Statutes, as amended.

2. The following structures will be permitted on the premises as an auxiliary or accessory use:

   a. A structure to be designated as a "Control Center" containing not more than three thousand (3,000) minimum square foot floor area with one thousand (1,000) square feet to be restricted for storage only with a height not exceeding two and one-half (2 1/2) stories. The side control and security for the marina space for security personnel, management staff, storage, toilet facilities, power service entrance and distribution, on site sanitary waste collection point for discharge to a sanitary sewer system and solid waste collection center for the marina site.

   b. A structure to be designated as a "Dockmaster's Building" containing not more than two thousand (2,000) minimum square foot floor area with a height not exceeding two and one-half (2 1/2) stories. The dockmaster's building shall be used to provide waterside control for the marina, as well as the center of operations for the boats moored in the marina, radio communications to serve the marina as well as the control center, space for the dockmaster and his or her staff, storage, and toilet facilities.

3. The following accessory uses shall be permitted in connection with the operation of a marina:

   a. Clubhouse.

   b. Swimming pools.

   b. Storage of dispensing and of fuels.

   c. Laundry facilities.

   d. Facilities for the dispensing of food and alcoholic beverages.

   e. Launching ramps and/or launching facilities.

f. Parking and/or storage of boat trailers.

g. Mooring of commercial vessels.

h. Repair or overhauling of boats.

i. Rental or lease of boats.

j. Dry storage or stacking of boats.

k. Bait and tackle shop.

l. Retail sales facilities.

m. Sightseeing crafts.

n. Commercial fishing vessels.

o. Charter boats.

p. Yacht brokers.

q. Marine insurance broker.

r. Under no circumstances shall any boat, vessel, watercraft or by whatever name known be used as living or sleeping quarters.

4. Bulkheads and retaining walls shall be provided in accordance with the provisions of these land development regulations and all other applicable codes, ordinances and regulations.

5. Off-street parking shall be provided at the rate of one (1) parking space for each slip or berth plus one (1) parking space for each three hundred (300) square feet of gross floor area of any buildings located on the premises.

6. The marina shall be supplied with a potable water supply system and such water supply shall be protected by properly designed and located backflow preventers including the installation of a vacuum breaker on the discharge side and near the last valve for each water outlet to which a hose can be connected.

   Hoses used for potable water shall be blue or green or labeled and designated by use of a blue or green color code. The nozzle or outlet of the hose shall be protected from contamination, and hoses used for placing water in a sewage holding tank for flushing purposes shall be separate from hoses used for potable water and shall be red, yellow, or brown.

7. The marina shall provide a facility capable of lifting sewage not less than twelve (12) feet under vacuum and delivering it to a receiving facility free from spillage and clogging. Equipment used in connection with the pump-out facility shall be designed to be easily serviced in case of clogging.

   Vacuum hoses used in connection with a pump-out facility shall be pliable, collapse-proof, non-kinking, and equipped with a connection or insert device which will preclude leakage or spillage during the pumpout operation.

   Sewage removed from a watercraft holding tank shall be handled in one (1) of the following ways:

   a. Discharged into a sanitary sewer by means of a gravity line or a force main.
   b. Stored in an on-shore or dockside holding tank, which is watertight and so positioned, or moveable to such a site, that it can be easily serviced in a sanitary manner.

8. The discharge of raw sewage from any boat or watercraft located within the marina shall be prohibited.

9. The marina shall provide for the accumulation and removal of garbage and trash.

10. The setbacks for the marina shall be established in accordance with these land development regulations.

11. The marina shall comply with the provisions for fire prevention as set forth under the Southern Standard Building Codes, as amended, the National Fire Prevention Association Publication No. 303-1975 entitled, "Fire Protection Standards for Marinas and Boatyards", as amended, and the National Fire Prevention Association Publication No. 87-1975 entitled, "Standards for the Construction and Protection of Piers and Wharves", as amended.

12. Not less than twenty (20) percent of the marina site shall be devoted to landscaped open space. Such area shall be landscaped with trees, shrubbery, hedges and other acceptable landscape material and such landscape material and such landscape area shall be maintained in a neat and orderly appearance.

13. All parking areas shall be provided with a maintained minimum of one-third (1/3) foot-candle of light on the parking surface during the hours of operation and one-half (1/2) hour after closing.

    Any other outdoor lighting for the marina shall not be permitted except under the following conditions:

a. Detailed plans shall be submitted to the Land Development Regulation Administrator showing the location, height, type of lights, intensity, shades, deflectors, and beam directions.

b. As part of the site and development plan approval process, the Planning and Zoning Board may permit such lighting if, after a review of the detailed plans therefore and after consideration of the adjacent area and neighborhood and its use and future development, the proposed lighting will be so located, oriented, adjusted, and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property and providing, however, that in no case shall any light be mounted higher than twenty (20) feet above the finished grade of the ground.

14. The waste water resulting from the periodic washing of impervious surfaces shall be channeled to natural filter or swale areas prior to soil infiltration.

4.18.32 RAISING OF LIVESTOCK PROHIBITED ON CERTAIN LOTS

Notwithstanding the provisions of Section 2.3.2 and 2.3.5, after December 31, 1992, the keeping or raising of livestock shall not be permitted on a lot which is less than five (5) acres within Environmentally Sensitive Area Districts; two (2) acres within Agriculture Districts; and one (1) acre within Rural Residential Districts.

4.18.33 COASTAL RESOURCE PROTECTION PROVISIONS

For all areas which are classified as coastal wetlands by the United States Army Corps of Engineers, the Florida Department of Environmental Regulation or the Suwannee River Water Management District, the following shall be required in addition to all other applicable requirements within these land development regulations:

1. No development including residential development shall be permitted within a costal wetland area unless project alternatives that would avoid wetland impacts are unavailable and mitigation is provided by the applicant to offset adverse impacts. For purposes of this section, sufficient mitigation is as required by Florida Administrative Code Rules 17-312.300 through 17-312.390. It is intended that all standards in these citation are to apply to all new development and redevelopment;

2. Bulkheads and seawalls shall be permitted (see Section 14.6) only to stabilize disturbed shorelines or to replace deteriorated existing bulkheads and seawalls. Rip-rap shall be placed at the toe of all replaced bulkheads and seawalls;

3. No drainfields for septic tanks shall be permitted in coastal wetland areas; and

4. For any development requiring a site and development plan review (see Section 14.12); the upland edge of any coastal wetland area shall be identified on the site and development plan. No site and development plan shall be approved for a development within or adjacent to a coastal wetland area which may impact the coastal wetland area.

4.18.34 PROVISIONS FOR PIERS, DOCKS AND WALKWAYS WITHIN THE COASTAL MANAGEMENT AREA

For areas within the Coastal Management Area as designated within the Comprehensive Plan the following regulations for the construction of piers, docks and walkways shall be followed:

1. Elevated piers, docks and walkways shall not exceed four (4) feet in width;

2. Within seagrass and coastal wetland areas, all piers docks and walkways shall be constructed on pilings; and

3. No pier, dock or walkway shall be located on submerged land which is vegetated with seagrasses except as is necessary to reach water at the depth of one (1) foot below the lowest point in a boat including the motor for docking facilities. The docking terminus shall not be located over a seagrass bed.

4.18.35 PROHIBITION OF CERTAIN LAND USES ADJACENT TO SURFACE WATERS

Structures which contain intensive commercial and industrial uses shall be prohibited from locating closer than seventy-five (75) feet to the mean high water line of any surface water body.

4.18.36 ADDITIONAL PROVISIONS CONCERNING SHORELINE LAND USES

The Planning and Zoning Board, Board of Adjustment or Board of County Commissioners, as specified within these land development regulations, shall maintain the following criteria to provide guidance for the determination of shoreline land uses to be permitted within the Coastal Management Area as designated within the Comprehensive Plan. Prior to approving re-zonings of land, special exceptions and site and development plans, the following priorities for the location of water dependent uses along the shoreline shall be followed:

1. Commercial fishing operations shall have first priority;

2. Public use marinas shall have second priority;

3. Other public oriented recreation facilities shall have third priority;

4. Water related uses shall have fourth priority;

5. Water dependent industries or utilities shall have fifth priority; and

6. All other permitted uses shall have sixth priority.

If the entire site consists of a combination of such uses, the development shall include uses in the first priority before any of the lower priority uses shall be included.

4.18.37 REQUIREMENTS FOR WILDLIFE SURVEY TO BE CONDUCTED IN CERTAIN DISTRICTS

A wildlife survey for species, which are endangered, threatened, or species of special concern and rare or unique vegetative communities which are protected by the United States Government or the State of Florida shall be conducted for all proposed subdivisions of twenty-five or more lots and multi-family, commercial and industrial developments of fifty (50) acres or more within Environmentally Sensitive Area - 1 and 2 districts, and Agriculture - 1 and 2 districts, using the following methodology and criteria:

1. A valid collector's permit as required by Chapter 39-9.002, Florida Administrative Code for individuals engaged in the handling and collection of birds, mammals and all listed species therein. Provide the permit number, expiration date and name(s) of the individual(s) involved with sampling activities which require a permit.

2. Based on casual observations, sampling and survey results, list all evidence of endangered, threatened, and species of special concern that have been observed on the site. The status of a species can be determined by reviewing either Chapter 39, Florida Administrative Code or the most recent edition of Official Lists of Endangered and Potentially Endangered Fauna and Flora in Florida.

3. Discuss with sampling methodologies where employed as well as any variations form the methodologies described below. this discussion should also include sampling dates and times, weather conditions, and any other factors that may have influenced the results of the sampling effort.

4. Identify on a map (minimum scale 1"=400') the location of all pedestrian transects, trap grids, herp arrays, or other sampling plots used to determine the on-site status of listed species.

5. Present the results of all sampling efforts in terms of the number of individuals recorded and map the locations of all observed individuals and/or colonies.

6. For each listed species observed on the site, discuss what habitat factors influence or contribute to the occurrence of the species on the site. Relevant survey and sampling information should be used to discuss the perceived home range, distribution and population of each species. Indicate also whether use of the site is considered to be year=round permanent, year-round transitory, or migratory.

7. For each species known to utilize the site, discuss what measures will be employed to minimize the proposed project's impact on both the individual and its habitat. If on-site protection is judged to be inappropriate or unfeasible, discuss in detail any provision for off-site mitigation.

ARTICLE FIVE

SUBDIVISION REGULATIONS

ARTICLE FIVE. SUBDIVISION REGULATIONS

SECTION 5.1 APPENDICES. The appendices set forth in these land development regulations regulations are made a part hereof and shall be used where required by these land development regulations.

SECTION 5.2 POLICY.

5.2.1 It is hereby declared to be the policy of the Board of County Commissioners to consider the subdivision of land and the subsequent development of the subdivision plat as subject to the control of the Board of County Commissioners pursuant to the Comprehensive Plan for the orderly, planned, efficient, and economical development of the area.

5.2.2 Land to be subdivided shall be of such character that it can:

1. Aid in the coordination of land development in accordance with orderly physical patterns.

2. Discourage haphazard, premature, uneconomic, or scattered land development.

3. Insure safe and convenient traffic control.

4. Encourage development of an economically stable and healthful community.

5. Insure adequate utilities.

6. Prevent periodic and seasonal flooding by providing adequate protective flood control and drainage facilities.

7. Provide public open spaces and/or parks for recreation.

8. Assure land subdivision with installation of adequate and necessary physical improvements.

9. Assure that citizens and taxpayers will not have to bear the costs resulting from haphazard subdivision of land and the lack of authority to require installation by the subdivider of adequate and necessary physical improvements.

10. Assure to the purchaser of land in a subdivision that necessary improvements of lasting quality have been installed.

11. Serve as one (1) of the several instruments of implementation for the Comprehensive Plan.

SECTION 5.3 PURPOSE. It is the intent of these land development regulations to encourage and promote, in accordance with present and future needs, the safety, morals, health, order, convenience, prosperity and general welfare of the residents of the County.

SECTION 5.4 CONDITIONS. Regulations of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State to the County. The subdivider has the duty of compliance with reasonable conditions established by the Board of County Commissioners for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economical development of the area and to the safety and general welfare of future property owners in the subdivision and of the community at large.

SECTION 5.5 CHARACTER OF THE LAND. Land which the Board of County Commissioners finds to be unsuitable for subdivision of development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the subdivider and approved by the Board of County Commissioners to solve the problems created by the unsuitable land conditions.

SECTION 5.6 JURISDICTION.

5.6.1 These land development regulations shall apply to all subdivisions of land, as defined herein, located within the unincorporated area of the County.

5.6.2 No land shall be subdivided within any area subject to these land development regulations until:

1. The subdivider or his agent has obtained approval of the final plat by the Board of County Commissioners; and

2. The approved final plat is filed with the Clerk of the Circuit Court of the County.

5.6.3 No building permit shall be issued for any parcel or plat of land which was created by subdivision after the effective date of and not in conformity with, the provisions of these land development regulations, and no excavation of land or construction of any public or private improvements shall take place or be commenced except in conformity with these land development regulations.

SECTION 5.7 MAINTENANCE. Nothing in these land development regulations shall be construed as meaning that the Board of County Commissioners shall take over for maintenance any road, street, utilities, public parking or other public area, or drainage facility related thereto, except those designed and built in accordance with the Board of County Commissioners's requirements and accepted for maintenance by specific action by the Board of County Commissioners.

SECTION 5.8 PLATS STRADDLING LOCAL GOVERNMENT BOUNDARIES. Whenever access to the subdivision is required across land in another local government's jurisdiction, the Board of County Commissioners may request assurance from that local government's attorney that access is legally established, and that the access road is adequately improved or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road.

SECTION 5.9 RESUBDIVISION OF LAND.

5.9.1 Procedure for Resubdivision. For any change in a map of an approved or recorded subdivision plat, if such change affects any public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by the Board of County Commissioners by the same procedure, rules, and regulations as for a subdivision.

5.9.2 Procedure for Subdivisions Where Future Resubdivision is Indicated. Whenever a parcel of land is subdivided and the subdivision plat shows one (1) or more lots containing more than one (1) acre of land and where such lots could eventually be resubdivided into smaller building sites, the Board of County Commissioners may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets and utilities. Easements providing for the future opening and extension of such streets may be made a requirement of the plat.

SECTION 5.10 SELF-IMPOSED RESTRICTIONS. If the subdivider places restrictions on any of the land contained in the subdivision greater than those required by these land development regulations such restriction or reference thereto shall be required to be indicated on the subdivision plat and/or recorded with the Clerk of the Circuit Court of the County.

SECTION 5.11 SUBDIVISION BY METES AND BOUNDS. The subdivision of any lot or parcel of land, by the use of metes and bounds description for the purpose of sale, transfer, or lease, shall be subject to all of the requirements contained in these land development regulations. Such subdivision of any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer or lease, shall be subject to these subdivision regulations where two or more developments, which separately do not meet the literal definition of a subdivision, but demonstrate the following characteristics: (1) the same person has retained or shared control of the parcels within the developments; (2) the same person has ownership or a significant legal or equitable interest in the parcels within the developments; (3) there is common management of the developments controlling the form of physical development or disposition of parcels of the development; (4) there is a voluntary sharing of infrastructure that is indicative of common development; or (5) there is a common advertising theme or promotional plan for the parcels within the developments.

SECTION 5.12 SUBDIVISION NAME. Every subdivision shall be given a name by which it shall be legally known. Such name shall not be the same or in any way so similar to any name appearing on any recorded plat within the County so as to confuse the records or to mislead the public as to the identity of the subdivision, except when the subdivision is subdivided as an additional unit or section by the same subdivider or his or her successors in title. The name of the subdivision shall be shown in the dedication and shall coincide exactly with the subdivision name. The Board of County Commissioners shall have final authority to approve the name of all subdivisions.

SECTION 5.13 VACATION AND ANNULMENT OF PLATS. The vacation and annulment of plats shall be according to Chapter 177, Florida Statues, as amended. In addition, the Board of County Commissioners may, on its own motion, order the vacation and revision to acreage of all or any part of a subdivision within its jurisdiction including the vacation of streets or other parcels of land dedicated for public purposes or any of such streets or other parcels, when: (1) the plat of which subdivision was recorded as provided by law not less than five (5) years before the date of such action, and (2) in which subdivision or part thereof not more than ten percent (10%) of the total subdivision area has been sold as lots by the original subdivider or his successor in title. Such action shall be based on a finding by the Board of County Commissioners that the proposed vacation and reversion to acreage of subdivided land conforms to the Comprehensive Plan and that the public health, safety, economy, comfort, order, convenience, and welfare will be promoted thereby. Before acting on a proposal for vacation and reversion of subdivided land to acreage, the Board of County Commissioners shall hold a public hearing thereon, with due public notice.

No owner of any parcel of land in a subdivision shall be deprived by the reversion to acreage of all or any part of the subdivision of reasonable access therefrom to existing facilities to which such parcel has theretofore had access; provided, that such access remaining or provided after such vacation need not be the same as that theretofore existing, but shall be reasonably equivalent thereto.

If land in a subdivision or part thereof is proposed for reversion to acreage, the Board of County Commissioners shall conduct proceedings for amending the zoning district designation of such acreage as may be deemed advisable in view of the conditions that will exist subsequent to such reversion to acreage.

SECTION 5.14 GENERAL PROCEDURE.

5.14.1 Preparation of Plats. All preliminary and final plats shall be prepared by a registered surveyor and construction plans and specifications for required improvements shall be prepared by a registered engineer. The subdivider shall present a letter to the Board of County Commissioners certifying that he or she or she has employed a registered surveyor to prepare the plats and if construction plans are required, a registered engineer.

5.14.2 Classification of Subdivisions. Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his or her authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure, which includes basically two (2) steps for a minor subdivision and four (4) steps for a major subdivision (see Section 2.1 for the definition of a major and minor subdivision):

1. Minor Subdivision

    a. Pre-application Conference

    b. Final Subdivision Plat

2. Major Subdivision

    a. Pre-application Conference

    b. Preliminary Plat

    c. Construction Plans

    d. Final Subdivision Plat

5.14.3 Modified Procedure for Minor Subdivisions. Proposed subdivisions meeting the criteria of a minor subdivision as defined by these land development regulations in Section 2.1 shall not have to comply with Sections 5.16 and 5.17. A final plat may be prepared directly following the pre-application conference in accordance with the final plat procedure as outlined in Section 5.18.

SECTION 5.15 PRE-APPLICATION CONFERENCE. The subdivider or his or her representative shall have a pre-application conference with the Land Development Regulation Administrator and other departments or agencies as the case may require, in order that the subdivider may become familiar with the requirements of these land development regulations, and any provisions of the Comprehensive Plan affecting the land in which the proposed subdivision is located.

SECTION 5.16 PRELIMINARY PLAT PROCEDURE

5.16.1 Step 1 - The subdivider shall submit twelve (12) copies of the preliminary plat materials which have been prepared in accordance with of these land development regulations to the Land Development Regulation Administrator.

5.16.2 Step 2 - The Land Development Regulation Administrator shall transmit copies of the preliminary plat materials to the County Attorney, County Road Superintendent, County Health Department, the Water Management District and other appropriate departments or agencies as the case may require for review and comment.

5.16.3 Step 3 - Following review of the materials by the Land Development Regulation Administrator, County Attorney, County Road Superintendent, County Health Department, Water Management District and other agencies which received copies of the preliminary plat materials, the Planning and Zoning Board shall review the preliminary plat materials at a scheduled meeting as part of a previously prepared agenda to determine conformity with the Comprehensive Plan, these land development regulations. At the meeting, any person may appear in person or by agent. The Planning and Zoning Board shall recommend approval, approval subject to conditions, or disapproval of the preliminary plat to the Board of County Commissioners. In approving subject to conditions or in disapproving, the reasons for such action shall be stated in writing to the subdivider and the Board of County Commissioners. Reference shall be made to the specific sections of these land development regulations, the Comprehensive Plan, or other ordinances or regulations with which the preliminary plat does not comply.

5.16.4 Step 4 - After review and recommendation of the Planning and Zoning Board, the Board of County Commissioners shall consider approval, approval with conditions, or disapproval of the preliminary plat at its next regularly scheduled meeting as part of a previously prepared agenda. At the meeting, any person may appear in person or by agent. The reasons for approving the preliminary plat subject to conditions or disapproving shall be stated in writing to the subdivider. Reference should be made to the specific sections of these land development

regulations, the Comprehensive Plan, any land development regulations of the County or other ordinances or regulations with which the preliminary plat does not comply.

5.16.5 The action of the Board of County Commissioners shall be noted on two (2) copies of the preliminary plat. One (1) copy shall be returned to the subdivider and the other retained in the office of the Land Development Regulation Administrator.

5.16.6 Approval of the preliminary plat shall not constitute approval of the final plat. Approval of the preliminary plat shall be deemed an expression of approval of the layout submitted as a guide to the preparation of the final plat. Any change in the number and configuration of lots and/or the addition of a new street subsequent to preliminary plat approval shall require the subdivider to re-submit the preliminary plat and follow the procedures for approval of the preliminary plat. Approval of the preliminary plat shall be valid for a period of twenty-four (24) months, but may be extended by a request from the subdivider and approval of the Board of County Commissioners for a period not to exceed an additional twelve (12) months, provided the request for extension is made prior to the expiration of the initial approval period. After the expiration date, the subdivider must re-submit the preliminary plat and follow the procedures for approval of the preliminary plat.

5.16.7 For all subdivisions that are presumed to be developments of regional impact as provided in Chapter 380, Florida Statutes, as amended, and Chapter 28-24, Florida Administrative Code, a copy of the preliminary plat and a completed application for development approval shall be submitted to the Board of County Commissioners, the regional planning agency, and the state land planning agency. A development order shall not be issued by the Board of County Commissioners prior to the review and approval of construction plans as provided in Section 5.17 of these land development regulations.

SECTION 5.17 CONSTRUCTION PLANS PROCEDURES.

5.17.1 Step 1 - Either at the time of submission of preliminary plat materials or following preliminary plat approval by the Board of County Commissioners, the subdivider shall submit twelve (12) copies of the construction plan materials as specified herein to the Land Development Regulation Administrator.

5.17.2 Step 2 - The Land Development Regulation Administrator shall transmit copies of the construction plan materials to the County Road Superintendent, the County Attorney, the County Engineer, the Water Management District and other appropriate departments or agencies as the case may require for review and comment. The Land Development Regulation Administrator shall evaluate the comments from the appropriate departments or agencies and notify the subdivider of the status of the construction plans.

5.17.3 Step 3 - Following review by these agencies, the Board of County Commissioners shall consider approval,approval with conditions, or disapproval of the construction plans at its next regularly scheduled meeting as part of a previously prepared agenda. The reasons for approving with conditions or disapproving shall be stated in writing to the subdivider. Reference should be made to the specific sections of these or other applicable ordinances or regulations with which the construction plans do not comply.

5.17.4 At this stage, if the proposed subdivision is a large one and the Board of County Commissioners finds that development in stages is consistent with the intent and purpose of these land development regulations, the Board of County Commissioners, with the aid of the Land Development Regulation Administrator and appropriate departments shall, if approval of the preliminary plat and construction plans has been given, work out an agreement (or agreements) with the subdivider. This agreement (or agreements) shall include, but not to be limited to, provisions for carrying out the required construction and improvements to completion and the developing of the subdivision in stages,

This agreement (called the Subdivider's Agreement) shall constitute a covenant by the Board of County Commissioners and the subdivider of the subdivision. The terms and conditions of which shall run with the land and be binding upon all successors in interest to the subdivider.

5.17.5 Approval of the preliminary plat and construction plans by the Board of County Commissioners is authorization for the subdivider to proceed with site development and the installation of improvements in accordance with the approved construction plans, subject to the approval of other agencies having authority. In the event minor changes or deviations from the approved construction plans are necessary due to requirements caused by actual construction or the necessary causes, the Board of County Commissioners shall authorize such minor changes or deviations. If minor changes or deviations are authorized, the subdivider shall submit new construction plan materials as specified herein.

SECTION 5.18 FINAL PLAT PROCEDURE.

5.18.1 Step 1 - No less than thirty (30) calendar days following approval of the preliminary plat and construction plans and while the preliminary plat approval is in effect, the subdivider shall submit twelve (12) copies of the final plat for approval to the Land Development Regulation Administrator. The final plat shall include the information required in Section 5.37 of these land development regulations. The final plat shall also be accompanied by the materials required in Section 5.37 of these land development regulations, as well as a copy of any conditions imposed at the time of conditional approval of the preliminary plat or of the construction plans. Also, the final plat shall conform to all applicable provisions of Chapter 177, Florida Statutes, as amended.

5.18.2 Step 2 - The Land Development Regulation Administrator shall transmit copies of the final plat and materials to the County Health Department, County Road Superintendent, County Attorney, the Water Management District and other appropriate departments or agencies as the case may require for review and comment. The Land Development Regulation Administrator shall evaluate the comments from the appropriate departments and agencies and notify the subdivider of the status of the final plat.

5.18.3 Step 3 - Following review by these agencies, the Board of County Commissioners shall consider and take action on the final plat at its next regularly scheduled meeting as part of a previously prepared agenda. The final plat shall essentially conform to the preliminary plat as approved and, at the option of the subdivider, may constitute only that portion of the approved preliminary plat which he or she proposes to record at the time; provided however, that such portion conforms to all requirements of these land development regulations. Approval by the Board of County Commissioners shall not be shown on the final plat until all requirements of these land development regulations have been met and the following conditions have been complied with:

1. Upon completion of the improvements, the Board of County Commissioners or its authorized representative has inspected the construction work to determine that the work has been completed in a satisfactory manner and complies with the requirements of these land development regulations or a surety device has been posed which meets the requirements of Section 5.40;

2. Upon completion of improvements in the subdivision, the subdivider has submitted three (3) blue line sets and one (1) reproducible set of blue prints showing "as-built" improvements;

3. Subdivider's Agreement as required in Section 5.17.4 of these land development regulations has been entered into by the subdivider and the Board of County Commissioners;

4. Certificate of the Surveyor has been executed (see Section 5.38 and Appendix A);

5. Certificate of the Subdivider's Engineer has been executed (see Section 5.38 and Appendix A) or a Certificate of Estimated Cost (see Appendix A) has been completed and a surety device has been provided by the subdivider to satisfy the requirements of Section 5.40);

6. Certificate of Approval of the County Health Department has been executed (see Section 5.38 and Appendix A); and

7. Certificate of approval by the County Attorney has been executed (see Section 5.38 and Appendix A).

5.18.4 Step 4 - Upon final plat approval by the Board of County Commissioners, the subdivider shall submit the original and three (3) copies of the approved final plat for execution to the Land Development Regulation Administrator. The Land Development Regulation Administrator shall take the signed original and one (1) signed copy of the approved final plat to the Clerk of the Circuit Court of the County for recording. The subdivider shall pay all recording costs. Two (2) signed copies of the final plat shall be filed in the office of the Land Development Regulation Administrator.

SECTION 5.19 GENERAL IMPROVEMENTS. Where required by these land development regulations, the subdivider shall grade and improve streets; install sidewalks, street name signs, street lights, fire hydrants, and curbs and gutters; place monuments and corner stakes and install sanitary sewer and water mains and storm water facilities in accordance with the specifications of these land development regulations and any other specifications established by the Board of County Commissioners. The Board of County Commissioners may, if conditions warrant such action, require that improvements be designed and constructed to higher standards than are incorporated herein. All required improvements shall be paid for by the subdivider.

In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, and regulations:

1. All applicable statutory provisions.

2. The Building Code, and other applicable land development regulations of the County.

3. The Comprehensive Plan in effect at the time of submission.

4. Rules and regulations of the Florida Department of Health and Rehabilitative Services, Florida Department of Environmental Regulation, the appropriate Water Management District and other appropriate regional, State and Federal agencies.

5. Rules and regulations of the Florida Department of Transportation if the subdivision or any lot contained therein abuts a State highway or connecting street.

SECTION 5.20 MAINTENANCE AND REPAIR OF REQUIRED IMPROVEMENTS. The subdivider shall maintain and repair all improvements which these land development regulations require the subdivider to construct in the subdivision for a period of one (1) year after the completion of the same. A final plat shall neither be approved by the Board of County Commissioners nor accepted for filing until the subdivider posts a maintenance bond to cover at least ten (10) percent of the estimated costs of all required improvements for period of one (1) year (See Appendix A). All defects which occur within one (1) year after completion of all required improvements shall be remedied and corrected at the subdivider's expense.

SECTION 5.21 SUBDIVISIONS LOCATED OUTSIDE THE CORPORATE LIMITS OF MUNICIPALITIES BUT CONNECTED TO MUNICIPAL UTILITIES. Subdivisions which are located outside the corporate limits of any municipality but are to be connected to and serviced by municipal utilities such as water, sewage, and/or natural gas shall meet all the requirements of the applicable sections of these regulations, as well as municipal regulations governing the design, construction, and connection of such utilities.

SECTION 5.22 MONUMENTS. The subdivider shall adhere to the requirements of Chapter 177, Florida Statutes, as amended, regarding the placement of all monuments.

SECTION 5.23 LOT IMPROVEMENTS.

5.23.1 Arrangement. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with these land development regulations of the County and other applicable regulations and in providing driveway access to buildings on such lots from an approved street.

5.23.2 Dimensions and Design. Lot dimensions, shall comply with any minimum standards as established within any land development regulations of the County and provided, that the lot length shall not exceed three (3) times the width of the lot for all lots within areas designated

Environmentally Sensitive on the County's Official Zoning Atlas and the lot length shall not exceed four (4) times the width of the lot within all other zoning districts. In general, side lot lines shall be at right angles to street lines (or radial to curving street lines) unless variation from this rule will give a better street or lot plan. The entrance of automobiles from the lot to the street shall be approximately at right angles or radial to street lines. Corner lots shall be sufficiently wider and larger to permit additional yard area. Lots shall be laid out so as to provide positive drainage away from all buildings and individual lot drainage shall be coordinated with the general storm water drainage pattern for the area in accordance with approved construction plans (see Article 8 of these land development regulations).

5.23.3 Double Frontage. Double frontage and reversed frontage lots shall be prohibited except where necessary to provide separation of residential development from existing streets or to overcome specific disadvantages of topography and orientation.

5.23.4 Corner Stakes. As a minimum, lot corners shall be staked with three-eights (3/8) or one-half (1/2) inch diameter solid iron bars or pipes or suitable concrete monuments with reinforced steel, either of which must be twenty-four (24) inches long and driven so as to be flush with the finished grade.

5.23.5 Access. Lots shall not derive access from an existing street (except for minor subdivisions).

SECTION 5.24 USE OF SUBDIVIDED LOTS. The proposed use of lots within any subdivision shall comply with those uses permitted by the Comprehensive Plan and these land development regulations. Further, whenever any land in the unincorporated area of the County, is subdivided a building permit for the construction of a residence, commercial building or other principal structure shall not be issued for any such structure on less than a lot as platted within such subdivided land.

SECTION 5.25 PUBLIC PURPOSE SITES. The Board of County Commissioners may require the dedication to the public of public purpose sites (school sites, parks, playground, or other public areas) as are attributable by the Board of County Commissioners to the demand created by the subdivision. At the discretion of the Board of County Commissioners, the subdivider may be required to pay in cash an amount equal to the fair market value of such public purpose sites, said fair market value to be estimated on the basis of platted land without improvements.

SECTION 5.26 STREETS.

5.26.1 General Requirements.

1. The arrangements, character, extent, width, grade, and location of all streets shall conform to the Comprehensive Plan, where applicable, and shall be considered in their relations to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of land to be served by such streets. All streets within a subdivision shall be dedicated to the perpetual use of the public and shall be designed and constructed in accordance with the standards established in these land development regulations. However, the Board of County Commissioners may approve private streets when constructed to the specifications of these land development regulations and when adequate provision for initial installation and future private maintenance is made for such streets.

2. All work performed under these land development regulations concerning road right-of-way clearing and grubbing, earthwork, stabilizing, and construction of a base and surface course shall meet the minimum requirements of the Florida Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition and amendments, where applicable unless stated otherwise herein. These specifications are intended to govern the equipment, materials, construction methods, and quality control of the work, unless otherwise provided herein. The provisions of those specifications pertaining to basis of payment are not applicable to these land development regulations.

5.26.2 Street Improvement Schedule. Street improvements shall be provided as required by the following schedule. Improvements shall conform to:

1. STANDARD A, for commercial and industrial subdivisions.

2. STANDARD B, for high density residential subdivisions where any lot is less than or equal to ten thousand (10,000) square feet.

3. STANDARD C, for medium density residential subdivisions where all lots are greater than ten thousand (10,000) square feet but less than or equal to two (2) acres.

4. STANDARD D, for moderate density residential subdivisions where all lots are greater than two (2) acres but less than or equal to ten (10) acres.

5. STANDARD E, for low density residential subdivisions where all lots are greater than ten (10) acres.

Where the proposed subdivision includes an existing street, said street shall also be improved as required to conform to this schedule. This requirement shall not apply to any abutting street which is not connected with the proposed subdivision's street system.

STANDARD IMPROVEMENT

5.26.2.1 Grading and Centerline Gradients shall be a maximum of
A B C D E eight percent (8%) and a minimum of three-tenths of a percent (.3%) for standard A and B and a maximum of eight (8%) (no minimum) for standards C, D and E.

5.26.2.2 Arterial Streets shall be improved as follows: Two
A B C D E (2) twenty-four (24) foot wearing surfaces with twenty (20) foot median. The subdivider shall be required to install the second twenty-four (24) foot wearing surface only in large subdivisions where projected average daily traffic generated on the arterial by the subdivision exceeds seven thousand (7,000) vehicles. Minimum right-of-way shall be one hundred (100) feet.

5.26.2.3 Collector Streets shall be improved as follows:

A B C D E 1. Thirty-six (36) foot wearing surface and minimum right-of-way of eighty (80) feet.

5.26.2.4 Local Streets shall be improved as follows:

A 1. Twenty-four (24) foot wearing surface and minimum right-of-way of sixty (60) feet.

B C D 2. Twenty-two (22) foot wearing surface and minimum right-of-way of sixty (60) feet.

E 3. Twenty-two (22) foot pavement base and minimum right-of-way of sixty (60) feet.

5.26.2.5 Marginal Access Streets shall be improved as follows:

A 1. Twenty-four (24) foot wearing surface and minimum right-of-way of sixty (60) feet.

B C D 2. Twenty-two (22) foot wearing surface and minimum right-of-way of sixty (60) feet.

E 3. Twenty-two (22) foot pavement base and minimum right-of-way of sixty (60) feet.

5.26.2.6 Curb and gutter (see Appendix A) shall be provided as follows:

A B 1. Type E or F curb.

C D E 2. Curbs not required.

5.26.2.7 Stabilized Shoulders shall be required on both sides of
C D E all streets not having curb and gutter. Stabilized shoulders shall be six (6) feet in width and constructed as specified for the subgrade [see Section 5.26.2.9 except that they shall be constructed to a compacted thickness of four (4) inches and have a minimum Florida Bearing Value (FBV) of fifty (50).

5.26.2.8 Roadside Swales shall have side slopes and back slopes no
C D E steeper than four (4) to one (1). Run-off may be accumulated and carried in the swales in the right-of-way up to but not above the point where flooding of the shoulders or roadside property would occur. Water in excess of this quantity shall be diverted from the roadside swales and carried away by storm sewers or other approved means.

5.26.2.9 Subgrade shall have a compacted thickness of eight (8)
A B C D E inches, stabilized to a minimum Florida Bearing Value (FBV) of seventy-five (75) and compacted to ninety-eight percent (98%) of Standard Proctor Density (American Society for Testing Materials D1557). Also where soil classified as AASHO (American Association of State Highway Officials) soil groups A-6 or A-7 are encountered in the subgrade, such materials shall be removed to a minimum depth of eighteen (18) inches below the pavement base and replaced with acceptable material and where soil classified as AASHO (American Association of State Highway Officials) soil group A-8 is encountered, in the subgrade, all such materials shall be removed.

5.26.2.10 Pavement Base shall be improved as follows:

A B C D E 1. Arterial: Eight (8) inches of compacted limerock.

2. Collector, Local, and Marginal Access Streets:

A a. Eight (8) inches of compacted limerock.

B C D b. Six (6) inches of compacted limerock.

E c. Six (6) inches of compacted limerock shall be constructed above the subgrade and stabilized to have a minimum Florida Bearing Value (FBV) of seventy-five (75) and compacted to ninety-eight percent (98%) of Standard Proctor Density (American Society for Testing Materials (D1557)).

5.26.2.11 Wearing Surface shall be improved as follows:

A B C D E 1. Arterials: One and one-half (1 1/2) inches of Type I asphaltic concrete surface course.

2. Collector, Local, and Marginal Access Streets:

A B C D a. One and one-fourth (1 1/4) inch of Type I asphaltic concrete surface course.

E b. Wearing surface is not required.

5.26.2.12 Grassing shall be provided as follows:

A B C D E 1. Seeding and mulching shall be performed on all areas within the right-of-way, except for that part of the right-of-way covered by a wearing surface or, where these land development regulations do not require a wearing surface, that part covered by the pavement base.

A B C D E 2. Sodding may be required in areas of high erosion potential.

5.26.2.13 Concrete Sidewalks are not required unless, in the opinion of the Board of County Commissioners, pedestrian traffic will justify the installation of sidewalks as a safety precaution.

If sidewalks are required, they shall be installed by the subdivider, provide curb cuts for bicycles and handicapped access, and constructed at least five (5) feet wide and four (4) inches thick.

5.26.2.14 Quality Control. The subdivider shall be required to have a qualified soils and materials testing laboratory certify to the Board of County Commissioners that all materials and improvements entering into the completed work are in compliance with these land development regulations. All costs shall be borne by the subdivider and copies of the test results shall be submitted to the Board of County Commissioners with the final plat. There shall be a minimum of one (1) density test on subgrade and base for every one thousand (1,000) square yards each. In addition, there shall be a minimum of one (1) Florida Bearing Value Test (FBV) for every one-thousand (1,000) square yards of the subgrade.

5.26.3 Design Standards.

5.26.3.1 Topography and Arrangement.

1. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible of the building sites at or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided.

2. Local streets shall be laid out to discourage use by through traffic, to permit efficient drainage and utility systems and to require the minimum number of streets necessary to provide convenient and safe access to property.

3. The rigid rectangular gridiron street pattern need not necessarily be adhered to, and the use of curvilinear streets, cul-de-sacs, or U-shaped streets shall be encouraged where such use will result in a more desirable layout.

4. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Board of County Commissioners such extension is not necessary or desirable for the coordination of the layout or the most advantageous future development of adjacent tracts.

5. In commercial and industrial development, the streets and other accessway shall be planned in connection with the grouping of buildings, location of rail facilities, and the provision of alleys, truck loading and maneuvering areas, and walks and parking areas so as to minimize conflict of movement between the various types of traffic, including pedestrian traffic.

5.26.3.2 Blocks.

1. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to existing streets, railroads, or waterways.

2. The lengths, widths, and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed two thousand two hundred (2,200) feet, nor be less than four hundred (400) feet in length.

3. In long blocks, the Board of County Commissioners may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.

   Pedestrian ways or crosswalks, not less than ten (10) feet wide, may be required by the Board of County Commissioners through the center of blocks more than eight hundred (800) feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities.

5.26.3.3 Access to Existing Streets.

1. Access roads as used herein shall include any existing County road or roads which may be proposed to provide access to a proposed subdivision or to any lot therein as provided for in Section 5.23.5. The term access roads does not include proposed marginal access roads internal to a proposed subdivision as specified in Section 5.26.3.3.2. All access roads shall have a right-of-way of sixty (60) feet in width, opened, graded and stabilized to a width of twenty-two (22) feet, with six (6) inches of compacted limerock, placed above the subgrade and stabilized to have a minimum Florida Bearing Value (FBV) of seventy-five (75) and compacted to ninety-eight (98) percent of Standard Proctor Density (American Society for Testing Materials (D1557). If proposed subdivision contains more than ten (10) lots, or if the aggregate of all existing subdivided lots and new lots deriving access from such access road exceeds 10 lots, the subdivider shall, at the subdividers expense, pave such access road or roads in accordance with the specifications contained in Section 5.26.2.11.2 from the proposed subdivision to the closest paved state, County or municipal road at the expense of the subdivider.

2. Where a subdivision borders on or contains an existing street, the Board of County Commissioners shall require that access to such streets be limited by one (1) of the following means.

   a. The subdivision of lots so as to back onto the existing street; no access shall be provided from the existing street and screening shall be provided in a strip of land along the rear property line of such lots.

   b. A marginal access street separated from the existing street by a grass strip and having access thereto at suitable points.

c. A series of cul-de-sacs, or u-shaped streets, entered from and designed generally at right angles to the existing street. Each proposed roadway or street shall be located no less than one (1) thousand (1,000) feet apart where such streets connect with the existing street.

5.26.3.4 Street Names. The following standards shall be followed in establishing street names:

1. No two (2) streets shall have the same name.

2. Streets in a proposed subdivision which are extensions of existing streets shall have the same name as the existing street.

3. No street names will be used which will duplicate or be confused with the names of existing or other proposed streets.

4. All street names shall conform to the County's street naming and addressing system.

5. The Board of County Commissioners shall have final authority to approve the names of all streets.

5.26.3.5 Road and Street Signs.

1. Road Signs are traffic control signs such as stop signs, speed limit signs, etc. for all subdivisions, all road and street signs shall be designed in number and location to meet Florida Department of Transportation standards and shall be shown on the preliminary plat. Prior to approval of the final plat the subdivider shall install such road and street signage as approved by the Board of County Commissioners body and shall maintain and repair such signage as provided for in Section 5.20 herein. In lieu of installation of such signage prior to the approval of the final plat, the posting of a surety device in accordance with Section 5.39 herein shall be filed, approved and accepted by the Board of County Commissioners.

2. Street name signs are signs within a subdivision which identify street names. Street name signs are to be placed at all intersections within or abutting the subdivision by the subdivider, the type and location of which to be approved by the Board of County Commissioners, shall be submitted as part of the preliminary plat and shall conform to the County's street naming and addressing system.

5.26.3.6 Street Lights. Installation of street lights is not required unless, the Board of County Commissioners determines that the public's safety justifies the installation of street lights. If street lights are required, they shall be installed by the subdivider and constructed according to the standards of the Board of County Commissioners.

5.26.3.7 Reserve Strips. The creation of reserve strips shall not be permitted adjacent to a proposed street in such a manner as to deny access to such street from property adjacent to the proposed subdivision.

5.26.3.8 Construction of Roads and Dead-End Streets.

1. Construction of Roads. The arrangement of streets shall provide for the continuation of arterial and/or collector streets between the proposed subdivision and adjacent properties when such continuation is necessary to convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where such continuation is in accordance with the Comprehensive Plan.

   If the property adjacent to the proposed subdivision is undeveloped and the street must temporarily be a stub street (a street planned for future continuation), the street right-of-way shall be extended to the property line of the proposed subdivision. All stub streets which are two hundred fifty (250) feet or less shall have a temporary T- or L-shaped turnabout, while stub streets which are greater than two hundred fifty (250) feet shall have a temporary cul-de-sac turnabout.

   There shall be a notation on the final plat that land used for a temporary T- or L-shaped cul-de-sac or turnabout which is outside the normal street right-of-way shall revert to abutting land owners whenever the street is continued. The subdivider of the adjoining area shall pay the cost of restoring any stub street to its original design cross-section and extending the street. The Board of County Commissioners may limit the length of temporary stub streets in accordance with the design standards of these land development regulations.

2. Dead-End Streets. Dead-end streets are not permitted in any proposed subdivision under these land development regulations. For purposes of these land development regulations, stub streets (streets planned for future continuation) are not to be considered dead-end streets.

5.26.3.9 Cul-de-sac Streets. Cul-de-sacs shall be provided with a turnaround having an outside roadway diameter of at least eighty (80) feet, and a street property line diameter of at least one (1) hundred (100) feet (see Appendix A). Cul-de-sacs shall have a maximum length of eight hundred (800) feet including the turnaround.

5.26.3.10 Intersections.

1. Streets shall be laid out so as to intersect as nearly as possible at right angles (see Appendix C). A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one (1) hundred (100) feet therefrom. No more than two (2) streets shall intersect at any one (1) point unless specifically approved by the Board of County Commissioners.

2. Proposed new intersections along one (1) side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Street jogs with center-line offsets of less than one (1) hundred twenty-five (125) feet shall not be permitted (see Appendix A). Where proposed streets intersect major streets, their alignment shall be continuous.

3. Minimum curb radius at the intersection of two (2) local streets shall be at least twenty (20) feet, and a minimum curb radius at an intersection involving a collector street shall be at least twenty-five (25) feet. Abrupt changes in alignment within a block shall have the corners cut off in accordance with standard engineering practice to permit safe vehicular movement.

5.26.3.11 Widening and Realignment of Existing Roads. Where a subdivision borders on an existing street or when the Comprehensive Plan or land development regulations of the County, or other local, regional or State agency plan or program indicates plans for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to dedicate at his or her expense such areas for widening or realignment of such roads. Such frontage roads and streets shall be dedicated by the subdivider at his or her own expense to the full width as required by these land development regulations.

SECTION 5.27 STORM WATER MANAGEMENT AND FLOOD PROTECTION REQUIREMENTS. (Refer to Article 7 and 8 of these land development regulations).

SECTION 5.28 SANITARY SEWER.

5.28.1 Where a publicly-owned sanitary sewer system is available and reasonably accessible as determined by the Board of County Commissioners, the subdivider shall provide sanitary sewer services to each lot within the subdivision. All sewer lines serving lots within the subdivision should be designed to operate on a gravity flow basis wherever possible. If a wearing surface [see Section 5.26.2.11] and sanitary sewer lines are required, all sewer lines shall be installed by the subdivider prior to the paving of the street.

5.28.2 Where lots cannot be served by the extension of an existing publicly-owned sanitary sewer, an alternate method of sewage disposal for each lot may be used in compliance with all applicable standards of the County Health Department, the Florida Department of Health and Rehabilitative Services, the Florida Department of Environmental Regulation and any other regional, State or federal agency as applicable. Alternative methods of sewage disposal shall be so installed as to simplify later connections to a publicly-owned sanitary sewer system as service becomes available.

5.28.3 The subdivider must furnish written proof to the Board of County Commissioners which shows that provisions for sanitary sewage disposal of the entire subdivision meet with the approval of the County Health Department. Preliminary plat and construction plan approval shall not be given until this condition has been met.

SECTION 5.29 WATER SUPPLY.

5.29.1 Where a publicly-owned water supply is available and within a reasonable distance as determined by the Board of County Commissioners, the subdivider shall provide a system of water mains and connect the system to such supply. If a wearing surface [see Section 5.26.2.11] and water mains are required, all water lines shall be installed by the subdivider prior to the paving of the street.

5.29.2 Where there is no public water supply available within a reasonable distance, an alternate supply may be used when in compliance with all applicable standards of the County Health Department, the Florida Department of Health and Rehabilitative Services, the Water Management District and the Florida Department of Environmental Regulation.

5.29.3 The subdivider must furnish written proof to the Board of County Commissioners which shows that provisions for water supply of the entire subdivision meet with the approval of the County Health Department. Preliminary plat and construction plan approval shall not be given until this condition has been met.

5.29.4 Fire protection improvements shall be provided when the subdivision is connected to a publicly-owned water system. Fire protection improvements include the installation of fire hydrants to water mains with a minimum pipe size of six (6) inches in diameter.

If fire protection improvements are required, then fire hydrants shall be located no more than one (1) thousand (1,000) feet apart and within five hundred (500) feet of each lot. Also, the distribution system shall be capable of delivering, in addition to domestic requirements of residual pressures of not less than twenty (20) pounds per square inch and fire flows of at least five hundred (500) gallons per minute.

SECTION 5.30 WATER AND SANITARY SEWER SYSTEMS. New central water and sanitary sewer systems where required by the County's Comprehensive Plan shall be designed by a Florida registered engineer in accordance with all applicable regulations of the County Health Department, the Florida Department of Environmental Regulation, the Water Management District, and the Florida Department of Health and Rehabilitative Services.

SECTION 5.31 UTILITIES.

5.31.1 Location. Utility location within the road right-of-way shall be as shown in Appendix A.

5.31.2 Easements. Normally, utility easements across lots or centered on rear or side lot lines will not be permitted. Where, due to topography or other circumstances beyond the control of the subdivider, such easements are deemed by the Board of County Commissioners to be necessary to the reasonable development of the property, such easements shall be at least fifteen (15) feet wide and centered as near as practical between the lots.

SECTION 5.32 PRELIMINARY PLAT SPECIFICATIONS. The preliminary plat shall be drawn clearly and legibly at a scale of at least one (1) inch equals two hundred (200) feet using a sheet size of twenty-four (24) inches by thirty-six (36) inches, reserving a three (3) inch binding margin on the left side and one half (1/2) inch margin on the other three sides (see Appendix A). If more than one (1) sheet is required, an index map relating each sheet to the entire subdivision shall be shown on the first sheet.

Twelve (12) sets of the preliminary plat and necessary supporting material shall be submitted in accordance with the procedure outlined in Section 5.16 of these land development regulations.

SECTION 5.33 REQUIRED INFORMATION ON PRELIMINARY PLAT. The preliminary plat shall contain the following information.

1. Proposed name of subdivision.

2. Name, address, and telephone number of the subdivider and agent of the subdivider.

3. Name, address, telephone number, and registration number of surveyor and engineer.

4. Date of boundary survey, north arrow, graphic scale, date of plat drawing, and space for revision dates.

5. Existing contours at five (5) foot intervals based on U.S. Coastal and Geodetic Datum for the tract to be subdivided and extending twenty-five (25) feet beyond the tract boundary.

6. Vicinity map showing location with respect to existing roads, landmarks, etc., and total acreage of the subdivision and total number of lots. The vicinity map shall be drawn to show clearly the information required, but not less than one (1) inch to two thousand (2,000) feet. U.S. Geological Survey Maps may be used as a reference guide for the vicinity map.

7. Boundary line of the tract, by bearing and distance, drawn by a heavy line.

8. Legal description of the tract to be subdivided.

9. Names of owners of adjoining land with their approximate acreage or, if developed, names of abutting subdivisions.

10. Existing streets, utilities, and easements on and adjacent to the tract, including the name, purpose, location, and size of each and the invert elevation of sewers.

11. Other existing improvements including buildings on or adjacent to the tract.

12. Preliminary layout including streets and easements with dimensions and street names, lot lines with appropriate dimensions, land to be reserved or dedicated for public or common uses, and any land to be used for purposes other than single-family dwellings.

13. Block letters and lot numbers, lot lines, and scaled dimensions.

14. Zoning district boundaries on and abutting the tract.

15. Proposed method of water supply, sewage disposal, drainage, and street lighting.

16. Minimum building front yard setback lines as required by these land development regulations.

17. Typical street cross-sections for each street type and the location of all road and street signs and street name signs as required within these land development regulations shall also be noted on a separate sheet.

18. Natural features, including lakes, marshes or swamps, water courses, wooded areas, and land subject to the 100-year flood as defined by the Federal Emergency Management Agency, official flood maps.

19. Surface drainage and direction of flow and method of disposition and retention indicated.

20. Soil survey map.

21. Subsurface conditions of the tract showing: subsurface soil, rock and ground water conditions; location and results of soil percolation tests; and location and extent of muck pockets.

22. Existing and proposed covenants and restrictions.

23. Inscription stating "NOT FOR FINAL RECORDING".

24. Any other information that may be considered necessary by either the subdivider, the Planning and Zoning Board or the Board of County Commissioners for full and proper consideration of the proposed subdivision.

SECTION 5.34 CONSTRUCTION PLAN SPECIFICATIONS. Plans for the required improvements shall be prepared for the approval of the Board of County Commissioners prior to construction and either at the time of submission of the preliminary plat or after approval of the preliminary plat. The subdivider shall submit twelve (12) copies of the construction plan materials as specified in these land development regulations to the Land Development Regulation Administrator. Construction plans shall show the proposed locations, sizes, grades, and general design features of each facility.

5.34.1 Required Materials for Submission. Twelve (12) sets of construction plans and necessary supporting material shall be submitted in accordance with the procedure outlined in Section 5.17 of these land development regulations.

5.34.2 Plans Specifications. Construction plans shall be drawn to a scale of one (1) inch represents two hundred (200) feet or larger and shall consist of the following:

1. A topographic map of the subdivision with a maximum contour interval of one (1) foot where overall slopes are zero percent (0%) to two percent (2%), two (2) feet where slopes are over two percent (2%), based on U.S. Coast and Geodetic Datum. This topographic map shall be prepared by a land surveyor.

2. A contour drainage map of the basins within the proposed subdivision, with the size of each basin shown in acres. The outlines and sizes, in acres, of all existing and proposed drainage areas shall be shown and related to corresponding points of flow concentration. Each drainage area shall be clearly delineated. Flow paths shall be indicated throughout, including any final outfalls from the subdivision and basins. Existing and proposed structures affecting the drainage shall be shown.

3. Plans showing proposed design features and typical sections of canals, swales and all other open channels, storm sewers, all drainage structures, and other proposed subdivision improvements.

4. Plans and profiles for all proposed streets and curbs are required. Where proposed streets intersect existing streets, elevations and other pertinent details shall be shown for existing streets for a minimum distance of three hundred (300) feet from point of intersection.

5. Plans of any proposed water distribution system and sanitary sewer collection system showing pipe sizes and location of valves, pumping stations and fire hydrants, where the installation of such facilities are required by these land development regulations.

6. Plans for all road and street signs and street name signs showing the location of such signage and any other traffic safety control devices which is required or proposed. In addition, the specifications for such signage shall be provided as part of this plan, which shall detail in diagram form as necessary the size, material, color, and specifications for installation of such signage.

7. Other information on the construction plans as may be required by the Board of County Commissioners.

SECTION 5.35 SUBDIVIDER'S AGREEMENT. The subdivider's agreement, required in Section 5.17.4, shall specify the following:

1. The work to be done, and the time specified therefore, by the subdivider.

2. The variances, if any, approved by the Board of County Commissioners to standard requirements (see Article 12 of these land development regulations).

3. The participation in the development, if any, by the Board of County Commissioners and the time for completion of such work.

4. The lien, if any, imposed upon the land of the subdivider for any work performed by the Board of County Commissioners.

5. The conveyance by the subdivider to the County of all required water, sanitary sewer, and storm sewer lines installed within dedicated public right-of-way.

6. The agreement of the subdivider to maintain and repair all improvements which these land development regulations require the subdivider to install in the subdivision for a period of one (1) year after completion of the same.

SECTION 5.36 FINAL PLAT SPECIFICATIONS. The final plat shall be drawn clearly and legibly in ink at a scale of at least one (1) inch equals two hundred (200) feet using a sheet size of twenty-four (24) inches by thirty-six (36) inches, each sheet shall be drawn with a marginal line completely around each sheet and placed so as to leave a three (3) inch binding margin on the left side and a one (1) half (1/2) inch margin on the other three (3) sides (see Appendix A). If more than one (1) sheet is required, an index map relating each sheet to the entire subdivision shall be shown on the first sheet.

Twelve (12) sets of the final plat and necessary supporting material shall be submitted in accordance with the procedure outlined in Section 5.18 of these land development regulations.

SECTION 5.37 REQUIRED INFORMATION ON FINAL PLAT.

1. Name of subdivision shall be shown in bold legible letters, as stated in Chapter 177, Florida Statutes, as amended; the name of the subdivision shall be shown on each sheet included. Every subdivision's name shall have legible lettering of the same size and type, including the words "section," "unit," "replat," "amended," etc.

2. Name and address of subdivider.

3. North arrow, graphic scale, and date of plat drawing.

4. Vicinity map showing location with respect to existing streets, landmarks, etc., and total acreage of the subdivision and total number of lots. The vicinity map shall be drawn to show clearly the information required, but not less than one (1) inch to two thousand (2,000) feet. U.S. Geological Survey Maps may be used as a reference guide for the vicinity map.

5. Exact boundary line of the tract, determined by a field survey, giving distances to the nearest one-hundredth (1/100) foot and angles to the nearest minute, shall be balanced and closed with an apparent error of closure not to exceed one (1) in five thousand (5,000).

6. Legal description of the tract.

7. Names of owners of adjoining lands with their approximate acreage or, if developed, names of abutting subdivisions.

8. Location of streams, lakes and swamps, and land subject to the 100-year flood as defined by the Federal Emergency Management Agency, official flood maps.

9. Bearing and distance to permanent points on the nearest existing street lines of bench marks or other permanent monuments (not less then three (3)) shall be accurately described on the plat.

10. Municipal and County lines shall be accurately tied to the lines of the subdivision by distance and angles when such lines traverse or are reasonably close to the subdivision.

11. The closest land lot corner shall be accurately tied to the lines of the subdivision by distance and angles.

12. Location, dimensions, and purposes of any land reserved or dedicated for public use.

13. Exact locations, width, and names of all streets within and immediately adjoining the new subdivision.

14. Street right-of-way lines shall show deflection angles of intersection, radii, and lines of tangents.

15. Lot lines shall be shown with dimensions to the nearest one hundredth (1/100) foot and bearings.

16. Lots shall be numbered in numerical order and blocks lettered alphabetically.

17. Accurate location and description of monuments and markers.

18. Minimum building front yard setback lines as required by these land development regulations.

19. Reference to recorded subdivision plats of adjoining platted land shall be shown by recorded names, plat book, and page number.

20. Covenants and restrictions.

SECTION 5.38 SIGNED CERTIFICATES. The following certificates shall appear on the final plat. Certificates listed within this section shall be properly signed before the final plat is submitted to the Board of County Commissioners and the Certificate of Approval by the Board of County Commissioners shall be properly signed after the final plat is approved by the Board of County Commissioners. (see Appendix A).

1. Certificate of Surveyor.

2. Certificate of the Subdivider's Engineer.

3. Certificate of Approval by County Health Department.

4. Certificate of Approval by the Attorney for the County.

5. Certificate of Approval by the Board of County Commissioners.

SECTION 5.39 BONDING IN LIEU OF COMPLETED IMPROVEMENTS. A final plat shall neither be approved by the Board of County Commissioners nor accepted for filing until the improvements required by these land development regulations have been constructed in a satisfactory manner or, in lieu of such construction, the posting of a surety device. Such surety, in the form of a surety bond, performance bond, escrow agreement, or other collateral (the form of which to be approved the attorney for the County) shall be filed with the Board of County Commissioners. Such surety shall:

5.39.1 Cover at least one hundred and ten (110) percent of the estimated cost of all required improvements such as streets, drainage, fill, and other public improvements with estimated costs provided by the subdivider's engineer. A certificate of the estimated cost shall appear on the final plat (see Appendix A). This certificate shall be properly signed before the final plat is submitted to the Board of County Commissioners. This estimated cost shall represent the total estimated cost of installing all required improvements. Such estimate shall be prepared by a registered engineer. As an alternative to the above, bids of two (2) licensed contractors or a copy of all executed contracts for the installation of the above mentioned improvements may be submitted.

5.39.2 Be conditioned upon the faithful performance by the subdivider of all work required to complete all improvements and installations for the subdivision or unit division thereof, in compliance with these land development regulations and within a specified time as determined between the subdivider and the Board of County Commissioners.

5.39.3 Be payable to, and for the indemnification of the Board of County Commissioners.

SECTION 5.40 OTHER DOCUMENTS REQUIRED ON THE FINAL PLAT.

5.40.1 Dedication. A dedication to the public by the owners of the land involved of all streets, drainage easements, and other rights-of-way however designated and shown on the plat for perpetual use for public purposes, including vehicular access rights where required. If the property is encumbered by a mortgage, the owner of the mortgage shall join in the dedication or in some other manner subordinate the mortgage's interest to the dedication of public right-of-way.

5.40.2 Certificate of Payment of Taxes. Certification that all payable taxes have been paid and all tax sales against the land redeemed.

5.40.3 Certificate of Title and Encumbrances. Title certification as required by Chapter 177, Florida Statutes, as amended.

ARTICLE SIX

PRIME NATURAL GROUNDWATER AQUIFER RECHARGE AND POTABLE WATER WELLFIELD REGULATIONS

ARTICLE SIX. PRIME NATURAL GROUNDWATER AQUIFER RECHARGE AND POTABLE WATER WELL FIELD REGULATIONS

SECTION 6.1 PRIME NATURAL GROUNDWATER AQUIFER RECHARGE PROTECTION

6.1.1 Prime Natural Groundwater Aquifer Recharge Areas. For the purposes of these land development regulations, such recharge areas shall be as defined within Section 2.1 herein and as shown on the County's Comprehensive Plan and the Official Zoning Atlas of these land development regulations.

6.1.2 Prime Natural Groundwater Aquifer Recharge Area Requirements. Within the areas designated as Prime Natural Groundwater Aquifer Recharge Areas as provided within Section 6.1.1, all proposed development shall comply with the following:

1. Stormwater management practices shall not include drainage wells and sinkholes for stormwater disposal where recharge is into potable water aquifers. Where development is proposed in areas with existing wells, these wells shall be abandoned, including adequate sealing and plugging according to Chapter 17.28, Florida Administrative Code, as amended. The site and development plan shall clearly indicate that the proposed stormwater disposal methods meet requirements established in Article 7 herein;

2. Well construction, modification, or closure shall be regulated in accordance with the criteria established by the Water Management District and the Florida Department of Health and Rehabilitative Services. Construction of a permitted well with a capacity of one-hundred thousand (100,000) gallons per day or more, or modification may be allowed in the surficial, intermediate or Floridan Aquifer System after a determination by the Planning and Zoning Board that the construction and use will not directly or indirectly degrade water quality in the Floridan Aquifer System;

3. Abandoned wells shall be closed in accordance with the criteria established by Chapter 17.28, Florida Administrative Code, as amended;

4. No person shall discharge or cause to or permit the discharge of a regulated material, as defined in Section 2.1 of these land development regulations (or as listed in Chapter 442, Florida Statutes, as amended), to the soils, groundwater, or surfacewater of any Prime Natural Groundwater Aquifer Recharge Area;

5. No person shall tamper or bypass or cause or permit tampering with or bypassing of the containment of a regulated material storage system, within any prime natural groundwater recharge area, except as necessary for maintenance or testing of those components; and

6. Landfill and storage facilities for hazardous/toxic wastes shall also require approval as a special exception by the Board of Adjustment as required in Article 12 of these land development regulations.

6.1.3 Notification upon Sale or Transfer. Owners of real property located either partly or entirely within a Prime Natural Groundwater Aquifer Recharge Area, shall at the time of any transfer of interest in such property, create in any deed, lease, or other document conveying such interest a notation that the property is subject to the provisions for prime natural groundwater aquifer recharge area protection of these land development regulations.

6.2 POTABLE WATER WELL FIELD PROTECTION.

6.2.1 Wellfield Management Zone. A wellfield protection area shall be established as a minimum of four-hundred (400) feet around wellheads with a permitted capacity of one-hundred thousand (100,000) gallons per day or more. The following standards shall apply for the issuance of development orders for structures or uses within the Wellfield Management Zone:

6.2.1.1 New Uses. No new uses of land shall be permitted which require or involve storage, use or manufacture of regulated materials as defined in Section 2.1 herein.

6.2.1.2 Limitation on New Wells. No new wells shall be permitted or contracted in a surficial intermediate, or Floridan Aquifer System. Exemptions as approved by the Board of County Commissioners, after a recommendation has been provided to the Board of County Commissioners by the Planning and Zoning Board, may be granted on a case by case basis and shall be limited to:

1. Wells constructed by the County, a Community Water Association or their contractor as part of a monitoring system surrounding the well field. New construction or repair of the well field production wills or other well construction or modification required in the operations of the a County or Community Water Association water treatment plant.

2. Wells constructed as part of a County/Florida Department of Environmental Regulation-approved contaminant assessment/remediation plan where ground water contamination has been identified or is suspected.

3. Wells constructed for private water supply in locations where the cost of connection to a public water utility would exceed the cost of the proposed private supply well and pumping system by a factor of two and one-half (2 1/2) times.

4. Geotechnical borings constructed in the surficial aquifer system.

6.2.1.3 Discharge Prohibited. No person shall discharge or cause to or permit the discharge of a regulated material, as defined in Section 2.1 of these land development regulations, or within Chapter 442, Florida Statutes, as amended, to the soils, groundwater, or surface water of any Well Field Management Zone.

6.2.1.4 Landfills Prohibited. New sanitary landfills, as defined by Chapter 17-7, Florida Administrative Code, as amended shall be prohibited within Well Field Management Zones.

6.2.1.5 Limitation of Septic Tanks. New septic Tanks waste water treatment systems shall be prohibited within Well Field Management Zones, except where the cost of connection of a public waste water utility would exceed the cost of the proposed septic tank and installation by a factor of two and one-half (2 1/2) times or where no public sanitary sewer system is available.

6.2.1.6 Sanitary Sewer Plants Prohibited. New domestic and/or industrial waste water treatment facilities shall be prohibited within Well Field Management Zones.

6.2.1.7 Transportation of Regulated Materials. No transportation of regulated materials shall be allowed in the Well Field Management Zone, except local traffic serving facilities within the Well Field Management Zone.

6.2.1.8 Material Exemptions. The Board of County Commissioners, after the request has been heard and a recommendation provided to the Board of County Commissioners by the Planning and Zoning Board, may exempt any material from the requirements of these land development regulations if, in the opinion of the Board of County Commissioners, it has been demonstrated that the material, in the quantity and/or solution handled or the conditions under which it is stored, does not present a significant actual or potential hazard to the contamination of groundwater in case of a discharge.

6.2.1.9 Temporary Storage Permit. A temporary permit approval shall be required for the temporary storage of regulated materials in containers or tanks exceeding fifty (50) gallons aggregate volume for use in normal agricultural or forestry practices and in construction activities within the Well Field Management Zone. The temporary permit procedure shall consist of application to the Planning and Zoning Board for the proposed activity requiring temporary hazardous material storage. The application shall be made on County forms and shall include details of the proposed activity, a schedule of activity, types and quantities of regulated materials to be stored and a plan for monitoring and remedial action, where necessary, as determined by the Board of County Commissioners. Following a recommendation of the Planning and Zoning Board on the application for temporary permit, the Board of County Commissioners shall approve, approved with conditions, or deny the application. If the applicant chooses to appeal a decision by the Board of County Commissioners, procedures set forth in Article 12 shall be followed.

6.2.2 Notification upon Sale or Transfer. Owners of real property located either partly or entirely within a Wellfield Management Zone, shall at the time of any transfer of interest in such property, create in any deed, lease, or other document conveying such interest a notation that the property is subject to the provisions for potable water well field protection of these land development regulations.

ARTICLE SEVEN

STORMWATER MANAGEMENT REGULATIONS

ARTICLE SEVEN. STORMWATER MANAGEMENT REGULATIONS

SECTION 7.1 RELATIONSHIP TO OTHER STORMWATER MANAGEMENT REQUIREMENTS

7.1.1 General. In addition to meeting the requirements of these land development regulations, the design and performance of all stormwater management systems shall comply with applicable state regulations (Chapter 17-25, Florida Administrative Code, as amended) and rules of the Water Management District. In all cases the strictest of the applicable standards and the following shall apply:

Stormwater management systems shall be installed such that the peak rate of post development runoff will not exceed the peak rate of pre-development runoff for storm events up through and including either:

1. A design storm with a 10-year, 24-hour rainfall depth with Soil Conservation Service Type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation, or recreational uses; or

2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.

3. Facilities which directly discharge into an Outstanding Florida Water shall include an additional level of treatment equal to the runoff of the first 1.5 inches of rainfall from the design storm consistent with Chapter 17-25.025(9), Florida Administrative Code, in order to meet the receiving water quality standards of Chapter 17-302, Florida Administrative Code. Stormwater discharge facilities shall be designed so as not to lower the receiving water quality below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, Florida Administrative Code.

SECTION 7.2 EXEMPTIONS

7.2.1 General Exemptions. The following development activities are exempt from these land development regulations, except that steps to control erosion and sedimentation must be taken for all development and any development exempt from Chapter 17-25 or 40B-4 as cited above, which is adjacent to or drains into a surface water, canal, or stream, or which enters a ditch which empties into a sinkhole, shall first allow the runoff to enter a grassed swale or other conveyance designed to percolate 80 percent of the runoff from a three year, one hour design storm within 72 hours after a storm event. In addition, any

development exempt from Chapter 17-25 or 40B-4, as cited above, which is directly discharged into an Outstanding Florida Water shall include an additional level of treatment equal to the runoff of the first 1.5 inches of rainfall from the design storm consistent with Chapter 17-25.025(9), Florida Administrative Code, in order to meet the receiving water quality standards of Chapter 17-302, F.A.C. Stormwater discharge facilities shall be designed so as not to lower the receiving water quality below the minimum condition necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, Florida Administrative Code.

1. The clearing of land which is to be used solely for agriculture, silviculture, floriculture, or horticulture provided no obstruction or impoundment of surface water will take place. Also, the construction, maintenance, and operation of self-contained agricultural drainage systems provided adjacent properties will not be impacted and sound engineering practices are followed.

2. The construction, alteration, or maintenance of a private residence or agricultural building provided the total impervious area is less than 10,000 square feet (i.e., house, barn, driveways) and provided further that the residence or agricultural building is not adjacent to an Outstanding Florida Water or adjacent to or drains into a surface water, canal, or stream, or which empties into a sinkhole.

3. The connection of a system to an existing permitted system provided the existing system has been designed to accommodate the proposed system.

4. The placement of culverts whose sole purpose is to convey sheet flow when an existing facility is being repaired or maintained provided the culvert is not placed in a stream or wetland.

5. Existing systems that are operated and maintained properly and pose no threat to public health and safety.

6. Connections to existing surfacewater management systems that are owned, operated, and maintained by a public entity provided, under ordinance, the proposed connections comply with a surfacewater management plan compatible with the Water Management District's requirements.

7. Any development within a subdivision if each of the following conditions have been met:

    a. Stormwater management provisions for the subdivision were previously approved and remain valid as part of a final plat or development plan; and

b. The development is conducted in accordance with the stormwater management provisions submitted with the construction plan.

8. Action taken under emergency conditions to prevent imminent harm or danger to persons, or to protect property from imminent fire, violent storms, hurricanes, or other hazards. A report of the emergency action shall be made to the Board of County Commissioners and Water Management District as soon as practicable.

SECTION 7.3 STORMWATER MANAGEMENT REQUIREMENTS

7.3.1 Natural Drainage System Utilized to Extent Feasible. To the extent practicable, all development shall conform to the natural contours of the land and natural and preexisting man-made drainage ways shall remain undisturbed.

7.3.2 Lot Boundaries. To the extent practicable, lot boundaries shall be made to coincide with natural and preexisting man-made drainage ways within subdivisions to avoid the creation of lots that can be built upon only by altering such drainage ways.

7.3.3 Developments Must Drain Properly. All developments shall be provided with a drainage system that is adequate to prevent the undue retention of stormwater on the development site. Stormwater shall not be regarded as unduly retained if:

1. The retention results from a technique, practice or device deliberately installed as part of a sedimentation or stormwater runoff control plan approved by the Water Management District; or

2. The retention is not substantially different in location or degree than that experienced by the development site in its pre-development stage, unless such retention presents a danger to health to safety.

7.3.4 Storm Water Management General. All developments shall be constructed and maintained so that post-development runoff rates and pollutant loads do not exceed pre-development conditions. While development activity is underway and after it is completed, the characteristics of stormwater runoff shall approximate the rate, volume, quality, and timing of stormwater runoff that occurred under the site's natural unimproved or existing state, except that the first one-half (1/2) inch of stormwater runoff shall be treated in an off line retention system or according to other beast management practices as described in the Water Management District's Surfacewater Management Permitting Manual, as amended. More specifically:

1. No development may be constructed or maintained so that such development impedes the natural flow of water from higher adjacent properties across such development, thereby causing substantial damage to such higher adjacent properties; and

2. No development may be constructed or maintained so that stormwaters from such development are collected and channelled onto lower adjacent properties.

7.3.5 Sedimentation and Erosion Control. Final plat approval for subdivisions may not be given with respect to any development that would cause land disturbing activity subject to the jurisdiction of the Water Management District, unless the Water Management District has certified to the County, either that:

1. The proposed construction plans are approved for permitting by the Water Management District; or

2. The Water Management District has examined the preliminary plat for the subdivision and it reasonably appears that permits for such subdivision improvements can be approved, upon submission of the subdivider of construction plans. However in this case, construction of the development may not begin until the Water Management District issues its permit.

For the purposes of this section, land disturbing activity means any use of the land by any person in residential, industrial, educational, institutional, or commercial development and highway and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation. Sedimentation occurs whenever solid particulate matter, mineral or organic, is transported by water, air or gravity from the site of its origin.

7.3.6 Water Quality. The proposed development and development activity shall not violate the water quality standards as set forth in Chapter 17-3, Florida Administrative Code, as amended.

Facilities which directly discharge into an Outstanding Florida Water shall include an additional level of treatment equal to the runoff of the first 1.5 inches of rainfall from the design storm consistent with Chapter 17-25.025(9), Florida Administrative Code, in effect upon adoption of the County's Comprehensive Plan, in order to meet the receiving water quality standards of Chapter 17-302, Florida Administrative Code, in effect upon adoption of the County's Comprehensive Plan. Stormwater discharge facilities shall be designed so as not to lower the receiving water quality below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, Florida Administrative Code, in effect upon adoption of the County's Comprehensive Plan.

7.3.7 Design Standards. To comply with the foregoing standards the proposed stormwater management system shall conform to the following design standards:

1. Detention and retention systems shall be designed in conformance with the Water Management District's Surfacewater Management Permitting Manual, as amended.

2. To the maximum extent practicable, natural systems shall be used to accommodate stormwater.

3. The proposed stormwater management system shall be designed to accommodate the stormwater that originates within the development and stormwater that flows onto or across the development from adjacent lands.

4. The proposed stormwater management system shall be designed to function properly for a minimum twenty (20) year life.

5. The design and construction of the proposed stormwater management system shall be certified as meeting the requirements of these land development regulations and the Water Management District's Surfacewater Permitting Manual, as amended, by a professional engineer, architect, or landscape architect, registered in the State of Florida.

6. No stormwater may be channelled or directed into a sanitary sewer.

7. The stormwater management drainage system of a development shall coordinate with and connect to the drainage systems or drainage ways on surrounding properties or roads.

8. Use of drainage swales rather than curb and gutter and storm sewers in subdivision is provided for in Article 5 of these land development regulations. Private roads and access ways within unsubdivided developments shall utilize curb and gutter and storm drains to provide adequate drainage if the grade of such roads or access ways is too steep to provide drainage in another manner or if other sufficient reasons exist to require such construction.

9. Stormwater management systems shall be designed and constructed to provide retention of run-off volumes such that the peak discharge from the developed site shall not exceed the equivalent peak discharge from the natural or undeveloped site.

10. The Board of County Commissioners may require any water retention areas to be fenced and screened by trees or shrubbery.

11. In areas where high ground water and other conditions exist and it is deemed necessary by the Board of County Commissioners, subsurface drainage facilities shall be installed. If a wearing surface (see Article 5 of these land development regulations) and subsurface drainage facilities are required, all subsurface drainage facilities shall be installed by the subdivider prior to the paving of the street.

12. All required improvements shall be installed so as to maintain any natural watercourse.

13. Construction specifications for drainage swales, curbs and gutters are contained in Article 5 and Appendix A of these land development regulations.

14. The banks of detention and retention areas shall be sloped to accommodate, and shall be planted with vegetation which will maintain the integrity of the bank.

15. Dredging, clearing of vegetation, deepening, widening, straightening, stabilizing, or otherwise altering natural surface waters shall be minimized.

16. Natural surface water shall not be used as sediment traps during or after development.

17. For aesthetic reasons and to increase shoreline habitat, the shorelines of detention and retention areas shall be curving rather than straight.

18. Water reuse and conservation shall, to the maximum extent practicable, be achieved by incorporating the stormwater management system into irrigation systems serving the development, if any.

19. Vegetated buffers of sufficient width to prevent erosion shall be retained or created along the shores, banks, or edges of all natural or man-made surface waters.

20. In phased developments, the stormwater management system for each integrated stage of completion shall be capable of functioning independently as required by these land development regulations.

21. All detention and retention basins, except natural water bodies used for this purpose, shall be accessible for maintenance from streets or public rights-of-way.

SECTION 7.4 DEDICATION OR MAINTENANCE OF STORMWATER MANAGEMENT SYSTEMS.

7.4.1 Dedication. If a stormwater management system approved under these land development regulations will function as an integral part of the County's system, as determined by the Board of County Commissioners, the facilities shall be dedicated to the County.

7.4.2 Maintenance by an Acceptable Entity. All stormwater management systems that are not dedicated to the County shall be operated and maintained by one (1) of the following entities:

1. A local governmental unit including a school board, special district or other governmental unit.

2. A regional water management agency or an active water control district created pursuant to Chapter 298, Florida Statutes, as amended, or drainage district created by special act, or special assessment district created pursuant to Chapter 170, Florida Statues, as amended.

3. A state or federal agency.

4. An officially franchised, licensed, or approved communication, water, sewer, electrical or other public utility.

5. The property owner or developer if:

   a. Written proof as submitted in the appropriate form by either letter or resolution, that a governmental entity as set forth in paragraphs 1-3 above, will accept the operation and maintenance of the stormwater management and discharge facility at a time certain in the future.

   b. A surety bond or other assurance of continued financial capacity to operate and maintain the system is submitted to the Board of County Commissioners. The developer shall maintain and repair all improvements which these stormwater management regulations require the developer to construct. The developer shall post a maintenance bond to cover at least ten (10) percent of the estimated costs of all required stormwater improvements (See Appendix A).

6. For-profit or non-profit corporations', including home-owners associations, property owners associations, condominium owners associations or master associations if:

   a. The owner or developer submits documents constituting legal capacity and a binding legal obligation between the entity and the County, whereby the entity affirmatively takes responsibility for the operation and maintenance of the stormwater management facility.

   b. The association has sufficient powers reflected in its organizational or operational documents to:

      1. Operate and maintain the stormwater management system as permitted by the Water Management District.

      2. Establish rules and regulations.

      3. Assess members.

      4. Contract for services.

      5. Exist perpetually, with the Articles of Incorporation providing that if the association is dissolved, the stormwater management system will be maintained by an acceptable entity as described above.

7.4.3 Phased Projects. If a project is to be constructed in phases and subsequent phases will use the same stormwater management systems as the initial phase or phases, the operation/maintenance entity shall have the ability to accept responsibility for the operation and maintenance of the stormwater management systems of future phases of the project.

In phased developments that have an integrated stormwater management system, but employ independent operation/maintenance entities for different phases, the operation/maintenance entities, either separately or collectively, shall have the responsibility and authority to operate and maintain the stormwater management system for the entire project. That authority shall include cross easements for stormwater management and the authority and ability of each entity to enter and maintain all facilities, should any entity fail to maintain a portion of the stormwater management system within the project.

7.4.3 Applicant as Acceptable Entity. The applicant shall be an acceptable entity and shall be responsible for the operation and maintenance of the stormwater management system from the time construction begins until the stormwater management system is dedicated to and accepted by another acceptable entity.

ARTICLE EIGHT

FLOOD DAMAGE PREVENTION REGULATIONS

ARTICLE EIGHT. FLOOD DAMAGE PREVENTION REGULATIONS

SECTION 8.1 STANDARDS FOR REDUCING FLOOD HAZARDS IN THE AREA OF SPECIAL FLOOD HAZARD. The standards in the Article apply to all development within the Areas of Special Flood Hazard as shown in the Flood Hazard Boundary Map or a Flood Insurance Rate Map.

For the purposes of this section, "substantial improvement" means for a building constructed prior to the effective date of these land development regulations, any repair, reconstruction, or improvement of a building the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the improvement or repair is started or (ii) if the structure has been damaged and is being restored, before the damage occurred. "Substantial improvement" occurs which the first alteration on any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either (i) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications that are solely necessary to insure safe living conditions, or (ii) any alteration of a building listed on the National Register of Historic Places or the State of Florida Inventory of Historic Places.

In all areas of special flood hazard the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or later movement of the structure;

2. Manufactured homes shall be anchored to prevent flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;

3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;

4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;

5. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;

8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and

9. Any alteration, repair reconstruction or improvements to a structure which is in compliance with the provisions of these land development regulations, shall meet the requirements of "new construction" as defined in Section 2.1.

SECTION 8.2 STANDARDS FOR RESIDENTIAL CONSTRUCTION. New construction or substantial improvement of any residential structure shall have the lowest floor, including a basement as defined within Section 2.1 of these land development regulations, elevated no lower than one (1) foot above base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with the standards herein.

SECTION 8.3 STANDARDS FOR NON-RESIDENTIAL CONSTRUCTION. New construction or substantial improvement of any commercial, industrial, or non-residential structure shall have the lowest floor, including basement, elevated no lower than one (1) foot above the level of the base flood elevation. Structures located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this section are satisfied.

SECTION 8.4 STANDARDS FOR ELEVATED BUILDINGS. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

1. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

   a. Provide a minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;

b. The bottom of all openings shall be no higher than one (1) foot above grade; and

c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.

2. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation.

3. Access to the enclosed areas shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

4. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.

SECTION 8.5 STANDARDS FOR FLOODWAYS. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;

2. All new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Article.

3. Prohibit the placement of mobile homes, except in an existing mobile home parks or subdivisions, which existed prior to the adoption of these land development regulations. A replacement mobile home may be placed on a lot in an existing mobile home park or subdivision provided the anchoring and elevation standards established herein are met.

SECTION 8.6 STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAYS. Located within the areas of special flood hazard, where small streams exist, but where no base flood data have been provided or where no floodways have been provided, the following provisions apply:

1. Where a perennial river stream or creek is located, no building or fill may be located within a distance of the stream bank equal to seventy-five (75) feet if the river, stream or creek, which has been designated as a regionally significant area in the County's Comprehensive Plan and thirty-five (35) feet for all other perennial rivers, streams or creeks; and

2. New construction of or substantial improvements to structures shall be elevated or flood-proofed to minimize risks of flooding reasonably to be expected based upon the best available data.

SECTION 8.7 STANDARDS FOR AREAS OF SHALLOW FLOODING. The following standards apply to areas of shallow flooding located within the area of special flood hazard.

1. The lowest floor of all new construction of and substantial improvements to residential structures shall be elevated above the highest adjacent grade at least as high as the depth number specified in feet on the Flood Insurance Rate Map (at least two (2) feet if no depth number is specified.)

2. The lowest floor of all new construction of and substantial improvements to non-residential structures shall:

   a. have the lowest floor, including basement, elevated to the depth number specified on the Flood Insurance Rate Map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor, including basement shall be elevated at least two (2) feet above the highest adjacent grade; or

   b. together with attendant utility and sanitary facilities be completely flood-proofed to or above the level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

SECTION 8.8 REQUIRED FLOOR ELEVATION. No new residential building may be constructed and no substantial improvement of a residential building may take place within any floodplain unless the lowest floor (including any portion of the structure below grade) of the building or improvement is elevated to one (1) foot above the base flood level.

1. Residential accessory structures shall be allowed within floodplains provided they are firmly anchored to prevent flotation.

2. Anchoring of any accessory buildings may be done by bolting the building to a concrete slab or by over-the-top ties. When bolting to a concrete slab, one-half (1/2) inch bolts six (6) feet on center with a minimum of two (2) per side with a force adequate to secure the building is required.

SECTION 8.9 MOBILE HOME CRITERIA. Notwithstanding any other provision of these land development regulations, no mobile home may be located within that portion of the floodplain outside of the floodway, unless the following criteria are met:

1. Ground anchors for tie downs are provided.

2. The following tie-down requirements are met:

   a. Over-the-top ties are required at each of the four (4) corners of the mobile home, with one additional toe per side at an intermediate location, for mobile homes less than fifty (50) feet long. Two (2) additional ties per side are required for manufactured homes more than fifty (50) feet long.

   b. Frame ties are required in conjunction with each over-the-top tie.

   c. All components of the anchoring must be capable of carrying a force of four-thousand eight hundred (4,800) pounds.

3. Lots or pads are elevated on compacted fill or by any other method approved by the Land Development Regulation Administrator so that the lowest habitable floor of the mobile home is one (1) foot above the base flood level.

4. Adequate surface drainage and easy access for mobile home hauler is provided.

5. Load-bearing foundation supports such as piers or pilings must be placed on stable soil or concrete footings no more than ten (10) feet apart and if the support height is greater than seventy-two (72) inches, the support must contain steel reinforcement.

SECTION 8.10 STABILIZATION OF SLOPES. Whenever any portion of a floodplain is filled in with fill dirt, slopes shall be adequately stabilized to withstand the erosive force of the base flood.

SECTION 8.11 SPECIAL PROVISIONS FOR SUBDIVISIONS. An applicant requesting the plat approval of a major or minor subdivision shall be informed by the Land Development Regulations Administrator of the use and condition restrictions contained within this Article and Article 5 of these land development regulations. Lands which lie within any "flood hazard area" as shown on the Federal Emergency Management Agency, official flood maps, shall be subdivided and developed only if:

(1) all such proposals are consistent with the need to minimize flood damage;

(2) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and/or constructed to minimize or eliminate flood damage;

(3) adequate drainage is provided so as to reduce exposure to flood hazards;

(4) new or replacement water supply systems and/or sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding;

(5) all preliminary subdivision plats shall identify any areas of special flood hazard and the elevation of the base flood;

(6) all final subdivision plats shall identify the elevation of proposed structures and pads. If the site is filled above base flood, the final pad elevation shall be certified by a professional engineer or surveyor;

(7) each lot must include a site suitable for constructing a structure in conformity with the standards of Article 7 and 8 of these land development regulations;

(8) all agreements for deed, purchase agreements, leases or other contracts for sale or exchange of lots within an area of special flood hazard and all instruments conveying title to lots within an area of special flood hazard must prominently publish the following flood hazard warning in the document:

FLOOD HAZARD WARNING

This property may be subject to flooding. You should contact the County Land Development Regulation Administrator and obtain the latest information about flood elevations and restrictions before making plans for the use of this property.

SECTION 8.12 WATER SUPPLY AND SANITARY SEWER SYSTEMS IN FLOODWAYS AND FLOODPLAINS. Whenever any portion of a proposed development is located within a floodway or floodplain the Florida Department of Health and Rehabilitative Services, Florida Department of Environmental Regulation and the Water Management District shall be informed by the subdivider that a specified area within the development lies within a floodway or floodplain. Thereafter, approval of the proposed systems by such agencies shall constitute a certification that:

1. Such water supply system is designed to minimize or eliminate infiltration of flood waters into it.

2. Such sanitary sewer system is designed to eliminate infiltration of flood waters into it and discharges from it into flood waters.

3. Any on-site sewage disposal system is located to avoid impairment to it or contamination from it during flooding.

SECTION 8.13 ADDITIONAL DUTIES OF THE LAND DEVELOPMENT REGULATION ADMINISTRATOR RELATED TO FLOOD INSURANCE AND FLOOD CONTROL. The Land Development Regulation Administrator shall:

1. For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on the County's Flood Insurance Rate Map published by the Federal Emergency Management Agency:

   a. Obtain from the applicant the elevation, which is certified by a registered professional engineer or surveyor (in relation to mean sea level) of the lowest habitable floor (including any portion of the structure below grade) of all new or substantially improved structures; and

   b. Obtain, from the applicant for all structures that have been flood-proofed (whether or not such structures contain a portion which is below grade), the elevation, which is certified by a registered professional engineer or surveyor, (in relation to mean sea level) to which the structure was floodproofed; and

   c. Maintain a record of all such information.

2. Notify, in riverine situations, adjacent communities and the Water Management District prior to any alteration or relocation of a watercourse and submit copies of such notification to the Federal Insurance Administrator.

3. Ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained.

SECTION 8.14 LOCATION OF BOUNDARIES OF FLOODPLAIN AND FLOODWAY DISTRICTS. As used in this Article, the terms floodplain and floodway refer in the first instance to certain areas whose boundaries are determined and can be located on the ground by reference to the specific fluvial characteristics set forth in the definitions of these terms in Section 2.1.

SECTION 8.15 SETBACKS FROM PERENNIAL RIVERS STREAMS AND CREEKS. In any area located outside a designated floodplain but where a perennial river stream or creek is located, no building or fill may be located within a distance of the stream bank equal to seventy-five (75) feet if the river, stream or creek has been designated as a regionally significant area in the County's Comprehensive Plan and thirty-five (35) feet for all other perennial rivers, streams or creeks. Although, this does not preclude these setback areas from being used for agriculture, silviculture and resource-based recreational activities subject to best management practices.

SECTION 8.16 STANDARDS FOR REDUCING FLOOD HAZARDS IN COASTAL HIGH HAZARD AREAS. In all areas designated as Coastal High Hazard Areas the following standards must be met:

8.16.1 Setback. All new construction at a riparian coastal location fronting the Gulf of Mexico coastal shoreline shall be located fifty (50) feet landward of the reach of the mean high tide, excluding bays, inlets, rivers, bayous, creeks, and passes.

8.16.2 Elevation. All new construction shall be elevated so that the bottom of the lowest supporting horizontal member of the lowest floor (excluding pilings or columns) is located no lower than one (1) foot above the base flood elevation, with all construction below the lowest supporting member open so as not to impede the flow of water.

8.16.3 Fill. No fill shall be used as structural support. Non-compacted fill may be used around the perimeter of a structure for landscaping of aesthetic purposes provided the fill will wash out from storm surge (thereby rendering the structure free of obstruction) prior to generating excessive loading forces, ramping effects, or wave deflection. The Land Development Administrator shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect, and/or soil scientist demonstrating that the foregoing criteria have been satisfied based upon the following considerations:

1. The particle composition of the fill material does not have a tendency for excessive natural compaction.

2. The volume and distribution of the fill will not cause wave deflection to adjacent properties.

3. The slope of the fill will not cause wave run-up or ramping.

8.16.4 Obstructions. The construction below the lowest floor shall be free of obstructions, but may be enclosed with breakaway walls, open wood lattice, or insect screening designed to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the structure or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local or state codes) may be permitted only of a registered engineer or architect certifies that the proposed design meets the following criteria:

1. The breakaway wall will collapse under a water load less than the load imposed by the base flood; and

2. The elevated portion of the structure and supporting foundation system will not collapse, be displaced, or suffer structural damage from wind and water loads acting simultaneously on all building components (structural and non-structural). Wind and water loading values to be used in this determination shall not be less than those that have a one (1) percent change of being equalled or exceeded in any given year (100-year mean recurrence interval).

3. The space below the lowest floor shall be used only for parking of vehicles, building access, or storage of equipment used to maintain the premises.

8.16.5 Anchoring. All structures shall be securely anchored on pilings or columns. All pilings and columns and the attached structures shall be anchored to resist flotation, collapse and lateral movement caused by wind and water loads acting simultaneously on all components of the structure. Wind and water loading values to be used in designing the anchor and support system shall not be less than those that have a one (1) percent change of being equalled or exceeded on any given year (100-year mean recurrence interval).

8.16.6 Certification. A registered professional engineer or architect shall certify that the design, specifications and plans for construction comply with the requirements of this section.

SECTION 8.17 STANDARDS FOR REDUCING FLOOD HAZARDS IN THE SUWANNEE RIVER CORRIDOR. In the Suwannee River Floodplain the following regulations apply:

8.17.1 Scope of Floodplain Regulations. This section requires a permit for all development of any land in the County within the one-hundred (100) year flood area of the Suwannee River. No development of any land in the County lying within the one-hundred (100) year flood area of the Suwannee River shall be commenced without first obtaining a permit as set forth herein. This permit shall be referred to herein as the Development Permit. This Section also provides additional requirements for the subdivision of land lying within the one-hundred (100) year flood area.

8.17.2 Establishment of Official One-Hundred (100) Year Flood Elevations and Map Series. The most recent and reliable flood elevations established by the Federal Emergency Management Agency (FEMA) or, if not available, Suwannee River Water Management District based on the historical flood elevations of record which most closely approximate the 100-year flood shall be used.

These elevations shall be referred to as the "Official One-hundred (100) Year Flood Elevations". These areas of the County shall be delineated by the "Official One-hundred (100)Year Flood Map Series". The said Map Series shall be available in the office of the County Land Development Regulation Administrator.

8.17.3 Compliance. All development shall be in compliance with the terms of these land development regulations and other applicable regulations.

8.17.4 Abrogation and Greater Restrictions. This section does not repeal any existing easements, covenants, deed restrictions or ordinances. However, where this section and such other restrictions conflict whichever imposes the more stringent restrictions shall prevail.

8.17.5 Interpretation. In the interpretation and application of this section all provisions shall be: (1) considered an minimum requirements, and, (2) deemed neither to limit nor repeal any other powers granted under state statutes.

8.17.6 Establishment of Development Permit. A Development Permit shall be required for development of land located within the area delineated on the official one-hundred (100) year flood map and having ground elevations less than the official one-hundred (100) year flood elevation.

8.17.6.1 Application for a Development Permit shall be made to the Land Development Regulation Administrator and shall include, but not be limited to, the following: plans in duplicate drawn showing the nature, location, dimensions, and elevations of the area in question; and the location of existing or proposed structure, modifications, and fill.

8.17.6.2 The Land Development Regulation Administrator shall forward the application to the appropriate agencies to process the following:

(a) the official one-hundred (100) year flood elevation(s) and the official ten (10) year flood elevation(s). (Agency: Suwannee River Water Management District).

(b) elevation of the lowest habitable floor of all proposed structures. (Agency: Suwannee River Water Management District).

(c) a wastewater permit indicating the location of onsite wastewater disposal systems or sanitary sewers with grade, pipe, size and points of discharge. (Agency: County Sanitarian).

(d) certificates of compliance with other federal, state, regional or local agency permit requirements attached to the Development Permit form. This may include compliance with the water well requirements of the Suwannee River Water Management District and the Department of Health and Rehabilitation Services, and the septic tank requirements of the Department of Health and Rehabilitative Services.

8.17.8 Subdivision Plat Approval. Subdivision plats, submitted pursuant to the requirements of Article 5 of these land development regulations, and lying totally or partially within the one-hundred (100) year flood area shall include the following information:

(a) a complete plat map of the proposed subdivision drawn at two-foot elevations, depicting the location of all bodies of water within the boundaries or bordering along the subdivision, and delineation of the official one-hundred (100) year flood elevation and official ten (10) Year Flood Elevation. A Florida professional engineer shall certify the adverse effects of any said bodies of water on the described lands and development during ten (10), and one hundred (100) year flood stages.

(b) the location of all permanent elevation monuments.

(c) a plan view of the subdivision plat with contour lines connecting points of equal depth of floodwaters based on the official one-hundred (100) year flood elevations for the County at not less than two foot contour elevations.

(d) preliminary engineering plans, prepared by a registered Florida professional engineer which show the proposed location of roads, profile grade showing proposed grade line and original grade line, fill-excavation, ditches, and drainage structures.

(e) the following flood hazard warning shall be prominently displaced on the plat:

FLOOD HAZARD WARNING

This property may be subject to flooding. You should contact the County Land Development Regulation Administrator and obtain the latest information about flood elevations and restrictions before making plans for the use of this property.

8.17.9 General Requirements and Minimum Standards of Design. In all areas where the official one-hundred (100) year flood elevations have been provided as set forth in these land development regulations the following provisions are required:

8.17.9.1 Construction - New construction or substantial improvement of any structure, including mobile homes, shall have the lowest habitable floor elevated to one foot above the official one-hundred (100) year flood elevations without the use of fill.

8.17.9.2 Roads - All roads shall be constructed to specifications set forth in Article 5 of these land development regulations, and if possible construct at natural grade but in any event the road shall be designed to accommodate the natural flow of water. In the case of subdivisions, the foregoing shall be certified by a registered Florida professional engineer.

8.17.9.3 Increase in Flood Elevations - No permit shall be approved if proposed levees, fills, structures or other features will individually or collectively increase the flood elevations beyond the upstream property limits of the developer's property line.

8.17.9.4 Permanent Elevation Monuments - The developer shall install permanent elevation monuments for each lot within the subdivision. (The monument may be shared by adjacent lots).

8.17.9.5 Drainage Facilities - Drainage facilities shall be designed to store and convey the flow of storm waters without damage to persons or property pursuant to the provisions of these land development regulations and other applicable local or state rules governing stormwater discharge. The preceding provision shall not apply to single-family residential structures.

8.17.9.6 Wastewater Disposal (1) If a mound absorption system is necessary to comply with the requirements of Chapter 10D-7, F.A.C. for proper functioning, then the minimum lot or parcel size shall be five (5) acres. The five (5) acre minimum shall not apply to lots or tracts smaller than five acres, which were recorded prior to the effective date of these land development regulations. The volume of fill used in a mound absorption system shall be limited to 160 cubic yards of fill. For areas where septic tank systems do not meet the requirements of this

Ordinance or Chapter 10D-6, Florida Administrative Code, alternative wastewater disposal systems approved by the Department of Health and Rehabilitative Services must be utilized; (2) Sanitary sewer systems shall be designed to withstand flooding to the Official 100-Year flood Elevation as follows:

(a) Pipe system must be able to withstand pressure of water above ground.

(b) Manholes, pump stations and treatment plants must either be elevated to two (2) feet above the official one-hundred (100) year flood elevation or sealed to hydrostatic pressure of one-hundred (100) year flood.

8.17.9.7 Erosion and Sedimentation Control - The developer shall be required to utilize grading techniques, site design, landscaping, sedimentation basins, special vegetation cover, and other measures to reduce erosion and sedimentation caused by the development.

8.17.9.8 Riverbank Setback - All development activities must take place landward of the Riverbank Setback Line, which is a minimum of seventy-five (75) feet for residential uses and for all uses other than residential (excepting permitted marinas, agriculture and silviculture uses, and public resource based recreational activities), a riverbank setback as established in Rule 40B-4, Florida Administrative Code, as amended, shall be required. Vegetation riverward of the Riverbank Setback Line shall be preserved proved a reasonableness of access shall not be unduly restricted. Elevated boardwalks and docks may be constructed riverward of the Riverbank Setback Line subject to all other applicable regulations.

8.17.10 Development Permit Review. The Land Development Regulation Administrator is hereby appointed to administer and implement this Article by granting in accordance with its provisions. Duties of the Land Development Regulation Administrator shall include, but not be limited to, the following:

(a) Review all development permit forms for completeness of information and for accuracy in order to allow for a timely review by the Land Development Regulation Administrator and other agencies. If the development permit form is determined to be incomplete or inaccurate, the Administrator shall not begin review

for compliance with this Article until such time as a complete and accurate form is proved.

(b) Review all development permit forms to determine if the proposed development complies with the general requirements and minimum standards of design. If the proposed development does not comply with the provisions of this Article, the Land Development Regulation Administrator shall deny the development permit.

(c) Review all development permit forms for certificates of compliance as required in this section.

(d) Information to be obtained and maintained by the Land Development Regulation Administrator shall include the following:

(1) Verify and record the actual elevation of the lowest habitable floor of all new or substantially improved structures.

(2) All records pertaining to the provisions of this Article shall be maintained in the Office of the Land Development Regulation Administrator and shall be open for public inspection.

(3) Copies of all development permits issued by the Land Development Regulation Administrator shall be supplied to the Suwannee River Water Management District on a monthly basis.

ARTICLE NINE

MINIMUM HOUSING REGULATIONS

ARTICLE NINE. MINIMUM HOUSING REGULATIONS

SECTION 9.1 ARTICLE REMEDIAL. This Article is hereby declared to be remedial, and shall be construed to secure the beneficial interests and purposes thereof, which are public safety, health, and general welfare, through structure strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use, and occupancy of residential buildings.

SECTION 9.2 SCOPE. The provisions of this Article shall apply to all vacant buildings or portions thereof used, or designed or intended to be used, for human habitation, regardless of when such building may have been constructed.

This Article establishes minimum standards for occupancy of a vacant structure, and does not replace or modify standards otherwise established for construction, replacement or repair of buildings except such as are contrary to the provisions of this Article.

Buildings or structures moved into or within the County shall comply with the requirements in the County Building Code for new buildings.

SECTION 9.3 EXISTING BUILDINGS.

9.3.1 Alterations, repairs or rehabilitation work may be made to any existing building without requiring the building to comply with all the requirements of this Article provided that the alteration, repair or rehabilitation work conforms to the requirements of this County Building Code for new construction. The Land Development Regulation Administrator shall determine, subject to appeal to the Board of Adjustments and Appeals, the extent, if any, to which the existing building shall be made to conform to the requirements of this Article for new construction.

9.3.2 Alterations, repairs or rehabilitation work shall not cause an existing building to become unsafe as defined in Section 2.1 of these land development regulations.

9.3.3 If the occupancy classification of an existing building is changed, the building shall be made to conform to the intent of this Article for the new occupancy classification as established by the Land Development Regulation Administrator.

9.3.4 Repairs and alterations, not covered by the preceding paragraphs of this section, restoring a building to its condition previous to damage or deterioration, or altering it in conformity with the provisions of this Article or in such manner as will not extend or increase an existing nonconformity or hazard, may be made with the same kind of materials as those of which the building is constructed; but not more than twenty-five (25) percent of the roof covering of a building shall be replaced in any period of twelve (12) months unless the entire roof covering is made to conform with the requirements of the County Building Code for new buildings.

SECTION 9.4 SPECIAL HISTORIC BUILDINGS AND DISTRICTS. The provisions of this Article relating to the construction alteration, repair, enlargement, restoration, relocation or moving buildings or structures shall not be mandatory for existing buildings or structures designated by these land development regulations as historic buildings when such buildings or structures are judged by the Land Development Regulation Administrator to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings. The applicant shall submit complete architectural and engineering plans and specifications bearing the seal of a registered professional engineer or architect.

SECTION 9.5 MAINTENANCE. All buildings or structures, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Article in a building when erected, altered, or repaired, shall be maintained in good working order. The owner, or his designated agent, shall be responsible for the maintenance of buildings, structures and premises.

SECTION 9.6 APPLICATION OF LAND DEVELOPMENT REGULATIONS. Nothing in this Article shall be construed to cancel, modify, or set aside any other provision of these land development regulations.

SECTION 9.7 ENFORCEMENT OFFICER. The Land Development Regulation Administrator shall be the enforcement officer of the provisions of this Article.

SECTION 9.8 RESTRICTIONS ON EMPLOYEES. An officer or employee of the County, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, or in the making of plans or of specifications therefore, unless he or she is the owner of such building. Such officer or employee shall not engage in any work which is inconsistent with his or her duties or with the interests of the County.

SECTION 9.9 RECORDS. The Land Development Regulation Administrator shall keep, or cause to be kept, a record of such actions related to this Article.

SECTION 9.10 RIGHT OF ENTRY. The Land Development Regulation Administrator shall enforce the provisions of this Article, and such Land Development Regulation Administrator, or their duly authorized representative upon presentation of proper identification to the owner, agent, or tenant in charge of such property, may enter any building, structure, dwelling, apartment, apartment house, or premises, during all reasonable hours, except in cases of emergency where extreme hazards are known to exist which may involve the potential loss of life or severe property damage, in which case the above limitations shall not apply.

SECTION 9.11 UNSAFE RESIDENTIAL BUILDINGS. All residential buildings or structures used as such which are unsafe, unsanitary, unfit for human habitation, or not provided with adequate egress; or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, are severally in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following procedure:

9.11.1 Whenever the Land Development Regulation Administrator determines that there are reasonable grounds to believe that there has been a violation of any provision of this Article, he or she shall give notice of such alleged violation to the person or persons responsible therefor and such alleged violations shall constitute a nuisance. Such notice shall.

1. Be put in writing;

2. Include a statement of the reasons why it is being issued;

3. Allow one hundred twenty (120) days time for the performance of any act it requires;

4. Said notice shall further state that, if such repairs; reconstruction, alterations, removal, or demolition are not voluntarily completed within the stated time as set forth in the notice, the Land Development Regulation Administrator shall institute such legal proceedings charging the person or persons, firm, corporation, or agent with a violation of this Article.

   In addition, the notice shall include a statement advising that any person having any legal interest in the property may appeal the notice by the Land Development Regulation Administrator to the Board of Adjustment; and that such appeal shall be in writing in the form specified by the County and shall be filed with the Land Development Regulation Administrator within thirty (30) days from the date of the notice and that failure to appeal in the time specified will constitute a waiver of all rights to an appeal.

9.11.2 Service of notice shall be as follows:

1. By depositing the notice in the United States Post Office addressed to the owner at his last known address with postage prepaid thereon; or

2. By posting and keeping posted for twenty-four (24) hours a copy of the notice in a conspicuous place on the premises to be repaired.

9.11.3 When a residential building is to be demolished, it shall be done so in accordance with the provisions of Article 10 of these land development regulations.

SECTION 9.12 REQUIREMENTS NOT COVERED BY THIS ARTICLE. Any requirement, not specifically covered by this Article, found necessary for the safety, health, and general welfare of the occupants of any dwelling, shall be determined by the Land Development Regulation Administrator subject to appeal to the Board of Adjustment.

SECTION 9.13 LIABILITY. Any officer or employee charged with the enforcement of this Article, in the discharge of their duties, shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of their duties. Any suit brought against any officer or employee because of this Article shall be defended by the County Attorney until the final termination of the proceedings.

SECTION 9.14 LETTER OF COMPLIANCE. A letter indicating compliance with the provisions of this Article may be issued by the Land Development Regulation Administrator.

SECTION 9.15 INSPECTIONS. The Land Development Regulation Administrator shall make or cause to be made inspections to determine the condition of residential buildings and premises in the interest of safeguarding the health and safety of the occupants of such buildings and of the general public. For the purpose of making such inspections, the Land Development Regulation Administrator, or their agent, is hereby authorized to enter, examine, and survey at all reasonable times all residential buildings and premises. The owner or occupant of every residential building or the person in charge thereof shall give the Land Development Regulation Administrator free access to such residential building and its premises, at all reasonable times for the purpose of such inspection, examination, and survey.

SECTION 9.16 HARDSHIPS. (Refer to Section 12.3.4 of these land development regulations.)

SECTION 9.17 DECISIONS. All decisions of the Board of Adjustment to vary the application of any provision of this Article or to modify an order of the Land Development Regulation Administrator shall specify in what manner such variance or modification is made, the conditions upon which it is made, and the reasons therefor. Every decision shall be promptly filed in the office of the Land Development Regulation Administrator.

SECTION 9.18 APPEALS. (Refer to Section 12.1.4 of these land development regulations.)

SECTION 9.19 MINIMUM STANDARDS FOR BASE EQUIPMENT AND FACILITIES. No person shall occupy as owner-occupant or let or sublet to another for occupancy any vacant dwelling or vacant dwelling unit designed or intended to be used for the purpose of living, sleeping, cooking, or eating therein without first obtaining a Certificate of Land Development Regulation Compliance from the County's Land Development Regulation Administrator, nor shall any vacant dwelling building be permitted to exist which does not comply with the following requirements.

9.19.1 Sanitary Facilities Required. Every dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sanitary sewer system. Every plumbing fixture and water and waste water pipe shall be properly installed and maintained in good sanitary working condition free from defects, leaks, and obstructions.

9.19.2 Location of Sanitary Facilities. (1) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet, tub or shower and lavatory shall be located in a room affording privacy to the user and such room shall have a minimum floor space of thirty (30) square feet, with no dimension less than four (4) feet; and (2) Bathrooms shall be accessible from habitable rooms, hallways, corridors or other protected or enclosed areas, not including kitchens or other food preparation areas.

9.19.3 Hot and Cold Water Supply. Every dwelling unit shall have connected to the kitchen sink, lavatory, and tub or shower an adequate supply of both cold water and hot water.

9.19.4 Water Heating Facilities. Every dwelling unit shall have water heating facilities which are properly installed and maintained in a safe and good working condition and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120°F. Minimum storage capacity of the water heater shall be thirty (30) gallons. Such water heating facilities shall be capable of meeting the requirements of this sub-section when the dwelling or dwelling unit heating facilities required under the provisions of this Article are not in operation. Apartment houses may use a centralized water heating facility capable of heating an adequate amount of water as required by the Southern Standard Plumbing Code to not less than 120°F.

9.19.5 Heating Facilities. (1) Every dwelling unit shall have heating facilities which are properly installed, are maintained in safe and good working conditions, and are capable of safely and adequately heating all habitable rooms, and bathrooms in every dwelling unit located therein to a temperature of at least 70°F at a distance three (3) feet above floor level, under ordinary minimum winter conditions; (2) Where a central heating system is not provided, each dwelling unit shall be provided with facilities whereby heating appliances may be connected; (3) Unvented fuel burning heaters shall be prohibited except for gas heaters listed for unvented use and the total input rating of the unvented heaters is less than thirty (30) BTU per hour per cu. ft. °f room content; and (4) Unvented fuel burning heaters shall be prohibited in bedrooms.

9.19.6 Cooking and Heating Equipment. All cooking and heating equipment and facilities shall be installed in accordance with the building, mechanical, gas or electrical code and shall be maintained in a safe and good working condition. Portable cooking equipment employing flame is prohibited.

9.19.7 Garbage Disposal Facilities. Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers.

9.19.8 Fire Protection. A person shall not occupy as owner-occupant or shall let to another for occupancy, any building or structure which does not comply with the applicable provisions of the fire prevention code of the County.

9.19.9 Smoke Detector Systems. Every dwelling unit shall be provided with an approved listed smoke detector, installed in accordance with the manufacturer's recommendations and listing. When activated, the detector shall provide an audible alarm. The detector shall be tested in accordance with and meet the requirements of UL 217, Single and Multiple Station Smoke Detectors.

SECTION 9.20 MINIMUM REQUIREMENTS FOR LIGHT AND VENTILATION

9.20.1 Size. Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be eight (8) percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light-obstruction structures are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight-type window in the top of such room, the total window area of such skylight shall equal at least fifteen percent (15%) of the total floor area of such room.

9.20.2 Habitable Rooms. (1) Every habitable room shall have at least one (1) window or skylight which can be easily opened, or such other device as will adequately ventilate the room. The total of openable window area in every habitable room shall equal to at least forty-five percent (45%) of the minimum window area size or minimum skylight-type window size, as required, or shall have other approved, equivalent ventilation; and (2) Year round mechanically ventilating conditioned air systems may be substituted for windows, as required herein, in rooms other than rooms used for sleeping purposes. Window type air-conditioning units are not included in this exception.

9.20.3 Bathroom. Every bathroom shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms equipped with an approved ventilating system.

9.20.4 Electric Lights and Outlets Required. Where there is electric service available to the building structure, every habitable room or space shall contain at least two (2) separate and remote convenience outlets and bedrooms shall have, in addition, at least one (1) wall switch controlled ceiling or wall type light fixture. In kitchens, three (3) separate and remote convenience outlets shall be provided, and a wall or ceiling type light fixture controlled by a wall switch shall be required. Every hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one (1) electric fixture. In bathrooms, the electric light fixture shall be controlled by a wall switch. In addition to the electric light fixture in every bathroom and laundry room, there shall be provided at least one (1) convenience outlet. Any new bathroom outlet shall have ground-fault circuit interrupter protection. Every such outlet and fixture shall be properly installed, shall be maintained in good and safe working condition, and shall be connected to the source of electric power in a safe manner.

9.20.5 Light in Public Halls and Stairways. Every common hall and inside stairway in every building, other than one-family dwellings, shall be adequately lighted at all times with an illumination of at least one (1) foot candle intensity at the floor in the darkest portion of the normally traveled stairs and passageways.

SECTION 9.21 MINIMUM REQUIREMENTS FOR ELECTRICAL SYSTEMS Every electrical outlet and fixture required by this Article shall be installed, maintained, and connected to a source of electric power in accordance with the provisions of the electrical code of the County.

SECTION 9.22 GENERAL REQUIREMENTS FOR THE EXTERIOR AND INTERIOR OF STRUCTURES

9.22.1 Foundation. The building foundation system shall be maintained in a safe manner and capable of supporting the load which normal use may cause to be placed thereon.

9.22.2 Exterior Walls. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, and any other conditions which might admit rain, or dampness to the interior portions of the walls or to the occupied spaces of the building. All siding material shall be kept in repair.

9.22.3 Roofs. Roofs shall be structurally sound and maintained in a safe manner and have no defects which might admit rain or cause dampness in the walls or interior portion of the building.

9.22.4 Means of Egress. Every dwelling unit shall have safe, unobstructed means of egress with minimum ceiling height of seven (7) feet leading to a safe and open space at ground level. Stairs shall have a minimum head room of six (6) feet eight (8) inches.

9.22.5 Stairs, Porches and Appurtenance. Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.

9.22.6 Protective Railings. Protective railings shall be required on any unenclosed structure over thirty (30) inches from the ground level or on any steps containing four (4) risers or more.

9.22.7 Windows and Doors. Every window, exterior door and basement or cellar door and hatchway shall be substantially weathertight, watertight, and rodent proof; and shall be kept in sound working condition and good repair.

9.22.8 Windows to be Glazed. Every window sash shall be fully supplied with glass window panes or an approved substitute which are without open cracks or holes.

9.22.9 Window Sash. Window sash shall be properly fitted and weathertight within the window frame.

9.22.10 Windows to be Openable. Every window required for light and ventilation for habitable rooms shall be capable of being easily opened and secured in position by window hardware.

9.22.11 Hardware. Every exterior door shall be provided with proper hardware and be maintained in good condition.

9.22.12 Door Frames. Every exterior door shall fit reasonably well within its frame so as to substantially exclude rain and wind from entering the dwelling building.

9.22.13 Screens. Dwelling units which do not have a central air conditioning system shall have screens on all exterior openable windows and shall have a screen door with a self-closing device on all exterior doors except for the one (1) main entrance door.

9.22.14 Protective Treatment. All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. All siding shall be weather resistant and water tight. All masonry joints shall be sufficiently tuck pointed to insure water and air tightness.

9.22.15 Accessory Structures. Garages, storage buildings, and other accessory structures shall be maintained and kept in good repair and sound structural condition.

9.22.16 Interior Floor, Walls, and Ceilings. Every floor, interior wall, and ceiling shall be substantially rodent proof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

9.22.17 Structural Supports. Every structural element of the dwelling shall be maintained structurally sound and show no evidence of deterioration which would render them incapable of carrying loads which normal use may cause to be placed thereon.

9.22.18 Protective Railings for Interior Stairs. Interior stairs and stairwells more than four (4) risers high shall have handrails located in accordance with the requirements of the building code. Handrails or protective railings shall be capable of bearing normally imposed loads and be maintained in good condition.

9.22.19 Firestopping and Draftstopping. (1) Firestopping shall be maintained to cut off all concealed draft openings both horizontal and vertical and to form a fire barrier between floors and between the upper floor and the roof space; and (2) Draftstopping shall be maintained to cut off all concealed draft openings in floor/ceiling assemblies and in attics.

SECTION 9.23 MINIMUM DWELLING SPACE REQUIREMENTS

9.23.1 Required Space in Dwelling Unit. Prior to the issuance of a Certificate of Land Development Regulation Compliance the dwelling unit shall contain at least one hundred fifty (150) square feet of floor space for the first occupant thereof and at least one hundred (100) additional square feet of floor area per additional occupant. The floor area shall be calculated on the basis of the total area of all habitable rooms.

9.23.2 Required Space in Sleeping Rooms. Prior to the issuance of a Certificate of Land Development Regulation Compliance in every dwelling unit of two (2) or more rooms, every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least fifty (50) square feet of floor space for each occupant thereof.

9.23.3 Minimum Ceiling Height. Prior to the issuance of a Certificate of Land Development Regulation Compliance all habitable rooms other than kitchen, storage rooms, and laundry rooms shall have a ceiling height of not less than seven (7) feet. Hallways, corridors, bathrooms, water closet rooms and kitchens shall have a ceiling height of not less than seven (7) feet measured to the lowest projection from the ceiling.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half (1/2) the area thereof. No portion of the room measuring less than five (5) feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

9.23.4 Occupancy of Dwelling Unit Below Grade. No basement or cellar space shall be used as a habitable room or dwelling unit unless:

(1) The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness;

(2) The total of window area in each room is equal to at least the minimum window area size as required in this Article;

(3) Such required minimum window area is located entirely above the grade of the ground adjoining such window area; and

(4) The total of openable window area in each room is equal to at least the minimum as required in this Article, except where there is supplied some other device affording adequate ventilation.

SECTION 9.24 SANITATION REQUIREMENTS

9.24.1 Sanitation. Every owner of a multiple dwelling shall be responsible for maintaining in a clean and sanitary condition the shared or common areas of the dwelling and premises thereof.

9.24.2 Cleanliness. Every tenant of a dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he or she occupies or which is provided for his or her particular use.

9.24.3 Garbage Disposal. Every tenant of a dwelling or dwelling unit shall dispose of all his or her garbage and any other organic waste which might provide food for rodents and all rubbish in a clean and sanitary manner by placing it in the garbage disposal facilities or garbage or rubbish storage containers.

9.24.4 Care of Premises. It shall be unlawful for the owner or occupant of a residential building, structure, or property to utilize the premises of such residential property for the open storage of any abandoned motor vehicle, ice box, refrigerator, stove, glass, building material, building rubbish or similar items. It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such abandoned items as listed above, including but not limited to weeds, dead trees, trash, garbage, etc., upon notice from the Land Development Regulation Administrator.

9.24.5 Extermination. Every occupant of a one (1) family dwelling building and every owner of a building containing two (2) or more dwelling units shall be responsible for the extermination of any insects, rodents, or other pests within the building or premises.

9.24.6 Use and Operation of Supplied Plumbing Fixtures. Every tenant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

SECTION 9.25 ROOMING HOUSES No person shall operate a rooming house, or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of these land development regulations.

9.25.1 Water Closet, Lavatory and Bath Facilities. (1) At least one (1) flush water closet, lavatory basin, and bathtub or shower, properly connected to a water and sanitary sewer system and in good working condition, shall be supplied for each four (4) rooms within a rooming house wherever said facilities are shared; and (2) All such facilities shall be located on the floor they serve within the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities.

9.25.2 Water Heater Required. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times.

9.25.3 Minimum Floor Area for Sleeping Purposes. Every room occupied for sleeping purposes by one (1) person shall contain at least seventy (70) square feet of floor space and every room occupied for sleeping purposes by more than one (1) person shall contain at least fifty (50) square feet of floor space for each occupant thereof.

9.25.4 Exit Requirement. Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the building code of the County.

9.25.5 Sanitary Conditions. The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, and ceilings, and for maintenance of a sanitary condition in every other part of the rooming house; and he or she shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.

SECTION 9.26 DESIGNATION OF UNFIT DWELLINGS AND LEGAL PROCEDURE OF CONDEMNATION The designation of vacant dwellings or vacant dwelling units as unfit for human habitation and the procedure for the condemnation and posting of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements:

9.26.1 Dangerous Structures. Any vacant dwelling or vacant dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and declared to be a nuisance and shall be so designated and posted by the Land Development Regulation Administrator.

(1) One (1) which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or the public.

(2) One (1) which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or the public.

9.26.2 Form of Notice. Whenever the Land Development Regulation Administrator has declared a vacant one (1) family dwelling or multi-family dwelling as unfit for human habitation and constituting a nuisance, he or she shall give notice to the owner of such declaration and posting of the one (1) family dwelling or multi-family dwelling as unfit for human habitation. Such notice shall:

(1) Be in writing;

(2) Include a description of the real estate sufficient for identification;

(3) Said notice shall further state that, if such repairs, reconstruction, alterations, removal, or demolition are not voluntarily completed within the stated time as set forth in the notice, the Land Development Regulation Administrator shall institute such legal proceedings charging the person or persons, firm, corporation, or agent with a violation of this Article.

In addition, the notice shall include a statement advising that any person having any legal interest in the property may appeal the notice by the Land Development Regulation Administrator to the Board of Adjustment; and that such appeal shall be in writing in the form specified by the County and shall be filed with the Land Development Regulation Administrator within thirty (30) days from the date of the notice and that failure to appeal in the time specified will constitute a waiver of all rights to an appeal.

9.26.3 Service of Notice. Service of notice shall be as follows:

1. By depositing the notice in the United States Post Office addressed to the owner at his last known address with postage prepaid thereon; or

2. By posting and keeping posted for twenty-four (24) hours a copy of the notice in placard form in a conspicuous place on the premises.

9.26.4 Occupancy of Building. No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until approval is secured from and such placard is removed by the Land Development Regulation Administrator. The Land Development Regulation Administrator shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

9.26.5 Removal of Placard or Notice. No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided herein.

ARTICLE TEN

HAZARDOUS BUILDINGS REGULATIONS

ARTICLE TEN. HAZARDOUS BUILDINGS REGULATIONS

SECTION 10.1 SCOPE

10.1.1 Article Remedial. This Article is hereby declared to be remedial and shall be constructed to secure the beneficial interests and purposes thereof, which are public safety, health and general welfare, through structural strength, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises.

10.1.2 Scope. The provisions of this Article shall apply to unoccupied and unsafe buildings or structures as herein defined, and shall apply equally to new and existing conditions.

10.1.3 Alterations, Repairs or Rehabilitation Work. (1) Alterations, repairs or rehabilitation work may be made to any existing building without requiring the building to comply with all the requirements of the County Building Code provided that the alteration, repair or rehabilitation work conforms to the requirements of the County Building Code for new construction. The Land Development Regulation Administrator shall determine, subject to appeal to the Board of Adjustment the extent, if any, to which the existing building shall be made to conform to the requirements of the County Building Code for new construction; (2) Alterations, repairs or rehabilitation work shall not cause an existing building to become unsafe as defined in Section 2.1 of these land development regulations; (3) If the occupancy classification of an existing building is changed, the building shall be made to conform to the intent of the County Building Code for the new occupancy classification as established by the Land Development Regulation Administrator; and (4) Repairs and alterations, not covered by the preceding paragraphs of this section, restoring a building to its condition previous to damage or deterioration, or altering it in conformity with the provisions of this Article or in such manner as will not extend or increase an existing non-conformity or hazard, may be made with the same kind of materials as those of which the building is constructed.

10.1.4 Special Historic Buildings and Districts. The provisions of this Article relating to the construction alteration, repair, enlargement, restoration, relocation, or moving buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the County's Comprehensive Plan and these land development regulations as historic Buildings when such buildings or structures are judged by the Land Development Regulation Administrator to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation, or moving of buildings within fire districts. The applicant shall be required to submit complete architectural and engineering plans and specifications bearing the seal of a registered professional engineer or architect.

SECTION 10.2 ORGANIZATION

10.2.1 Enforcement Officer. The Land Development Regulation Administrator shall be the enforcement officer of the provisions of this Article.

10.2.2 Restrictions on Employees. An officer or employee connected with the County shall not have a financial interest in the furnishing of labor, material or appliances for the construction, alteration, demolition, repair or maintenance of a building, or in the making of plans or of specifications therefor, unless he or she is the owner of such building. Such officer or employee shall not engage in any work which is inconsistent with his or her duties or with the interests of the County.

10.2.3 Records. The Land Development Regulation Administrator shall keep, or cause to be kept, a record of the actions related to this Article.

SECTION 10.3 POWERS & DUTIES OF THE LAND DEVELOPMENT REGULATION ADMINISTRATOR

10.3.1 Right of Entry. The Land Development Regulation Administrator shall enforce the provisions of this Article, and such Land Development Regulation Administrator, or their duly authorized representative upon presentation of proper identification to the owner, agent, or tenant in charge of such property, may enter any building, structure, dwelling, apartment, apartment house, or premises, during all reasonable hours, except in cases

of emergency where extreme hazards are known to exist which may involve the potential loss of life or severe property damage, in which case the above limitation shall not apply.

10.3.2 Inspections. The Land Development Regulation Administrator, and other authorized representatives are hereby authorized to make such inspections and take such actions as may be required to enforce the provisions of this Article.

10.3.3 Liability. Any officer or employee of the County charged with the enforcement of this Article, acting for the County in the discharge of their duties, shall not thereby render themselves liable personally, and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of duties. Any suit brought against any officer or employee because of such act performed in the enforcement of any provision of this Article shall be defended by the County Attorney until the final termination of the proceedings.

SECTION 10.4 APPEALS TO THE BOARD OF ADJUSTMENT (Refer to Section 12.1.5 of these land development regulations.)

SECTION 10.5 INSPECTIONS

10.5.1 General. The Land Development Regulation Administrator shall inspect or cause to be inspected any building, structure or portion thereof which is or may be unsafe.

10.5.2 Action Required. After the Land Development Regulation Administrator has inspected or caused to be inspected a building, structure or portion thereof and has determined that such building, structure or portion thereof is unsafe, he or she shall initiate proceedings to cause the abatement of the unsafe condition by repair or demolition.

SECTION 10.6 NOTICE

10.6.1 Form. (1) The Land Development Regulation Administrator shall prepare and issue a notice of unsafe building directed to the owner of record of the building or structure. The notice shall contain, but not be limited to, the following information;

a. The street address and/or legal description of the building, structure, or premise.

b. A statement indicating the building or structure has been declared unsafe by the Land Development Regulation Administrator, and a report

adequately documenting the conditions determined to have rendered the building or structure unsafe under the provisions of this Article.

c. The action required to be taken as determined by the Land Development Regulation Administrator.

(2) If the building or structure is to be repaired, the notice shall require that all necessary permits be secured and the work commenced within sixty (60) days and continued to completion within such time as the Land Development Regulation Administrator determines. The notice shall also indicate the degree to which the repairs must comply with the provisions of the County Building Code, in accordance with the provisions of this Article.

(3) If the building or structure is to be demolished, the notice shall require that all required permits for demolition be secured and that the demolition be completed within ninety (90) days except as provided under "Extension of Time," found within this Article.

a. A statement advising that any person having any legal interest in the property may appeal the notice by the Land Development Regulation Administrator to the Board of Adjustment; and that such appeal shall be in writing in the form specified by the County and shall be filed with the Land Development Regulation Administrator within thirty (30) days from the date of the notice and that failure to appeal in the time specified will constitute a waiver of all rights to an appeal.

(4) The notice and all attachments thereto shall be served upon the owner of record and posted on the property in a conspicuous location. A copy of the notice and all attachments thereto shall also be served on any person determined from official public records to have a legal interest in the property. Failure of the Land Development Regulation Administrator to serve any person herein required to be served other than the owner of record shall not invalidate any proceedings hereunder nor shall it relieve any other person served from any obligation imposed on him or her.

(5) The notice shall be served by certified mail, postage prepaid, return receipt requested to the property owner, as it appears on the official public records. If addresses are not available on any person required to be served the notice, the notice addressed to such person shall be mailed to the

address of the building or structure involved in the proceedings. The failure of any person to receive notice, other than the owner of record, shall not invalidate any proceedings under this section. Service by certified mail as herein described shall be effective on the date the notice was received as indicated on the return receipt, or returned refused or unclaimed.

(6) Proof of service of the notice shall be by written declaration indicating the date, time and manner in which service was made and signed by the person served on by the return receipt.

SECTION 10.7 STANDARDS FOR COMPLIANCE When ordering the repair or demolition of an unsafe building or structure, the Land Development Regulation Administrator shall order that such work be done in accordance with the County Building Code or demolished at the option of the owner.

SECTION 10.8 COMPLIANCE

10.18.1 Failure to Respond. Any person who, after the order of the Land Development Regulation Administrator or the decision of the Board of Adjustment becomes final, fails or refuses to respond to the direction of such order, shall be prosecuted to the extent provided for by Article 15 of these land development regulations.

10.18.2 Failure to Commence Work. (1) Whenever the required repair or demolition is not commenced within sixty (60) days after the effective date of any order, the building, structure or premise shall be posted as follows:

UNSAFE BUILDING

DO NOT OCCUPY

It shall be punishable by law to occupy this

building or remove or deface this notice.

Land Development Regulation Administrator

10.8.3 Subsequent to posting the building, the Land Development Regulation Administrator may cause the building to be repaired to the extent required to render it safe or if the notice required demolition, to cause the building or structure to be demolished and all debris removed from the premise.

The cost of repair or demolition shall constitute a lien on the property and shall be collected in a manner provided by law.

10.8.4 Any monies received from the sale of a building or from the demolition thereof, over and above the cost incurred, shall be paid to the owner of record or other persons lawfully entitled thereto.

SECTION 10.9 EXTENSION OF TIME The Board of Adjustment may approve one (1) or more extensions of time as it may determine to be reasonable to initiate or complete the required repair or demolition. However, such extension or extensions shall not exceed a total of ninety (90) days. Such request for extensions shall be made in writing stating the reasons therefor.

SECTION 10.10 INTERFERENCE No person shall obstruct or interfere with the implementation of any action required by the final notice of the Land Development Regulation Administrator. Any person found interfering or obstructing such actions shall be prosecuted to the extent provided for by Article 15 of these land development regulations.

SECTION 10.11 PERFORMANCE OF WORK The repair or demolition of an unsafe building as required in the notice by the Land Development Regulation Administrator or the final decision by the Board of Adjustment shall be performed in an expeditious and workmanlike manner in accordance with the requirements of this Article and all other applicable provisions of these land development regulations and accepted engineering practice standards.

ARTICLE ELEVEN

HISTORIC SITES AND STRUCTURES PRESERVATION REGULATIONS

ARTICLE ELEVEN. HISTORIC SITES AND STRUCTURES PRESERVATION REGULATIONS

SECTION 11.1 PLANNING AND ZONING BOARD DESIGNATED AS THE HISTORIC PRESERVATION AGENCY. The County Planning and Zoning Board shall serve as the County Historic Preservation Agency (hereinafter referred to within this Article as Agency) to meet the requirements and carry out the responsibilities of this Article.

SECTION 11.2 POWERS AND DUTIES OF THE AGENCY. In addition to the powers and duties stated within Article 3 of these land development regulations, the Agency shall take action necessary and appropriate to accomplish the purposes of this Article. These actions may include, but are not limited to:

1. Surveying and inventorying of historic buildings and areas and archeological sites and the plan for their preservation;

2. Recommending the designation of historic districts and individual landmarks and landmark sites;

3. Regulating alterations, demolitions, relocations and new construction to designated property;

4. Adopting guidelines for changes to designated property;

5. Working with and advising the federal, state and other appropriate governmental agencies and other agencies or boards of local government;

6. Advising and assisting property owners and other persons and groups including neighborhood organizations who are interested in historic preservation; and

7. Undertaking educational programs which contribute to the awareness of the preservation of historic sites and structures.

SECTION 11.3 DESIGNATION OF LANDMARKS, LANDMARK SITES, AND HISTORIC DISTRICTS. A landmark, landmark site or historic district shall be presumed to have historical or archaeological significance if it meets one (1) of the following criteria:

1. It is listed on the National Register of Historic Places or State of Florida Historical Register (State Master Site File).

2. It is within a district listed on the National Register of Historic Places or State of Florida Historical Register (State Master Site File) and has been requested for such designation by the owner of the site or structure or their agent.

3. It has been requested to be designated by the property owner or their agent upon approval of an application, with information as required by this Article, and amendment of the Historical Resources Map within the County's Comprehensive Plan (whether or not it is to be submitted for inclusion on the Florida Master Site File or for consideration for the National Register of Historic Places).

SECTION 11.4 APPLICATION REQUIREMENTS. Consideration of the designation of a landmark and landmark site or a historic district shall be initiated by the filing of an application for designation by the property owner. The County shall charge a fee for each application as provided for in Article 1 of these land development regulations. The applicant shall complete an application form provided by the Land Development Regulation Administrator which shall include (1) A written description of the architectural, historical, or archeological significance of the proposed historic site or district and specifically addressing and documenting those related points contained the criteria for designation of property within this Article; (2) Date of construction of the structures on the property and the names of the former owners; (3) Photographs of the property; and (4) Legal description and map of the property to be designated as a landmark, landmark site, or historic district. On applications for the description of historic districts, the applicant shall also submit (1) Evidence of the approval of the district from two-thirds (2/3) of the property owners; and (2) A written description of the boundaries of the district. The Land Development Regulation Administrator or their designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete. Applications for such designation shall be considered as applications for amendment of the Historical Resources Map of the County's Comprehensive Plan and amendment to the Official Zoning Atlas.

SECTION 11.5 PUBLIC HEARINGS FOR DESIGNATIONS. Following the submission of a completed application the Agency shall conduct a public hearing on the proposed designation. Notice of the public hearing and notice to the owner shall be given in accordance with Chapter 163, Part II, Florida Statutes, as amended, and Article 13 of these land development regulations.

SECTION 11.6 CRITERIA FOR DESIGNATION OF PROPERTY. The Agency shall recommend the designation of property as a landmark, landmark site, or historic district after the public hearing based upon one (1) or more of the following criteria:

1. Its value is a significant reminder of the cultural or archeological heritage of the County, state or nation;

2. Its location is a site of a significant local, state, or national event;

3. It is identified with a person or persons who significantly contributed to the development of the County, state, or nation.

4. It is identified as the work of a master builder, designer, or architect whose individual work has influenced the development of the County, state, or nation;

5. Its value as a building is recognized for the quality of its architecture, and it retains sufficient elements showing its architectural significance;

6. It has distinguishing characteristics of an architectural style value for the study of a period, method of construction, or use of indigenous materials;

7. Its character is a geographically definable area possessing a significant concentration, or continuity of sites, buildings, objects or structures united in past events or aesthetically by plan or physical development; or

8. Its character is an established and geographically definable neighborhood, united in culture, architectural style, or physical plan and development.

SECTION 11.7 AGENCY RECOMMENDATION. After evaluating the testimony, survey information and other material presented at the public hearing, the Agency shall make its recommendation to the local governing body on the property or area under consideration. Applications for designation shall be recommended for approval or denial. If the Agency recommends a designation, it shall explain how the proposed landmark or historic district qualifies for designation under the criteria contained in this section.

SECTION 11.8 BOARD OF COUNTY COMMISSIONERS DECISION. The Board of County Commissioners shall approve, modify or disapprove the proposed designation as an amendment to the Official Zoning Atlas and the Historic Resources Map of the County's Comprehensive Plan after meeting the requirements for amending the Zoning Atlas as provided in Chapter 163, Part II, Florida Statutes, as amended, for amendment of the Comprehensive Plan and Article 13 of these land development regulations.

SECTION 11.9 SUCCESSIVE APPLICATIONS. Upon denial of the application for designation, there shall be a twelve (12) month waiting period before any applicant may resubmit the proposal unless the Agency waives said waiting period based upon consideration of the following factors:

1. There is presented with such new written petition new evidence bearing upon the subject matter of the written petition, which could not reasonably have been presented to the Agency at the tine of the previous hearing on the written petition; or

2. Failure to waive said twelve (12) months waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly discovered matter of consideration.

SECTION 11.10 AMENDMENTS AND RESCISSIONS. The designation of any landmark, landmark site, or historic district may be amended or rescinded through the same procedure utilized for the original designation.

SECTION 11.11 APPROVAL OF CHANGES TO LANDMARKS AND LANDMARK SITES.

11.11.1 Certificate of Appropriateness. No person may undertake the following actions affecting a designated landmark, or a designated landmark site without first obtaining a Certificate of Appropriateness from the Agency:

1. Alteration of an archeological site or the exterior part of a building or a structure;

2. New construction;

3. Demolition; or

4. Relocation.

11.11.2 Review of New Construction and Alterations. Review of new construction and alterations to designated buildings and structures shall be limited to exterior changes visible to the public. Whenever any alteration, new construction, demolition or relocation is undertaken on a designated landmark or a designated landmark site, without a Certificate of Appropriateness, the Land Development Regulation Administrator is authorized to issue a Stop Work Order.

A Certificate of Appropriateness shall be in addition to any other building permits required by law. The issuance of a Certificate of Appropriateness from the Historic Preservation Agency shall not relieve the property owner of the duty to comply with other state and local laws and regulations.

Ordinary repairs and maintenance, that are otherwise permitted by law, may be undertaken without a Certificate of Appropriateness provided this work on a designated landmark or a designated landmark site does not alter the exterior appearance of the building, structure, or archeological site, or alter elements significant to its architectural or historic integrity.

No Certificate of Appropriateness for alteration, new construction, demolition, or relocation pursuant to the provisions of this Article shall be effective for a period of fifteen (15) days subsequent to the Agency's decision. If during that fifteen (15) day period an appeal is made to the Board of County Commissioners, the decision of the Agency shall automatically be stayed pending Board of County Commissioners review.

11.11.3 Application Procedures for Certificates of Appropriateness. Each application for a Certificate of Appropriateness shall be accompanied by the required fee. The Land Development Regulation Administrator shall forward to the Agency each application for a permit that would authorize an alteration, new construction, demolition or relocation affecting a designated landmark or a designated landmark site. The applicant shall complete an application form provided by the Land Development Regulation Administrator containing in part the following information:

1. Drawings of the proposed work;

2. Photographs of the existing building or structure and adjacent properties; and

3. Information about the building materials to be used. The Land Development Regulation Administrator or their designee shall determine when an application is complete and may request additional information when such application is determined to be incomplete.

11.11.4 Public Hearings for Certificates of Appropriateness. The Agency shall hold a public hearing on each Certificate of Appropriateness on a completed application in accordance with the public hearing procedures forth in Article 13 of these land development regulations. The Agency shall approve, approve with conditions, or disapprove each application, based on the criteria contained in this section.

In approving or denying applications for Certificates of Appropriateness for alterations, new construction, demolition, or relocation, the Agency shall use the following general guidelines: (1) The effect of the proposed work on the landmark or the property upon which such work is to be done; (2) The relationship between such work and other structures on the landmark site or other property in the historic district; (3) The extent to which the historic, architectural, or archeological significance, architectural style, design, arrangement, texture, materials, and color of the landmark or the property will be affected; (4) Whether the denial of a Certificate of Appropriateness would deprive the property owner of reasonable beneficial use of his or her property; and (5) Whether the plans may be reasonably carried out by the applicant.

No Certificate of Appropriateness for demolitions shall be issued by the Agency until the applicant has demonstrated that no other feasible alternative to demolition can be found. The Agency may ask interested individuals and organizations for assistance in seeking an alternative to

demolition. On all demolition applications, the Agency shall study the question of economic hardship for the applicant and shall determine whether the landmark can be put to reasonable beneficial use without the approval of the demolition application. In the case of an income-producing building, the Agency shall also determine whether the applicant can obtain a reasonable return from his or her existing building. The Agency may ask applicants for additional information to be used in making these determinations including, but not limited to, evidence that the plans for a new building on the site will be implemented. If the applicant fails to establish the lack of a reasonable beneficial use or the lack of a reasonable return, Agency shall deny the demolition application.

The Agency may grant a Certificate of Appropriateness for demolition even though the designated landmark or designated landmark site has reasonable beneficial use if: (1) The Agency determines that the property no longer contributes to a historic district or no longer has significance as a historic, architectural or archeological landmark; and (2) The Agency determines that the demolition of the designated property is required by a community redevelopment plan or the County's Comprehensive Plan.

ARTICLE TWELVE

APPEALS, SPECIAL EXCEPTIONS, VARIANCES, AND INTERPRETATIONS

ARTICLE TWELVE. APPEALS, SPECIAL EXCEPTIONS, VARIANCES AND INTERPRETATIONS

SECTION 12.1 APPEALS An appeal from any decision of an administrator or board may be taken as follows by any person aggrieved.

12.2.1 Zoning Regulation Appeals Provisions.

1. Board of Adjustment: Appeals: How Taken

(a) Appeals; hearings; notice. Appeals to the Board of Adjustment concerning interpretation or administration of Article 4 of these land development regulations, for special exception or for variance under these land development regulations may be taken by any person aggrieved or by any officer, agency, or bureau of the County affected by any decision of the Land Development Regulation Administrator. Such appeals shall be taken by filing, within a reasonable time, with the Land Development Regulation Administrator a notice of appeal specifying the grounds thereof.

Before rendering a decision upon an appeal, the Board of Adjustment shall hold a public hearing. The Board of Adjustment shall fix a reasonable time for the hearing, give public notice thereof, as well as due notice to the parties involved. In addition, in the case of an appeal for special exception or variance, the Land Development Regulation Administrator shall erect a sign advertising the appeal on a prominent position on the land in question. At the hearing, any party may appear in person or by agent or attorney. Appellants may be required to assume such reasonable costs as the Board of County Commissioners may determine through action in setting fees to be charged for appeals.

(b) Stay of proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless the Land Development Regulation Administrator from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal is filed that, by reason of facts stated in the certificate, a stay would, in the Land Development Regulation Administrator's opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the

Board of Adjustment or by a court of record on application, on notice to the Land Development Regulation Administrator from whom the appeal is taken and on due cause shown.

(c) Decisions. The concurring vote of a majority of the members of the Board of Adjustment who are present and voting shall be necessary to reverse any order, requirement, decision, or determination of the Land Development Regulation Administrator or to decide in favor of the appellant in respect to any matter upon which it is required to pass under the terms of Article 4 of these land development regulations or to effect any variance of Article 4 of these land development regulations.

2. Appeals from decisions of Board of Adjustment. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Adjustment, or any officer, department, board, commission, or bureau of the County affected by any decision of the Board of Adjustment may apply to the circuit court having jurisdiction in the County for judicial relief within thirty (30) days after the rendition of the decision by the Board of Adjustment. The proceedings in the circuit court shall consist of a trial de novo, which shall be governed by the Florida Rules of Civil Procedure, or by petition for writ of certiorari, which shall be governed by the Florida Appellate Rules. The election of remedies shall lie with the appellant.

3. Appeals From Decisions of Planning and Zoning Board. Wherever in Article 4 of these land development regulations the Planning and Zoning Board is required to make a final decision rather than an advisory recommendation, said decision shall be final provided that any person or persons, jointly or severally aggrieved by said decision of the Planning and Zoning Board, or any officer, department, board, commission, or bureau of the County aggrieved by said decision may, within thirty (30) days after said decision is rendered, appeal said decision to the Board of County Commissioners by filing a written notice of appeal specifying the grounds thereof with the Land Development Regulation Administrator.

4. Appeals From Decisions of the Board of County Commissioners. Any person or persons, jointly or severally, or any officer, department, board, commission, or bureau of the County aggrieved by any decision of the Board of County Commissioners may apply to the circuit court having jurisdiction in the County for judicial relief within thirty (30) days after the rendition of the decision by the Board

of County Commissioners. The proceedings in the circuit court shall consist of a trial de novo, which shall be governed by the Florida Rules of Civil Procedure, or by petition for writ of certiorari, which shall be governed by the Florida Appellate Rules. The election of remedies shall lie with the appellant.

12.1.2 Subdivision Regulation Appeals Provisions. Any person or persons, jointly or severally, aggrieved by any decision of the Board of County Commissioners, or any officer, department, board, commission, or bureau of the County may apply to the circuit court having jurisdiction in the County for judicial relief within thirty (30) days after the rendition of the decision by the Board of County Commissioners regarding a preliminary or final plat or any variance.

12.1.3 Flood Damage Prevention Regulations Appeals Provisions.

1. Appeals Procedure. The Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Land Development Regulation Administrator in the enforcement or administration of Article 9 of these land development regulations.

   Any such appeal shall be in written form and filed within thirty (30) days of the decision of the Land Development Regulation Administrator, and filed with the Land Development Regulation Administrator. Such appeal shall state the location of the property, the date of the notice of violations, and the number of such notice. The appellant must state the modification requested, the reasons therefor, and the hardship or conditions upon which the appeal is made.

   Standing to appeal shall be limited to those property owners affected by the decision of the Land Development Regulation Administrator.

2. Decision. In passing upon such appeal, the Board of Adjustment shall consider all technical evaluations, all relevant factors, and standards specified in Article 9 of these land development regulations.

   (a) Upon consideration of the factors of Article 9 herein the Board of Adjustment may attach such conditions to the granting of modifications to the Land Development Regulation Administrator's determination as it deems necessary to further the purposes of Article 9 of these land development regulations.

12.1.4 Minimum Housing Regulation Appeals Provisions. Any person receiving written notice from the Land Development Regulation Administrator of deficiencies in his or her property under Article 9 of these land development regulations may within thirty (30) days following the date of such notice enter an appeal to the Board of Adjustment, and file the same in writing with the Land Development Regulation Administrator.

Such appeal shall state the location of the property, the date of the notice of violations, and the number of such notice. The appellant must state the modification requested, the reasons therefor, and the hardship or conditions upon which the appeal is made.

12.1.5 Hazardous Building Regulations Appeal Provisions.

1. Form of Appeal. Any person served notice in accordance with the provisions of Article 10 may appeal such action of the Land Development Regulation Administrator under this Article to the Board of Adjustment. Such appeal must be filed in writing with the Land Development Regulation Administrator within thirty (30) days from the date of service and must contain at least the following information:

   (a) Identification of the building or structure concerned by street address or legal description.

   (b) A statement identifying the legal interest of each appellant.

   (c) A statement identifying the specific order or section being appealed.

   (d) A statement detailing the issues on which the appellant desires to be heard.

   (e) The legal signatures of all appellants and their official mailing addresses.

2. Upon the filing of an appeal, the Board of Adjustment shall as soon as practicable fix a date, time and location for the hearing of the appeal. Written notice of the time and location of the hearing shall be mailed to each appellant at the address on the appeal by certified mail, postage prepaid and receipt requested.

3. Failure to Appear. Failure of any person to appear at the hearing set forth in accordance with the provisions of this Article shall constitute a waiver of his or her right to an appeal on the notice.

4. Scope of Appeal. The appeal public hearing shall offer the appellant reasonable opportunity to be heard on only those specific matters or issues raised by the appellant in their appeal.

   The appellant may appear at the hearing in person or through their attorney or other designated representative.

5. Staying of Notice Under Appeal. Enforcement of any notice issued by the Land Development Regulation Administrator under the provisions of this Article shall be held in abeyance during the course of an appeal to Article 10 herein.

12.1.6 Historic Preservation Regulation Appeal Provisions.

Within fifteen (15) days of the Agency decision any person may appeal to the Board of County Commissioners any decision of the Agency on an application for a Certificate of Appropriateness. If during that fifteen (15) day period an appeal is made to the Board of County Commissioners, the decision of the Agency shall automatically be stayed pending the Board of County Commissioners review. The Board of County Commissioners shall approve, approve with modifications or disapprove the application.

12.1.7 Appeals General. For appeal procedures for all Articles of these land development regulations not specifically described above the following shall apply:

1. An appeal from any final order or decision of the Land Development Regulation Administrator may be taken to the Board of Adjustment by any person aggrieved. An appeal is taken by filing with the Land Development Regulation Administrator a written notice of appeal specifying the grounds therefor. A notice of appeal shall be considered filed with the Land Development Regulation Administrator when delivered to the Office of the Land Development Regulation Administrator. The date and time of filing shall be entered on the notice by County staff.

2. An appeal must be taken within thirty (30) days after the date of the decision or order appealed from.

3. Whenever an appeal is filed, the Land Development Regulation Administrator shall forthwith transmit to the Board of Adjustment all the papers constituting the record relating to the action appealed from.

4. An appeal stays all actions by the Land Development Regulation Administrator seeking enforcement of or compliance with the order or decision appealed from, unless the Land Development Regulation Administrator certifies to the Board of Adjustment that (because of the facts stated in the certificate) a stay would, in the Land Development Regulation Administrator's opinion, cause imminent peril to life or property. In that case, proceedings shall not be stayed except by order of the Board of Adjustment or a court of record on application, on notice to the Land Development Regulation Administrator from whom the appeal is taken and on due cause shown.

5. The Board of Adjustment may reverse or affirm (wholly or partly) or may modify the order, requirement or decision or determination appealed from and shall make any order, requirement, decision or determination that in its opinion ought to be made in the case before it. To this end, the Board of Adjustment shall have all the powers of the officer from whom the appeal is taken.

SECTION 12.2 SPECIAL EXCEPTIONS

12.2.1 Board of Adjustment: Powers and Duties: Special Exceptions. The Board of Adjustment shall have the power to hear and decide upon appeals in specific cases such special exceptions as the Board of Adjustment is specifically authorized to pass on under the terms of Article 4 of these land development regulations; to decide such questions as are involved in the determination of when special exceptions should be granted; and to grant special exceptions with appropriate conditions and safeguards or to deny special exceptions when not in harmony with the purpose and intent of these land development regulations.

Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which special exception is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

If the Board of Adjustment shall deny a special exception, it shall state fully in its record its reasons for doing so. Such reasons shall take into account the factors stated in this Article, or such of them as may be applicable to the action of denial, and the particular regulations relating to the specific special exception requested, if any.

The procedure for taking an appeal for a special exception shall be as set forth in this Article, and in addition, a special exception shall not be granted by the Board of Adjustment unless and until:

1. Written Petition. A written petition for special exception is submitted by the applicant indicating the section of Article 4 of these land development regulations under which the special exception is sought and stating the grounds on which it is requested, with particular reference to the types of findings which the Board of Adjustment must make under this Article below. The petition should include material necessary to demonstrate that the grant of special exception will be in harmony with the general intent and purpose of these land development regulations, will not be injurious to the neighborhood or to adjoining properties, or be otherwise detrimental to the public welfare. Such material shall include, but is not limited to the following: (1) site plans at an appropriate scale showing proposed placement of structures on the property; provisions for ingress and egress, offstreet parking and offstreet loading areas, and refuse and service areas; and required yards and other open spaces; (2) plans showing proposed locations for utility hook-up; (3) plans for screening and buffering with reference as to type, dimensions, and character; (4) proposed landscaping; and signs and lighting, including type, dimensions, and character. Where these land development regulations place additional regulations on specific special exceptions, the petition should demonstrate that such requirements are met.

2. Planning and Zoning Board report. It is the intent of these land development regulations that all proposed special exceptions shall be heard in the first instance by the Planning and Zoning Board and that the Planning and Zoning Board's report and recommendations in such matters be advisory only to the Board of Adjustment. Within a reasonable time after a proposed special exception is officially received by the Planning and Zoning Board, the Planning and Zoning Board shall submit its report and recommendations concerning the proposed special exception to the Board of Adjustment. Before making a recommendation concerning the proposed special exception, the Planning and Zoning Board shall hold a public hearing to consider the proposed special exception. The Planning and Zoning Board shall fix a reasonable time for the hearing, give public notice thereof, as well as due notice to the parties involved. At the hearing, any party may appear in person or by agent or attorney.

Where the designated members of the Planning and Zoning Board perform the functions of the Board of Adjustment, the provisions of this Section shall not apply.

3. Findings. Before any special exception shall be granted, the Board of Adjustment shall make a specific finding that it is empowered under Article 4 of these land development regulations to grant the special exception described in the petition, and that the granting of the special exception will not adversely affect the public interest. Before any special exception shall be granted, the Board of Adjustment shall further make a determination that the specific rules governing the individual special exception, if any, have been met by the petitioner and that, further, satisfactory provision and arrangement has been made concerning the following matters, where applicable:

   (a) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

   (b) Offstreet parking and loading areas, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district.

   (c) Refuse and service areas, with particular reference to the items in (1) and (2) above.

   (d) Utilities, with reference to locations, availability, and compatibility.

   (e) Screening and buffering with reference to type, dimensions, and character.

   (f) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.

   (g) Required yards and other open space.

   (h) Considerations relating to general compatibility with adjacent properties and other property in the district including but not limited to:

      aa. Whether the proposed use would be in conformance with the County's Comprehensive

Plan and would have an adverse effect on the Comprehensive Plan.

bb. Whether the proposed use is compatible with the established land use pattern.

cc. Whether the proposed use would materially alter the population density pattern and thereby increase or overtax the load on public facilities such as schools, utilities, and streets.

dd. Whether changed or changing conditions find the proposed use to be advantageous to the community and the neighborhood.

ee. Whether the proposed use will adversely influence living conditions in the neighborhood.

ff. Whether the proposed use will create or excessively increase traffic congestion or otherwise affect public safety.

gg. Whether the proposed use will create a drainage problem.

hh. Whether the proposed use will seriously reduce light and air to adjacent areas.

ii. Whether the proposed use will adversely affect property values in the adjacent area.

jj. Whether the proposed use will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

kk. Whether the proposed use is out of scale with the needs of the neighborhood or the community.

4. Limitations on subsequent written petition for a special exception. No written petition by an owner of real property for a special exception for a particular parcel of property, or part thereof, shall be filed with the Land Development Regulation Administrator until the expiration of twelve (12) calendar months from the date of denial of a written petition for a special exception for such property, or part thereof, unless the Board of Adjustment specially waives said waiting period based upon a consideration of the following factors:

(a) The new written petition constitutes a proposed special exception different from the one (1) proposed in the denied written petition.

(b) Failure to waive said twelve (12) month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly discovered matters of consideration.

SECTION 12.3 VARIANCES, GENERAL. The specific provisions of this Section apply to the following portions of the these land development regulations. Not all portions of these land development regulations provide for variances to the requirements contained therein. This is due to the inappropriateness of granting variances to such specific regulations, but not limited to; the use of land, hazardous building requirements, historic site designation.

12.3.1 Variances to Zoning Regulations. The Board of Adjustment shall have power to authorize upon appeal such variance from the terms of these land development regulations as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of these land development regulations will result in unnecessary and undue hardship.

In granting any variance to the provisions of Article 4 of these land development regulations, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with such regulations, including but not limited to, reasonable time limits within which the action for which variance is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of these land development regulations.

Under no circumstances shall the Board of Adjustment grant a variance to permit a use not permitted under the terms of these land development regulations in the zoning district involved, or any use expressly or by implication prohibited by the terms of these land development regulations in the zoning district.

No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.

The procedure for taking an appeal for a variance shall be as set forth in this Article, and in addition, a variance shall not be granted by the Board of Adjustment unless and until:

12.3.1.1 Written petition. A written petition for a variance from the terms of these land development regulations is submitted by the applicant indicating the section of these land development regulations from which the variance is sought and stating the grounds on which it is requested, with particular reference to the types of findings which the Board of Adjustment must make under Section 12.3.1.2 below.

12.3.1.2 Findings. In order to authorize any variance from the terms of these land development regulations, the Board of Adjustment must find:

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

2. The special conditions and circumstances do not result from the actions of the applicant.

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district.

4. Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development and would work unnecessary and undue hardship on the applicant.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

6. The grant of the variance will be in harmony with the general intent and purpose of these land development regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

7. Limitations on subsequent written petition for a variance. No written petition by an owner of real property for a variance for a particular parcel of property, or part thereof, shall be filed with the Land Development Regulation Administrator until the expiration of twelve (12) calendar months from the date of denial of a written petition for a variance for such property, or part thereof, unless the Board of Adjustment specially waives said waiting period based upon a consideration of the following factors:

(a) The new written petition constitutes a proposed variance different from the one (1) proposed in the denied written petition.

(b) Failure to waive said twelve (12) month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly discovered matters of consideration.

12.3.2 Variances to the Subdivision Regulations. Where the Board of County Commissioners finds that compliance with the design standards for lot and street layout of the provisions of Article 5 of these land development regulations would cause unusual or extraordinary difficulties because of exceptional and unique conditions of topography, access, location, shape, size, drainage, or other physical features of the site, it may grant a variance from the subdivision regulations found herein so that substantial justice may be done and the public interest secured; provided, that the public interest is protected and the development is in keeping with the general spirit and intent of these land development regulations. No such variance shall be granted if it would have the effect of nullifying the intent and purpose of these land development regulations. Furthermore, no variance shall be granted from the required improvements as specified within Article 5 of these land development regulations.

12.3.2.1 Conditions. In granting variances and/or modifications, the Board of County Commissioners may require such conditions as will, in the judgement of the Board of County Commissioners secure substantially the objectives of the standards for requirements so varied or modified.

12.3.2.2 Procedures. Variances may be granted upon written request of the subdivider setting forth the reasons for each variance. A petition for any such variance shall be submitted in writing by the subdivider to the Land Development Regulation Administrator for the consideration of the Planning and Zoning Board, in conjunction with the submission of the preliminary plat.

The Planning and Zoning Board shall handle such matter in a public session as part of a previously prepared agenda. The Planning and Zoning Board shall submit its report and recommendation to the Board of County Commissioners.

Within a reasonable time after receiving the Planning and Zoning Board report and recommendation, the Board of County Commissioners shall by majority vote either approve, approve with conditions, or deny the request. Such matters shall be handled in a public session as part of a previously prepared agenda.

12.3.3 Variances to Flood Damage Prevention Regulations. The Board of County Commissioners may permit modifications in the minimum standards of design under the following conditions:

1. Because of unique topographic or other conditions of the land involved, and not the result of the actions of the developer, the literal application of the provisions of Article 8 of these land development regulations would impose unnecessary hardship; and

2. Conditions are attached to development permit approval that assure compliance with the requirements of Article 8 of these land development regulations insofar as practical and the modification granted is the minimum modification necessary to make possible a reasonable use of the land; and

3. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set out in Article 8 of these land development regulations, except that the variance shall be the minimum necessary so as not to destroy the historic character and design of the building and the Land Development Regulations Administrator shall report such variance to the Federal Emergency Management Agency upon request.

4. In passing upon such variance applications, the Board of County Commissioners shall consider all technical evaluations, all relevant factors, all standards specified within Article 8 of these land development regulations, and:

   (a) the danger that materials may be swept onto other land to the injury of others;

   (b) the danger to life and property due to flooding or erosion damage;

   (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

   (d) the importance of the services provided by the proposed facility to the community;

   (e) the necessity of the facility to a waterfront location, in the case of a functionally dependent facility.

   (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

   (g) the compatibility of the proposed use with existing and anticipated development;

   (h) the relationship of the proposed use to the County's Comprehensive Plan and floodplain management program for the County;

   (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;

   (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;

   (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

5. The purposes and intent of these land development regulations are observed; and

6. There is no substantial increase in flood hazard or flood damage potential, if certified by a registered Florida professional engineer.

7. The Land Development Regulation Administrator shall maintain the records of all variance actions and report any variances to the Federal Emergency Management Agency upon request.

12.3.4 Variances to the Minimum Housing Regulations. Where the literal application of the requirements of Article 9 of these land development regulations would appear to cause undue hardship on an owner or tenant, the owner of such building or structure, or their authorized agent, may request the Board of County Commissioners to approve a variance in accordance with Article 13 of these land development regulations.

ARTICLE THIRTEEN

HEARING PROCEDURES FOR SPECIAL EXCEPTIONS, VARIANCES, CERTAIN SPECIAL PERMITS, APPEALS AND APPLICATIONS FOR AMENDMENT

ARTICLE THIRTEEN. HEARING PROCEDURES FOR SPECIAL EXCEPTIONS, VARIANCES, CERTAIN SPECIAL PERMITS, APPEALS AND APPLICATIONS FOR AMENDMENT

SECTION 13.1 GENERAL. All meetings of the Planning and Zoning Board, and Board of Adjustment are required to be open to the public. There is a difference, as noted in the County's Citizen Participation Procedures In Conjunction with the Comprehensive Planning Program, between workshops, public hearings and public meetings, as well as a difference between meetings conducted by County staff and those conducted by the County advisory boards and Board of County Commissioners. This Article incorporates the County's Citizen Participation Procedures In Conjunction with the Comprehensive Planning Program by reference and provides more specific requirements for hearing procedures and public notification.

SECTION 13.2 HEARINGS BEFORE THE BOARD OF ADJUSTMENT.

1. Before making a decisions on an appeal or an application for a variance, or special exception, or a petition from the Land Development Regulation Administrator for a determination the Board of Adjustment shall hold a public hearing on the appeal or application.

2. Subject to 13.2 (3), the public hearing shall be open to the public and all persons interested in the outcome of the appeal or application shall be given an opportunity to present evidence and arguments and ask questions of persons who testify.

3. The Board of Adjustment may place reasonable and equitable limitation on the presentation of evidence and arguments and the cross-examination of witnesses so that the mater at issue may be heard and decided without undue delay.

4. The Board of Adjustment may continue the hearing until a subsequent meeting and may keep the hearing open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six (6) calendar weeks or more elapses between hearing dates.

SECTION 13.3 HEARINGS BEFORE THE PLANNING AND ZONING BOARD AND BOARD OF COUNTY COMMISSIONERS.

1. Before making a recommendation or decision on an application for a certain specified special use permits (see Article 14 of these land development regulations), amendment of the Zoning Atlas or an amendment to the text of these land development regulations the Planning and Zoning Board or the Board of County Commissioners as the case may require shall hold a public hearing on the application.

2. Subject to 13.2 (3), the public hearing shall be open to the public and all persons interested in the outcome of the application shall be given an opportunity to be heard.

3. The Planning and Zoning Board or Board of County Commissioners , as the case may be, may place reasonable and equitable limitation on the any discussion or presentation so that the mater at issue may be heard and decided without undue delay.

4. The Planning and Zoning Board or the Board of County Commissioners, as the case requires, may continue the hearing until a subsequent meeting and may keep the hearing open to take additional information up to the point a final decision is made. No further notice of a continued hearing need be published unless a period of six (6) calendar weeks or more elapses between hearing dates.

SECTION 13.4 NOTICE OF HEARING.

13.4.1 The Land Development Regulation Administrator shall give notice of any public hearing required by Section 13.1 and 13.2 as follows:

1. Notice shall be given to the appellant or applicant by mailing certified return receipt requested to such persons a written notice not later than fourteen (14) days prior to the hearing.

2. Notice shall also be given by prominently posting a sign on the property that is the subject of the proposed action. Such sign shall be posted not less than fourteen (14) days prior to the hearing.

3. In the case of an amendment to these land development regulations, the Official Zoning Atlas or a request for special exception, or variance notice shall be given to other potentially interested persons by publishing a notice twice in a newspaper of general circulation in the area, with the first publication not less than fourteen (14) days prior to the hearing and the second to be at least five (5) days prior to the hearing.

4. The notice required by this Section shall state the date, time and place of the public hearing, reasonably identify the property that is the subject of the application or appeal and give a brief description of the action requested or proposed.

ARTICLE FOURTEEN

PERMITTING AND CONCURRENCY MANAGEMENT

ARTICLE FOURTEEN. PERMITTING AND CONCURRENCY MANAGEMENT

SECTION 14.1 GENERAL. The Land Development Regulation Administrator shall administer and enforce these land development regulations. The Land Development Regulation Administrator is authorized to act through aides and assistants. In the performance of his or her duties, the Land Development Regulation Administrator may request the assistance of any officer or agency of the County.

The Land Development Regulation Administrator shall investigate promptly complaints of violations, reporting findings and actions to complainants, and shall use best endeavors to prevent violations or to detect and secure the correction of violations. If the Land Development Regulation Administrator finds that any of the provisions of these land development regulations are being violated, the Land Development Regulation Administrator shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. The Land Development Regulation Administrator shall order the discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other lawful action authorized by these land development regulations necessary to insure compliance with or to prevent violations of these land development regulations.

It is the intent of these land development regulations that questions of interpretation and enforcement shall first be presented to the Land Development Regulation Administrator, and that such questions shall be presented to the Board of Adjustment only on appeal from the decision of the Land Development Regulation Administrator.

The Land Development Regulation Administrator shall maintain written records of all official actions with relation to land development regulation administration, and of all complaints and actions taken with regard thereto, and of all violations discovered by whatever means, with remedial action taken and disposition of all cases; and the same shall be a public record.

SECTION 14.2 LAND DEVELOPMENT REGULATION ACTION ON BUILDING PERMITS. The Land Development Regulation Administrator shall be responsible for determining whether applications for building permits as required by the Building Code of the County are in accord with the requirements of these land development regulations, and no building permit shall be issued without written certification that plans submitted conform to applicable land development regulations. No building permit shall be issued by the Land Development Regulation Administrator except in conformity with the provisions of these land development regulations, unless the Land Development Regulation Administrator shall receive a written order in the form of an administrative review, interpretation, special exception, or variance as provided by these land development regulations, or unless he or she shall receive a written order from the governing body or a court of competent jurisdiction.

SECTION 14.3 APPLICATION FOR BUILDING PERMIT

14.3.1 Information necessary for application. All applications for building permits as required by the Building Code of the County shall be accompanied by two (2) copies of the plot and construction plans drawn to scale, showing the actual shape and dimensions of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; the exact size and location on the lot of the building or buildings to be erected or altered; the existing use of buildings on the lot, if any; the intended use of each building or buildings or parts thereof; the number of families the building is designed to accommodate; the location and number of required off-street parking and off-street loading spaces; and such other information with regard to the lot and existing and proposed structures as may be necessary to determine and provide for the enforcement of these land development regulations. The application shall be accompanied by a survey of the lot, made by a land surveyor or engineer licensed in Florida; all property stakes shall be in place at the time of application.

14.3.2 Public record. One (1) copy of the plans shall be returned to the applicant by the Land Development Regulation Administrator, after marking such copy either as approved or disapproved and attested to same by the Land Development Regulation Administrator's signature on such copy. The second copy of the plans, similarly marked, shall be retained by the Land Development Regulation Administrator as part of the public record.

14.3.3 Display of permit. All building permits shall be issued in duplicate and one (1) copy shall be kept conspicuously on the premises affected and protected from the weather whenever construction work is being performed thereon. No owner, contractor, workman or any other person shall perform any building operations of any kind unless a building permit covering such operation has been displayed as required by these land development regulations, nor shall they perform building operations of any kind after notification of the revocation of said building permit.

14.3.4 Expiration of building permit. Every permit issued shall become invalid unless the work authorized by such permit is commenced in the form of actual construction within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of six (6) months after the time the work is commenced; provided, that, for cause, one (1) or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed, and such extensions shall be in writing by the Land Development Regulation Administrator.

14.3.5 Construction and use to be as provided in applications; status of permit issued in error. Building permits issued on the basis of plans and specifications approved by the Land Development Regulation Administrator authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction different from that authorized shall be deemed a violation of these land development regulations and punishable as set out in these land development regulations in Article 15.

Statements made by the applicant on the building permit application shall be deemed official statements. Approval of application by the Land Development Regulation Administrator shall in no way exempt the applicant from strict observance of applicable provisions of these land development regulations and all other applicable regulations, ordinances, codes, and laws.

A building permit issued in error shall not confer any rights or privileges to the applicant to proceed to construction, and the Board of County Commissioners shall have the power to revoke such permit if actual construction has not commenced.

SECTION 14.4 CERTIFICATE OF LAND DEVELOPMENT REGULATION COMPLIANCE.

14.4.1 General. It shall be unlawful to use or occupy, or permit the use or occupancy, of any building, premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Land Development Regulation Compliance shall have been issued by the Land Development Regulation Administrator stating that the proposed use of the structure or land conforms to the requirements of these land development regulations.

No permit for erection, alteration, moving, or repair of any building shall be issued until an application has been made for a certificate of land development regulation compliance, and the certificate shall be issued in conformity with the provisions of these land development regulations upon completion of the work.

14.4.2 Temporary certificate of land development regulation compliance. A temporary certificate of land development regulation compliance may be issued by the Land Development Regulation Administrator for a period not exceeding six (6) months during alterations or partial occupancy of a building pending its completion, provided

that such temporary certificate may include such conditions and safeguards as are necessary in the circumstances to protect the safety of occupants and the general public.

14.4.3 Records, Violations. The Land Development Regulation Administrator shall maintain a record of all certificates of land development regulation compliance, and a copy shall be furnished upon request to any person.

Failure to obtain a certificate of land development regulation compliance as set out in these land development regulations shall be a violation of these land development regulations and punishable as provided by these land development regulations in Article 15.

Certificates of land development regulation compliance issued on the basis of plans and specifications approved by the Land Development Regulation Administrator authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Use, arrangement, or construction different from that authorized shall be deemed a violation of these land development regulations and punishable as set out in these land development regulations in Article 15.

SECTION 14.5 ASSURANCE OF COMPLETION OF PUBLIC IMPROVEMENTS. Where, by the terms of these land development regulations or other applicable regulations or ordinances of the County, provision is made for insuring to the Board of County Commissioners that the public improvements required will be constructed as required, the following procedures and regulations shall govern. Before any building permit is issued in such situation, the Board of County Commissioners shall require the applicant to present satisfactory evidence that full provision has been made for public improvements, including, but not limited to, utility lines, sanitary sewers, storm sewers, construction or reconstruction of streets or alleys, streets signs, and traffic devices or signals. Where such public improvements are to be constructed by the applicant in accordance with the applicant's permit, the Board of County Commissioners shall require security satisfactory to the Board of County Commissioners in the form of (1) a deposit in cash or cashier's check or (2) a performance and payment bond in the amount of one hundred ten percent (110%) of the estimated cost of such improvements. The purpose of this requirement is to insure to the Board of County Commissioners that the public improvements required will be properly and timely completed and paid for. The form of any such bond or sureties thereon shall be subject to the approval of the Attorney for the Board of County Commissioners as to form and correctness prior to the issuance of any building permit.

SECTION 14.6 SPECIAL PERMITS FOR BULKHEADS, DOCKS, AND SIMILAR STRUCTURES. No bulkhead, dock, pier, wharf, or similar structure shall be erected or expanded without first obtaining a special permit from the

Board of County Commissioners. All proposals to erect or expand such structures shall be submitted in writing to the Land Development Regulation Administrator together with the payment of such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8). The Land Development Regulation Administrator shall forward the request to the Planning and Zoning Board for review. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. The Planning and Zoning Board shall submit its report and recommendations to the Board of County Commissioners.

Within a reasonable time after receiving the Planning and Zoning Board report and recommendations, the Board of County Commissioners shall take final action by either approving, approving with conditions, or denying the request. No public notice and hearing is required, but such matters shall be handled in a public session as part of a previously prepared agenda. Such matters shall be a public record, and approval, approval with conditions, or denial shall require formal action by the Board of County Commissioners. Appeals from decisions of the Board of County Commissioners shall be heard as set out in Article 12 of these land development regulations.

If State or Federal permission is required for the erection of any such bulkhead, dock, pier, wharf, or similar structure, such permission shall be presented in writing to the Land Development Regulation Administrator prior to the issuance of any building permit for the bulkhead, dock, pier, wharf, or similar structure.

SECTION 14.7 SPECIAL APPROVAL FOR DEVELOPMENT IN FLOOD HAZARD AREAS. This subsection applies to any proposed project which intends to move, erect, or enlarge any building within a "flood hazard area." The term "flood hazard area" refers to any "flood hazard area" as shown on the official flood maps issued by the Federal Emergency Management Agency, for areas subject to these land development regulations.

If the Land Development Regulation Administrator determines that a proposed building site is in a "flood hazard area," any proposed new construction or substantial improvement (including prefabricated and mobile homes) must meet the requirements within Article 8 of these land development regulations.

SECTION 14.8 SPECIAL PERMITS FOR LAND AND WATER FILLS, DREDGING, EXCAVATION, AND MINING. No (1) mining; (2) borrow pit operations; (3) activities which involve the dredging or filling of land or water areas of one-half (1/2) acre in size or larger; or (4) activities which involve excavation or removal of earth in area of one-half (1/2) acre in size or larger shall be conducted without first obtaining a special permit for such activities from the Board of County Commissioners. Requests for such special permits shall be submitted in writing to the Land Development Regulation Administrator together with the payment of such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8). The Land Development Regulation Administrator shall forward the request to the Planning and

Zoning Board for review and shall erect a sign advertising the permit request on a prominent position on said land. The Planning and Zoning Board shall hold a public hearing in accordance with Article 13 of these land development regulations. The Planning and Zoning Board report and recommendations shall be advisory only and not binding upon the Board of County Commissioners.
Within a reasonable time after receiving the Planning and Zoning Board report and recommendations, the Board of County Commissioners shall hold a public hearing in accordance with Article 13 of these land development regulations. At the hearing, any person may appear in person or by agent or attorney. The Board of County Commissioners shall take final action on the permit request by either approving, approving with conditions, or denying the permit request. Appeals from decisions of the Board of County Commissioners shall be heard as set out in Article 12 of these land development regulations.

In addition to obtaining this permit, the applicant shall meet any additional requirements of the County, the State of Florida, and the United States.

SECTION 14.9 SPECIAL MOVE-ON PERMITS FOR MOBILE HOMES. It shall be deemed a violation of these land development regulations for any person, firm, corporation, or other entity to place or erect any mobile home on any lot or parcel of land within any area subject to these land development regulations for private use without first having secured a mobile home move-on permit from the Land Development Regulation Administrator. Such permit shall be deemed to authorize placement, erection, and use of the mobile home only at the location specified in the permit. The responsibility of securing a mobile home move-on permit shall be that of the person causing the mobile home to be moved. The move-on permit shall be posted prominently on the mobile home before such mobile home is moved onto the site.

SECTION 14.10 SPECIAL FAMILY LOT PERMITS. A special permit may be issued by the Land Development Regulation Administrator on land zoned agricultural and environmentally sensitive within the County's Comprehensive Plan, for the use of immediate family members of the property owner of the parent tract as their residence at densities higher than one dwelling unit per five acres, but not to exceed two dwelling units per acre, unless a community potable water system is available; then up to three dwelling units per acre is permitted subject to the following conditions:

1. The minimum lot width shall be seventy-five (75) feet; and

2. The lot(s) shall be for the use of family members of the owner of the original tract only. The term immediate family differs from the definition of family as defined in 2.1.72 of these land development regulations, in that it shall mean persons related by blood, adoption or marriage such as siblings, parents, spouses, grandparents and children; and

3. The division of lots shall be by recorded separate deed and meet all other applicable land development regulations; and

4. The family lot permit shall only apply to lots or tracts of record created prior to the effective date of the County's Comprehensive Plan; and

5. The family lot permit shall only be issued twice for each relative of the parent tract owner. However, for purposes of this provision, if a lot is permitted under this provision to a daughter, for example, and was to be returned to the ownership of the owner of the parent tract, then the original use of this provision to provide the lot to the daughter shall not be counted as one of the two permitted per relative.

SECTION 14.11 SPECIAL PERMITS FOR TEMPORARY USES. Certain uses are temporary in character. They vary in type and degree, as well as length of time involved. Such uses may have little impact on surrounding and nearby properties or they may present questions involving potential incompatibility of the temporary use with existing uses. Unless otherwise specified in these land development regulations, the following regulations shall govern temporary uses.

14.11.1 Temporary use permits issued by Board of County Commissioners. The Board of County Commissioners may issue a temporary use permit for the following uses:

1. In agricultural, commercial, and industrial districts: commercial circuses, carnivals, outdoor concerts, and similar uses.

Requests for such a permit shall be submitted in writing to the Land Development Regulation Administrator together with such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8). The Land Development Regulation Administrator shall forward the request to the Planning and Zoning Board for review and shall erect a sign advertising the request on a prominent position on said land. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. All matters relating to Planning and Zoning Board consideration of temporary use permits shall be a public record. At the public session, any person may appear in person or by agent or attorney. The Planning and Zoning Board shall submit its report and recommendations to the Board of County Commissioners. The Planning and Zoning Board report and recommendations shall be advisory only and not binding upon the Board of County Commissioners.

Within a reasonable time after receiving the Planning and Zoning Board report and recommendations, the Board of County Commissioners shall hold a public hearing to consider the request. The Board of County Commissioners shall fix a reasonable time for the hearing, give public

notice thereof, as well as due notice to the parties involved. At the hearing, any person may appear in person or by agent or attorney. The Board of County Commissioners shall take final action on the request by either approving, approving with conditions, or denying the request. Appeals from decisions of the Board of County Commissioners shall be heard as set out in Article 12 of these land development regulations.

Prior to granting a temporary use permit, the Board of County Commissioners shall insure that:

1. Any nuisance or hazardous feature involved is suitably separate from adjacent uses.

2. Excessive vehicular traffic will not be generated on minor residential streets.

3. A vehicular parking problem will not be created.

The temporary use permit, if granted, shall be granted for a specific time period, at the end of which, if the use permitted has not been discontinued, it shall be deemed a violation of these land development regulations and shall be punished as herein set out (see Article 15).

Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which temporary use permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

14.11.2 Temporary use permits issued by the Land Development Regulation Administrator. Certain uses are of short duration or do not create excessive incompatibility during the course of the use. The Land Development Regulation Administrator is authorized to issue temporary use permits for the following activities, after a showing that any nuisance or hazardous feature involved is suitably separated from adjacent uses; excessive vehicular traffic will not be generated on minor residential streets; and a vehicular parking problem will not be created:

1. In any zone district: special events operated by non-profit, eleemosynary organizations.

2. In any zone district: christmas tree sales lots operated by non-profit, eleemosynary organizations.

3. In any zone district: other uses which are similar to (1) and (2) above and which are of a temporary nature where the period of use will not extend beyond thirty (30) days.

4. In any zone district: mobile homes or travel trailers used for temporary purposes by any agency of municipal, County, State, or Federal government; provided such uses shall not be or include a residential use.

5. In any zone district: mobile homes or travel trailers used as a residence, temporary office, security shelter, or shelter for materials of goods incident to construction on or development of the premises upon which the mobile home or travel trailer is located. Such use shall be strictly limited to the time construction or development is actively underway. In no event shall the use continue more than twelve (12) months without the approval of the Board of County Commissioners and the Board of County Commissioners shall give such approval only upon finding that actual construction is continuing.

6. In agricultural, commercial, and industrial districts: temporary religious or revival activities in tents.

7. In agricultural districts: In addition to the principal residential dwelling, one (1) additional mobile home used as an accessory residence, provided that such mobile home is occupied by persons related by blood, adoption, or marriage to the family occupying the principal residential use. Such mobile home is exempt from lot area requirements, and shall not be located within required yard areas. Such mobile home shall not be located within twenty (20) feet of any building. A temporary use permit for such mobile home may be granted for a time period up to five (5) years. When the temporary use permit expires, the applicant may reapply for a new temporary use permit.

   Requests for such a permit shall be submitted in writing to the Land Development Regulation Administrator together with such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8).

   Appropriate conditions and safeguards may include, but are not limited to, reasonable time limits within which the action for which temporary use permit is requested shall be begun or completed, or both. Violation of such conditions and safeguards, when made

a part of the terms under which the special exception is granted, shall be deemed a violation of these land development regulations and punishable as provided in these land development regulations.

SECTION 14.12 SITE AND DEVELOPMENT PLAN APPROVAL. Where these land development regulations require site and development plan approval, the Planning and Zoning Board shall approve all site and development plans as a condition precedent to the issuance of building permits by the Land Development Regulation Administrator.

14.12.1 Contents. The site and development plan required to be submitted by the requirements of these land development regulations shall include the following elements, where applicable:

1. Vicinity map - indicating general location of the site, abutting streets, existing utilities, complete legal description of property in question, and adjacent land use.

2. Site plan - including but not limited to the following:

   a. Name, location, owner, and designer of the proposed development.

   b. Present zoning for subject site.

   c. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties and any screening or buffers on such properties.

   d. Date, north arrow, and graphic scale not less than one (1) inch equal to fifty (50) feet.

   e. Area and dimensions of site.

   f. Location of all property lines, existing right-of-way approaches, sidewalks, curbs, and gutters.

   g. Access to utilities and points of utility hook-up.

   h. Location and dimensions of all existing and proposed parking areas and loading areas.

   i. Location, size, and design of proposed landscaped areas (including existing trees and required landscaped buffer areas).

   j. Location and size of any lakes, ponds, canals, or other waters and waterways.

k. All structures and major features fully dimensioned including setbacks, distances between structures, floor area, width of driveways, parking spaces, property or lot lines, and percent of property covered by structures.

l. Location of all trash receptacles.

m. For multiple family, hotel, motel, and mobile home park site plans:

(1) Tabulation of gross acreage.
(2) Tabulation of density.
(3) Number of dwelling units proposed.
(4) Location and percent of total open space and recreation areas.
(5) Percent of lot covered by buildings.
(6 Floor area of dwelling units.
(7) Number of proposed parking spaces.
(8) Street layout.
(9) Layout of mobile home stands (for mobile home parks only).

3. Stormwater management plan - including the following:

a. Existing contours at one (1) foot intervals based on U.S. Coast and Geodetic Datum.

b. Proposed finished elevation of each building site and first floor level.

c. All existing and proposed stormwater management facilities with size and grades.

d. Proposed orderly disposal of surface water runoff.

e. Centerline elevations along adjacent streets.

14.12.2 Procedure. Where, by the terms of these land development regulations, approval by the Planning and Zoning Board of a site and development plan is required prior to the issuance of a building permit, such site and development plan shall be submitted to the Land Development Regulation Administrator. He or she shall circulate the site and development plan for comment to any other official or department of the County which may have responsibility for some aspect of the site and development plan.

Data required in these land development regulations for site and development plan approval shall be submitted to the Land Development Regulation Administrator not less than fifteen (15) days prior to the public meeting of the Planning and Zoning Board at which the application for site and development plan approval is to be considered

together with the payment of such reasonable costs as the Board of County Commissioners may determine through action in setting fees (see Section 1.8).

14.12.3 Action on site and development plan. The Land Development Regulation Administrator shall forward the application for site and development plan approval along with any comments or criticisms to the Planning and Zoning Board for approval. The Planning and Zoning Board shall handle such matters in a public session as part of a previously prepared agenda, however, no public notice and hearing is required. All matters relating to Planning and Zoning Board consideration of site and development plans shall be a public record and approval, approval with conditions, or denial shall require formal action of the Planning and Zoning Board. A petition for a zoning amendment and an application for site and development plan approval shall not be handled concurrently. Rather, an applicable for site and development plan approval shall be heard only after the applicant has secured the appropriate zoning on the subject parcel. Appeals from decisions of the Planning and Zoning Board shall be heard as set out in Section Article 12 of these land development regulations.

In reaching a decision as to whether or not the site and development plan as submitted should be approved with a directive to the Land Development Regulation Administrator to issue building permits, the Planning and Zoning Board shall be guided in its decision and the exercise of its discretion to approve, approve with conditions, or to deny by the following standards; the Planning and Zoning Board shall show in its record that each was considered where applicable and it shall make findings in regard to those of the following standards which it finds to be applicable:

1. Sufficiency of statements on ownership and control of the development and sufficiency of conditions of ownership or control, use, and permanent maintenance of common open space, common facilities, or common lands to insure preservation of such lands and facilities for their intended purpose and to insure that such common facilities will not become a future liability for the Board of County Commissioners.

2. Density and/or purpose of the proposed development with particular attention to its relationship to adjacent and nearby properties and effect thereon and relationship to the County's Comprehensive Plan.

3. Ingress and egress to the development and proposed structures thereon, with particular reference to automotive and pedestrian safety, minimization of marginal friction with free movement of traffic on

adjacent streets, separation of automotive traffic and pedestrian and other traffic, traffic flow and control, provision of services and servicing of utilities and refuse collection, and access in case of fire, catastrophe, or emergency.

4. Location and relationship of offstreet parking and offstreet loading facilities to thoroughfares and internal traffic patterns within the proposed development, with particular reference to automotive and pedestrian safety, traffic flow and control, access in case of fire or catastrophe, and screening and landscape.

5. Sufficiency of proposed screens and buffers to preserve internal and external harmony and compatibility with uses inside and outside the proposed development.

6. Manner of stormwater management on the property, with particular reference to the effect of provisions for stormwater management on adjacent and nearby properties and the consequences of such stormwater management on overall public stormwater management capacities.

7. Adequacy of provision for sanitary sewers, with particular relationship to overall sanitary sewer availability and capacities.

8. Utilities, with reference to hook-in locations and availability and capacity for the uses projected.

9. Recreation facilities and open spaces, with attention to the size, location, and development of the areas as to adequacy, effect on privacy of adjacent and nearby properties and uses within the proposed development, and relationship to community open spaces and recreational facilities.

10. General amenities and convenience, with particular reference to assuring that appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be in conflict with other development in the area as to cause substantial depreciation of property values.

11. Such other standards as may be imposed by these land development regulations on the particular use or activity involved.

14.12.4 Issuance of building permits. Upon the approval of the site and development plan application by the Planning and Zoning Board or its approval with conditions, building permits for the proposed development shall be issued by the Land Development Regulation Administrator. The development shall be built substantially in accordance with the approved site and development plan. If after such approval, should the owner/applicant or his or her successors desire to make any changes in the site and development plan, such changes shall be submitted to the Land Development Regulation Administrator. If the Land Development Regulation Administrator deems that there is a substantial change or deviation from that which is shown on the approved site and development plan, the owner/ applicant or his or her successors shall be required to submit the amended site and development plan for approval as set forth in Section 14.11 of these land development regulations.

SECTION 14.13 CONSISTENCY WITH THE COUNTY COMPREHENSIVE PLAN

14.13.1 Generally. No development may be approved unless it is found that the development is in conformance with the County's Comprehensive Plan and that the provision of certain public facilities will be available at prescribed levels of service concurrent with the impacts of the development on those facilities.

14.13.2 Determining Conformance with the County's Comprehensive Plan. If a development proposal is found to meet all the requirements of these land development regulations, it shall be presumed to be in conformance with the County's Comprehensive plan in all respects except for compliance with the concurrency requirement. Any aggrieved or adversely affected party may, however, question the consistency of a development proposal with the County's Comprehensive plan. If a question of consistency is raised, the Land Development Regulation Administrator or any of the appointed boards, or the Board of County Commissioners depending on which is responsible for approving the development, shall make a determination of consistency or inconsistency and support that determination with written findings.

14.13.3 Maintaining Level of Service Standards.

14.13.3.1 Generally.

1. Level of Service Must be Maintained

a. No development activity may be approved unless it meets the following requirements designed to insure that certain public services are available

at prescribed levels of service concurrent with the impacts of development.

b. Notwithstanding the foregoing, the prescribed levels of service may be degraded during construction of new facilities if upon completion of the new facilities the prescribed levels of service will be met.

2. Determination of Available Capacity. For purposes of these land development regulations, the available capacity of a facility shall be determined by:

a. Adding together:

aa. the total capacity of the existing facilities operating at the required level of service; and

bb. the total capacity of new facilities that will come available concurrent with the impacts of development. The capacity of new facilities may be counted only if one (1) or more of the following is shown:

(1) Construction of the new facilities are under way at the time of application.

(2) The new facilities are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued.

(3) The new facilities have been included in the County's annual capital budget.

(4) The new facilities are guaranteed in an enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.332, Florida Statutes, as amended, or an agreement or development order pursuant to Chapter 380, Florida Statutes, as

amended. Such facilities must be consistent with the Capital Improvements Element of the County's Comprehensive Plan and approved by the Board of County Commissioners.

(5) The developer has contributed funds to the County necessary to provide new facilities consistent with the Capital Improvements Element of the County's Comprehensive Plan. Commitment that the facilities will be built must be evidenced by and appropriate budget amendment and appropriation by the County or other governmental entity.

bb. Subtracting from that number the sum of:

(1) the demand for the service created by existing development; and

(2) the new demand for the service that will be created concurrent with the impacts of the proposed development by the anticipated completion of other presently approved developments.

3. Burden of Showing Compliance on Developer. The burden of showing compliance with these level of service requirements shall be upon the developer. In order to be approvable, applications for development approval shall provide sufficient information showing compliance with these standards.

14.13.3.2 Transportation System. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for transportation systems as established in the Traffic Circulation Element of the County's Comprehensive Plan:

Level "C" Service Standard at peak hour as defined within the Florida Department of Transportation " Daily Service Volumes Level of Service, A-E, 1987" for all roads within the unincorporated areas of the County.

14.13.3.3 Sanitary Sewer. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for sanitary sewer systems as established in the Sanitary Sewer Element of the County's Comprehensive Plan:

Facility Type	Level of Service Standard
Individual Septic Tanks	70 gallons per capita per day
Community Sanitary Sewer System	70 gallons per capita per day

14.13.3.4 Potable Water. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for potable water systems as established in the Potable Water Element of the County's Comprehensive Plan:

Facility Type	Level of Service Standard
a. Private individual water wells	70 gallons per capita per day
b. Steinhatchee/Jena Community Potable Water System	100 gallons per capita per day
c. Suwannee Community Potable Water System	70 gallons per capita per day
d. Horseshoe Beach Community Potable Water System	130 gallons per capita per day

14.13.3.4 Drainage. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for drainage systems as established in the Drainage Element of the County's Comprehensive Plan:

Level of Service Standard

For all projects not exempted from Chapter 40B-4 and 17-25, Florida Administrative Code within the County, stormwater management systems must be installed such that the peak rate of post-development runoff will not exceed the peak-rate of pre-development runoff for storm events up through and including either:

1. A design storm with a 10-year, 24-hour rainfall depth with Soil Conservation Service Type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation, or recreational uses; or

2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.

3. Facilities which directly discharge into an Outstanding Florida Water shall include an additional level of treatment equal to the runoff of the first 1.5 inches of rainfall from the design storm consistent with Chapter 17-25.025(9), Florida Administrative Code, in order to meet the receiving water quality standards of Chapter 17-302, Florida Administrative Code. Stormwater discharge facilities shall be designed so as not to lower the receiving water quality below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, Florida Administrative Code.

Any development exempt from Chapter 17-25 or 40B-4 as cited above and which is adjacent to or drains into a surface water, canal, or stream, or which enters a ditch which empties into a sinkhole, shall first allow the runoff to enter a grassed swale or other conveyance designed to percolate 80 percent of the runoff from a three year, one hour design storm within 72 hours after a storm event. In addition, any development exempt from Chapter 17-25 or 40B-4, as cited above, which is directly discharged into an Outstanding

Florida Water shall include an additional level of treatment equal to the runoff of the first 1.5 inches of rainfall from the design storm consistent with Chapter 17-25.025(9), Florida Administrative Code, in order to meet the receiving water quality standards of Chapter 17-302, F.A.C. Stormwater discharge facilities shall be designed so as not to lower the receiving water quality below the minimum condition necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, Florida Administrative Code.

14.13.3.5 Solid Waste. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for solid waste facilities as established in the Public Facilities Element of the County's Comprehensive Plan:

Facility Type	Level of Service Standard
Solid Waste Landfill	2.8 cubic yards per capita per year

14.13.3.6 Recreation. New development shall not be approved unless there is sufficient available capacity to sustain the following levels of service for the recreation facilities as established in the Recreation and Open Space Element of the County's Comprehensive Plan

ACTIVITY	LEVEL OF SERVICE STANDARD
Swimming (non-pool)	1 access point at a beach, stream spring, river, lake or pond for every 25,000 persons to be served.
Fishing (non-boat)	1 access point for every 10,000 persons to be served.
Fishing (boat)	1 boat ramp for every 5,000 persons to be served.

Camping (recreation vehicle and tent)	1 acre of campground within a 25 mile radius of the County for every 25,000 persons to be served.
Picnicking	1 picnic table for every 500 persons to be served.
Hiking	1 mile of available hiking trail within a 25 mile radius of the County for every 10,000 persons to be served.
ACTIVITY	LEVEL OF SERVICE STANDARD
Nature Study	7 acres of managed conservation area within a 25 mile radius of the County for every 10,000 persons to be served.
Tennis	1 tennis court for every 7,500 persons to be served.
Baseball/softball	1 ball field for every 6,000 persons to be served.
Football/Soccer	1 multi-purpose playing field for every 15,000 persons to be served.
Golf	1 eighteen (18) hole golf course for every 65.200 persons to be served

14.13.4 Determination of Project Impact. The impact of proposed development activity on available capacity shall be determined as follows:

14.13.4.1 Building Permits. The issuance of a building permit has more of an immediate impact on the level of service for public facilities than may be the case with the issuance of other types of development orders. Therefore,

building permits shall be issued only when the necessary facilities and services are in place. The determination of the existence of the necessary facilities and services in place shall be made by using the estimates made by the Local Planning Agency as part of their most recent monitoring and evaluation of the Capital Improvements Element of the County's Comprehensive Plan. Such determination shall be made by the Land Development Regulation Administrator as part of the Certificate of Zoning Compliance procedure. For roads, this determination shall apply to the adopted level of service standards for roads within appropriate, identified, geographical areas of the County's jurisdiction. All public facility impacts shall be determined based on the level of service of the facility throughout the facility geographical service area.

14.13.4.2 Other Types of Development Orders. Other types of development orders include, but are not limited to approval of subdivisions, re-zoning, special permits and site and development plan approval. These other types of development orders have less immediate impacts on public facilities and services than the issuance of a building permit. Therefore, subject to the Local Planning Agency determining that the necessary facilities or services are in place and are maintaining the adopted level of service, the following concurrency management requirements shall apply for the issuance of such development orders.

1. Provisions shall be included within the development order which shall require the construction of additional public facility capacity, where public facilities, due to the impacts of the development proposal do not meet the adopted level of service; or

2. To require the necessary public facilities be constructed by the developer and at the developer's expense, or by the public or private entity having jurisdictional authority over the facility to the level of service identified and within conformance with the 5-Year Schedule of Improvements found within the Capital Improvements Element of the County's Comprehensive Plan.

14.13.4.3 In such cases where there are competing applications for public facility capacity, the following order of priority shall apply:

1. Issuance of a building permit based upon previously approved development orders permitting redevelopment;

2. Issuance of a building permit based upon previously approved development orders permitting new development;

3. Issuance of new development orders permitting redevelopment;

4. Issuance of new development orders permitting new development.

14.13.4.4 The following conditions apply to the County's concurrency management system:

1. Amendments to the Comprehensive Plan can be made twice each year and as otherwise permitted as small scale developments. In addition, changes can be made to the Capital Improvements Element of the County's Comprehensive Plan by ordinance if the changes are limited to the technical matters listed in Chapter 163, Part II, Florida Statutes, as amended.

2. No development order shall be issued which would require the Board of County Commissioners to delay or suspend construction of any of the capital improvements on the 5-Year schedule of the Capital Improvements Element of the County's Comprehensive Plan.

3. If by issuance of a development order a substitution of a comparable project on the 5-Year schedule is proposed, the applicant may request the Board of County Commissioners to consider an amendment to the 5-Year schedule in one (1) of the twice annual amendment reviews.

4. The result of any development not meeting adopted level of service standards for public facilities shall be cessation of the affected development or the reduction of the standard for level of service (which requires an amendment to the County's Comprehensive Plan).

ARTICLE FIFTEEN

ENFORCEMENT AND REVIEW

ARTICLE FIFTEEN. ENFORCEMENT AND REVIEW

SECTION 15.1 COMPLAINTS REGARDING VIOLATIONS. Whenever the Land Development Regulation Administrator receives a written, signed complaint alleging a violation of these land development regulations, he or she shall investigate the complaint, take whatever action is warranted, and inform the complainant in writing what actions have been or will be taken.

SECTION 15.2. PERSONS LIABLE. The owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of these land development regulations may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided.

SECTION 15.3. PROCEDURES UPON DISCOVERY OF VIOLATIONS.

1. If the Land Development Regulation Administrator finds that any provisions of these land development regulations are being violated, he or she shall send a written notice to the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent at the Land Development Administrator's discretion.

2. The final written notice (the initial written notice may be the final notice) shall state what action the Land Development Administrator intends to take if the violation is not corrected and shall advise that the Land Development Regulation Administrator's decision or order may be appealed to the Board of Adjustment in accordance with Section Article 12.

3. Notwithstanding the foregoing, in cases when delay would pose a danger to the public health, safety, or welfare, the Land Development Regulation Administrator may seek enforcement without prior written notice by invoking any of the penalties or remedies authorized in this Article.

SECTION 15.4. PENALTIES AND REMEDIES FOR VIOLATIONS.

1. Violations of the provisions of these land development regulations or failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with grants of variances or special use or conditional-use permits, shall constitute a misdemeanor of the second degree, punishable as provided in Chapter 775, Florida Statutes, as amended. Any person, firm or corporation who violates these land development regulations, or fails to comply with any of its requirements, shall upon conviction of a misdemeanor of the second degree be fined or imprisoned, or

both, as provided for in Chapter 125.69, Florida Statutes, as amended and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be a separate offense.

2. Any act constituting a violation of the provisions of these land development regulations or a failure to comply with any of its requirements, including violations of any conditions and safeguards established in connection with the grants of variances or special-use permits, shall also subject the offender to the penalties provided above. If the offender fails to pay this penalty within ten (10) days after being cited for a violation, the penalty may be recovered by the County in a civil action in the nature of debt. A civil penalty may not be appealed to the Board of Adjustment if the offender was sent a final notice of violation in accordance with this Article and did not take an appeal to the Board of Adjustment within the prescribed time.

3. Each day that any violation continues after notification by the Land Development Regulation Administrator that such violation exists shall be considered a separate offense for purposes of the penalties and remedies specified in this Article.

4. Any one (1), all, or any combination of the foregoing penalties and remedies may be used to enforce these land development regulations.

SECTION 15.5. JUDICIAL REVIEW.

1. Every decision of the Board of County Commissioners and every final decision of the Board of Adjustment shall be subject to review by the Circuit Court of the County by proceedings in the nature of certiorari, which shall be governed by the Florida Appellate Rules, or of a trial de novo, which shall be governed by the Florida Rules of Civil Procedures. The election of remedies shall lie with the appellant.

2. The petition for the writ of certiorari or trial de novo, must be filed with the County Clerk of the Circuit Court within thirty (30) days after a decision has been made.

ARTICLE SIXTEEN

AMENDMENTS

ARTICLE SIXTEEN. AMENDMENTS

These land development regulations, and Official Zoning Atlas, and other material as set out may from time to time be amended, supplemented, changed, or repealed. Procedures shall be as follows:

SECTION 16.1 INITIATION OF AMENDMENTS

A land development regulation amendment may be proposed by:

1. Board of County Commissioners;

2. Planning and Zoning Board;

3. Board of Adjustment;

4. Any department or Board of the County;

5. Any person other than those listed in 1, 2, 3, or 4 above; provided, however, that no such person shall propose an amendment for the rezoning of property which he does not own except as agent or attorney for an owner.

All proposals for land development regulation amendments shall be submitted in writing to the office of the Land Development Regulation Administrator accompanied by all pertinent information which may be required by the Planning and Zoning Board for proper consideration of the matter, along with, for persons under 5 above, the payment of such fees and charges as have been established by the Board of County Commissioners (see Article 1). In the case of a petition for the rezoning of land, the Land Development Regulation Administrator shall post a sign advertising the petition for rezoning on a prominent position on said land in conformance with Article 13 herein.

SECTION 16.2 PLANNING AND ZONING BOARD REPORT

16.2.1 Procedure. It is the intent of these land development regulations that all proposed amendments shall be heard in the first instance by the Planning and Zoning Board. Within a reasonable time after a proposed amendment is filed, the Planning and Zoning Board shall submit its report and recommendation concerning the proposed amendment to the Board of County Commissioners.

Before making a recommendation concerning the proposed amendment, the Planning and Zoning Board shall hold a public hearing to consider the proposed zoning amendment in conformance with Article 13 of these land development regulations.

16.2.2 Nature and requirements of Planning and Zoning Board report. When pertaining to the rezoning of land, the report and recommendations of the Planning and Zoning Board to the Board of County Commissioners required by Section 16.2.1 above shall show that the Planning and Zoning Board has studied and considered the proposed change in relation to the following, where applicable:

1. Whether the proposed change would be in conformance with the County's Comprehensive Plan and would have an adverse effect on the County's Comprehensive Plan.

2. The existing land use pattern.

3. Possible creation of an isolated district unrelated to adjacent and nearby districts.

4. The population density pattern and possible increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.

5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

6. Whether changed or changing conditions make the passage of the proposed amendment necessary.

7. Whether the proposed change will adversely influence living conditions in the neighborhood.

8. Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.

9. Whether the proposed change will create a drainage problem.

10. Whether the proposed change will seriously reduce light and air to adjacent areas.

11. Whether the proposed change will adversely affect property values in the adjacent area.

12. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accord with existing regulations.

13. Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.

14. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

15. Whether the change suggested is out of scale with the needs of the neighborhood or the County.

16. Whether it is impossible to find other adequate sites in the County for the proposed use in districts already permitting such use.

When pertaining to other proposed amendments of these land development regulations. The Planning and Zoning Board shall consider and study:

1. The need and justification for the change.

2. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the County's Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of these land development regulations and other ordinances, regulations, and actions designed to implement the County's Comprehensive Plan.

16.2.3 Status of Planning and Zoning Board report and recommendations. The report and recommendations of the Planning and Zoning Board required by Section 16.2.1 above shall be advisory only and shall not be binding upon the Board of County Commissioners.

SECTION 16.3 BOARD OF COUNTY COMMISSIONERS: ACTION ON PLANNING AND ZONING BOARD REPORT. Within a reasonable time after receiving the Planning and Zoning Board report and recommendation on a proposed zoning amendment, the Board of County Commissioners shall hold a public hearing to consider the proposed zoning amendment in conformance with Article 13 herein. The Board of County Commissioners shall take final action on the proposed land development regulation amendment by either approving or denying the proposed amendment.

SECTION 16.4 APPEALS FROM DECISIONS OF THE BOARD OF COUNTY COMMISSIONERS. Any person or persons, jointly or severally, aggrieved by any decision of the Board of County Commissioners or any officer, department, board, commission, or bureau of the County affected by any decision of the Board of County Commissioners may apply to the circuit court having jurisdiction in the County for judicial relief within thirty (30) days after the rendition of the decision by the Board of County Commissioners. The proceedings in the circuit court shall consist of a trial de novo, which shall be governed by the Florida Rules of Civil Procedure, or by petition for writ of certiorari, which shall be governed by the Florida Appellate Rules. The election of remedies shall lie with the appellant.

SECTION 16.5 RELATIONSHIP OF AMENDMENTS TO THE COMPREHENSIVE PLAN. If the amendment requires the prior amendment of the County's Comprehensive Plan adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, Florida Statutes, as amended) action on an amendment to the County's Comprehensive Plan shall be taken prior to final action

on such land development regulation amendment. However, this provision shall not prohibit the concurrent review and consideration of a Comprehensive Plan amendment and land development regulation amendment.

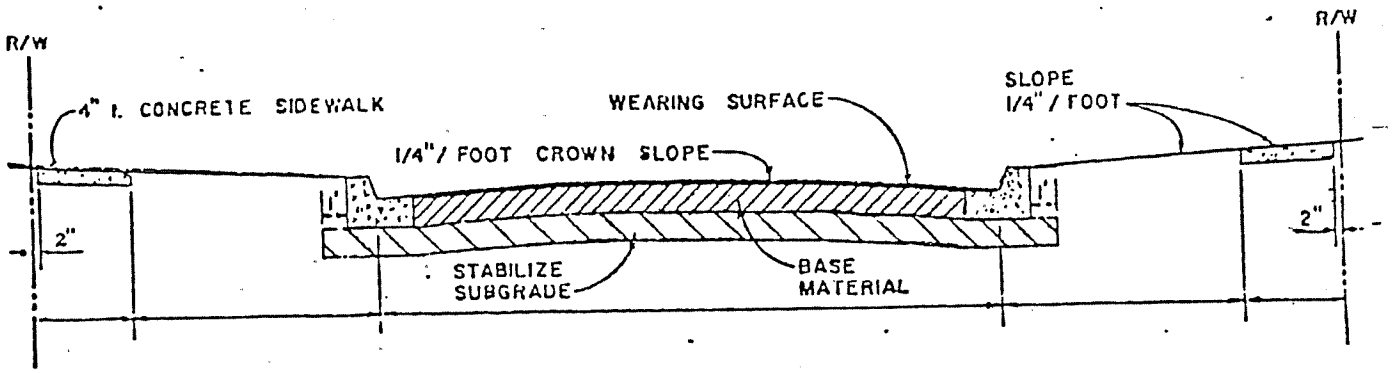
SECTION 16.6 LIMITATION ON SUBSEQUENT APPLICATION. No application by an owner of real property for an amendment to the Official Zoning Atlas for a particular parcel of property, or part thereof, shall be received by the Land Development Regulation Administrator until the expiration of twelve (12) calendar months from the date of denial of an application for an amendment to the Official Zoning Atlas for such property, or part thereof, unless the Board of County Commissioners specifically waives said waiting period based upon a consideration of the following factors:

1. The new application constitutes a proposed zoning classification different from the one (1) proposed in the denied application.

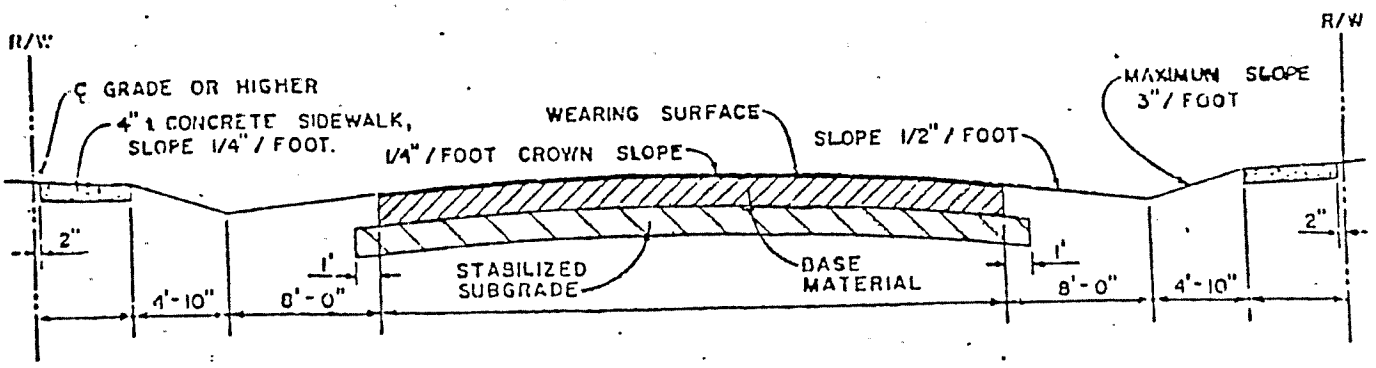
2. Failure to waive said twelve (12) month waiting period constitutes a hardship to the applicant resulting from mistake, inadvertence, or newly discovered matters of consideration.

APPENDIX A

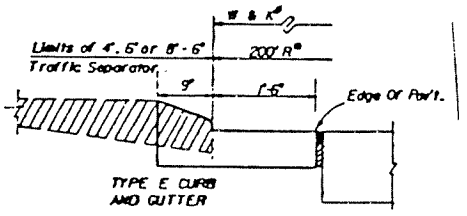
STREET CROSS SECTION AND CURB STANDARDS

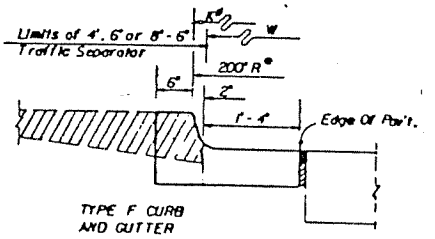


CURB SECTION



SWALE SECTION

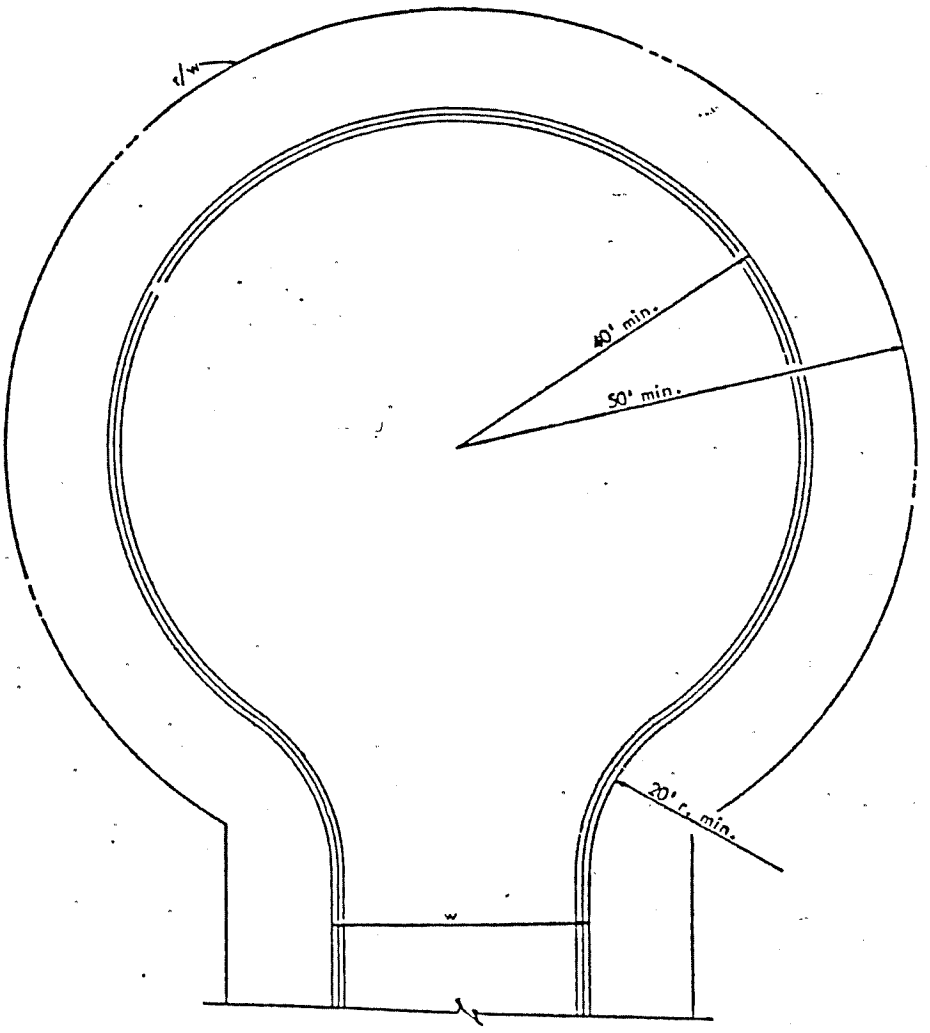




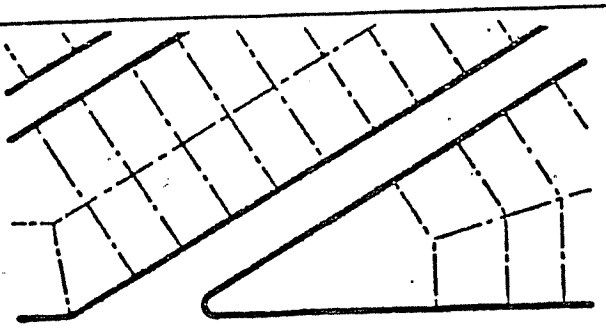
ALTERNATE CURB SECTIONS

NOTE: CURBS AND SIDEWALKS SHALL BE CAST OF 2500 P.S.I. CONCRETE.

CUL-DE-SAC DETAIL

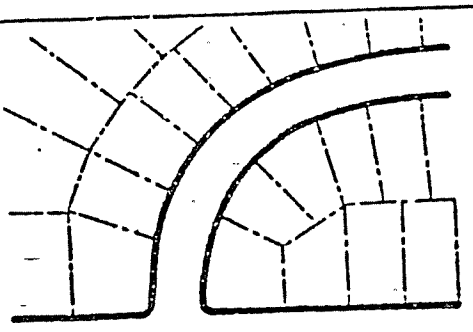


INTERSECTION DESIGN STANDARDS



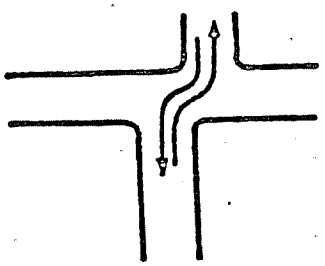
1. Poor

Hazardous angle intersection, creating awkward turning movements.



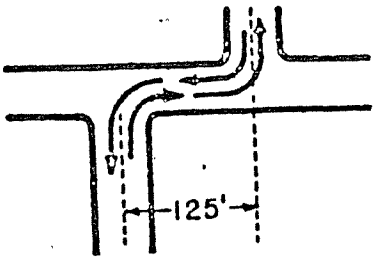
2. Better

Better approach illustrates the use of right-angle intersections.



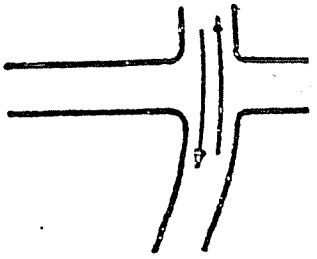
1. Poor

The dangerous jog intersection forcing precarious turning movements.



2. Minimum

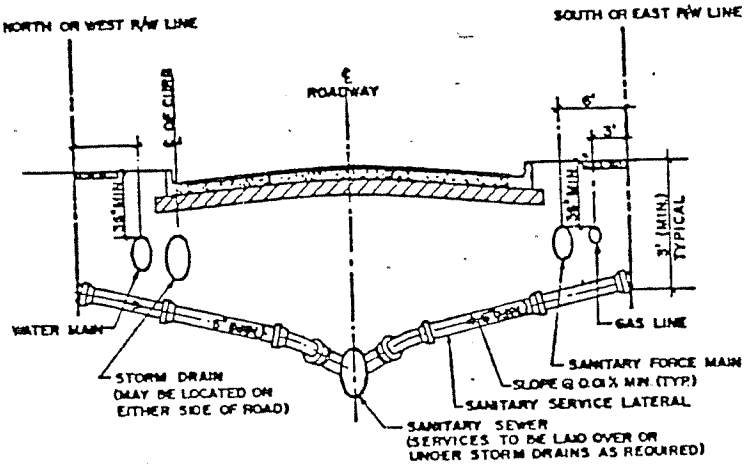
Intersections which cannot be aligned should be separated by a minimum of 125 feet between centerlines.



3. Better

By slightly curving one of the unaligned intersecting streets, a dangerous jog can be avoided.

UTILITY LOCATION



TYPICAL SECTION
LOCAL AND COLLECTOR STREETS

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a licensed and registered land surveyor, as provided under Chapter 472, Florida Statutes and is in good standing with the Board of Land Surveyors, does hereby certify that on _____ he completed the survey of the lands as shown in the foregoing plat or plan; that said plat is a correct representation of the lands therein described and platted or subdivided; that permanent reference monuments have been placed as shown thereon as required by Chapter 177, Florida Statutes, as amended; and that said is located in Section _____, Township, and Range _____, Dixie County, Florida.

NAME_____

DATE_____ Registration Number_____

CERTIFICATE OF THE

SUBDIVIDER'S ENGINEER

THIS IS TO CERTIFY, that on _____, _____ Registered Florida Engineer, as specified within Chapter 471, Florida Statutes, License No. _____, does hereby certify that all required improvements have been installed in compliance with the approved construction plans and is applicable, any submitted "as built" blue prints in accordance with the requirements of the Board of County Commissioners of Dixie County, Florida.

_____ (SEAL)
Registered Florida Engineer

CERTIFICATE OF APPROVAL

BY COUNTY HEALTH DEPARTMENT

Examined on _____

AND

Approved by_____
County Health Department

CERTIFICATE OF APPROVAL

BY THE ATTORNEY FOR DIXIE COUNTY, FLORIDA

Examined on _____

AND

Approved as to Legal Form and Sufficiency by_____
County Attorney

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS OF DIXIE COUNTY, FLORIDA

THIS IS TO CERTIFY, that on _____ the foregoing plat was approved by the Board of County Commissioners for Dixie County, Florida.

_____
Chairman

Attest:

_____ Filed for record on:_____
Clerk of the Circuit Court

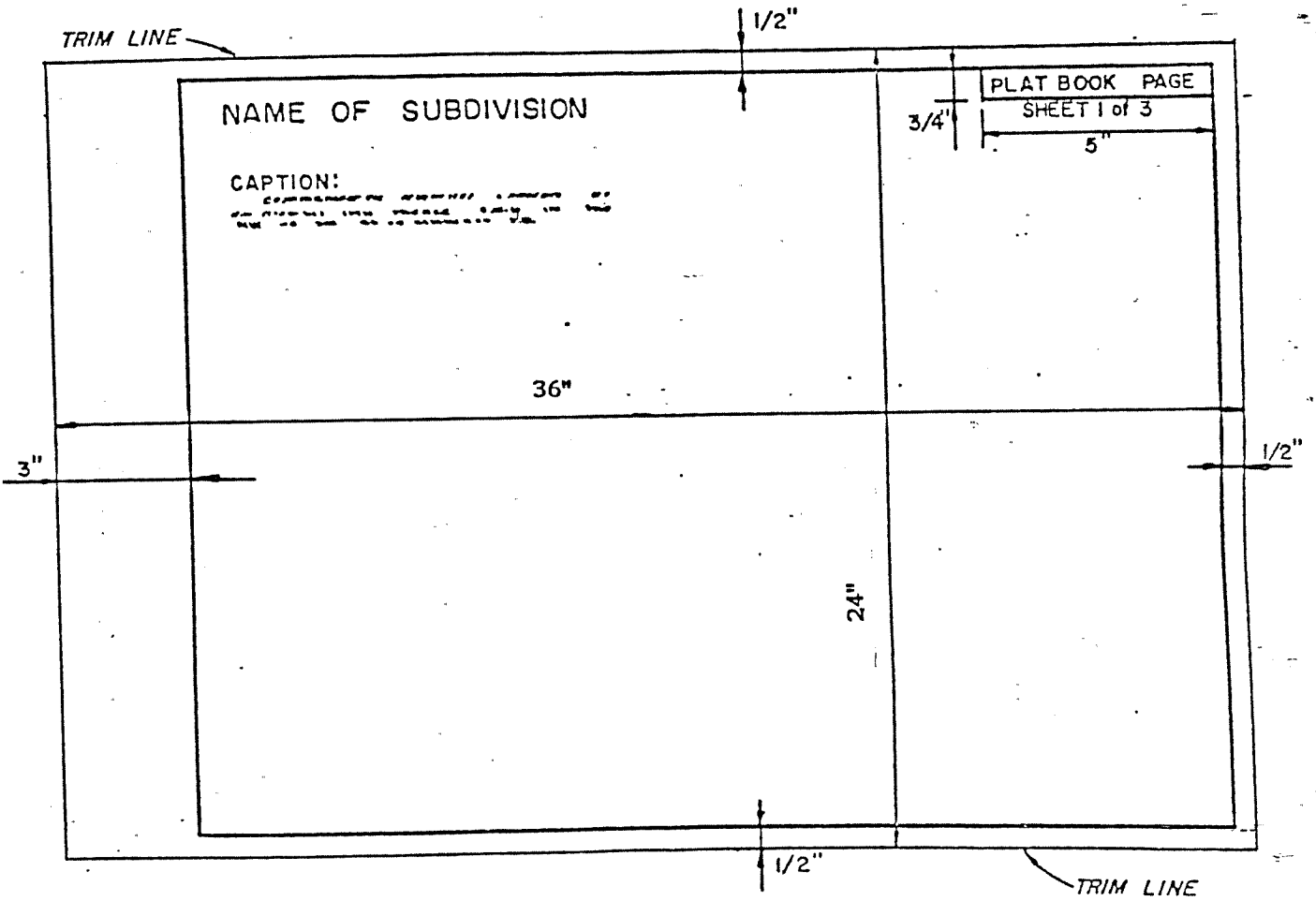
By_____
Deputy Clerk

CERTIFICATE OF ESTIMATED COST

I, _____, Registered Florida Engineer, as specified within Chapter 471, Florida Statutes, License No. _____, do hereby estimate that the total estimated cost of installing all required improvements for the proposed subdivision to be titled _____, is $_____.

_____ (Seal)
Registered Florida Engineer

PRELIMINARY AND FINAL PLAT SIZE SPECIFICATIONS



SIZE OF SHEET FOR RECORD PLAT

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

LOCAL PLANNING ASSISTANCE

STAFF

Charles F. Justice, Executive Director

Scott R. Koons, Director of Local Government Assistance

* Lowell Garrett, Senior Planner

* Primary Responsibility