

AGENDA  
ESCAMBIA COUNTY PLANNING BOARD  
August 5, 2014–8:35 a.m.  
Escambia County Central Office Complex  
3363 West Park Place, Room 104

1. Call to Order.
2. Proof of Publication.
3. Approval of Minutes.
  - A. **A. RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 1, 2014 Planning Board Meeting.
  - B. Planning Board Monthly Action Follow-up Report for July 2014.
  - C. Planning Board 6-Month Outlook for August 2014.
4. Public Hearings.
5. Action/Discussion/Info Items.
  - A. Navy Interlocal Agreement Discussion.
  - B. Removal of the DSAP.
  - C. Continuation of Land Development Code Review Chapter 3.
6. Public Forum.
7. Director's Review.
  - A. The County Administrator and Development Services senior staff will travel to Tallahassee on July 31, 2014 to meet with the Department of Economic Opportunity.
8. County Attorney's Report.
9. Scheduling of Future Meetings.

- A. LDC Revisions Workshop August 19, 2014.
  - B. The next Regular Planning Board meeting is scheduled for **Tuesday , September 2, 2014 at 8:30 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.
- 10. Announcements/Communications.
  - 11. Adjournment.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Regular**  
**Meeting Date: 08/05/2014**

**3. A.**

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**Agenda Item:**

- A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the July 1, 2014 Planning Board Meeting.
- B. Planning Board Monthly Action Follow-up Report for July 2014.
- C. Planning Board 6-Month Outlook for August 2014.

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**Attachments**

Monthly Action Follow-Up Report  
Quasi Mtg Resume  
Regular Mtg Resume  
6 Month Outlook

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# BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

DEVELOPMENT SERVICES DEPARTMENT  
3363 WEST PARK PLACE  
PENSACOLA, FLORIDA 32505  
PHONE: 850-595-3475  
FAX: 850-595-3481  
www.myescambia.com

## Memorandum

**TO:** Planning Board  
**FROM:** Temeka Mallory, Board Clerk  
**DATE:** July 25, 2014  
**RE:** Monthly Action Follow-Up Report for July 2014

Following is a status report of Planning Board (PB) agenda items for the prior month of **July**. Some items include information from previous months in cases where final disposition has not yet been determined. Post-monthly actions are included (when known) as of report preparation date. Items are listed in chronological order, beginning with the PB initial hearing on the topic.

## PROJECTS, PLANS, & PROGRAMS

### COMMITTEES & WORKING GROUP MEETINGS

### COMPREHENSIVE PLAN AMENDMENTS

- **Text Amendments:**

- **CPA 2014-02 (Density)**

- 6/3/14 PB asked for clarification from BCC. Will go to
    - 6/26/14 BCC Remanded Back PB

- **Map Amendments:**

- **LSA-2014-01 (Stone Blvd)**

- 3/4/14 PB recommended approval to BCC
    - 4/3/14 BCC approved transmittal to DEO
    - 5/8/14 Received notice from DEO-No Comments
    - 6/26/14 BCC Approved

- **LSA-2014-02 (Isaacs Ln)**

- 4/1/14 PB recommended approval to BCC
    - 4/29/14 BCC approved transmittal to DEO
    - 7/10/14 BCC approved

- **LSA-2014-03 (9600 W Nine Mile Rd)**

- 6/3/14 PB recommended approval to BCC
    - 6/26/14 BCC Approved (Trans)

## **LAND DEVELOPMENT CODE ORDINANCES**

### **Horse Stables**

5/6/14 PB recommended approval to BCC  
6/3/14 BCC Meeting (1 of 2)  
6/26/14 BCC Approved

### **Funeral Establishments, Cemeteries, Cinerator and Related Services**

6/3/14 PB recommended approval to BCC  
7/10/14 BCC approved (1 of 2)  
7/24/14 BCC approved (2 of 2)

## **REZONING CASES**

- 1. Rezoning Case Z-2014-08**  
6/3/14 PB recommended denial to BCC  
7/10/14 BCC approved
- 2. Rezoning Case Z-2014-09**  
7/1/14 PB recommended approval to BCC  
8/21/14 BCC Meeting
- 3. Rezoning Case Z-2014-10**  
7/1/14 PB recommended approval to BCC  
8/21/14 BCC Meeting

# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD QUASI-JUDICIAL REZONING

July 1, 2014

**CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:32 A.M. – 8:48 A.M.)**

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Robert V. Goodloe  
Alvin Wingate  
Patty Hightower, School Board (Non-Voting)  
Stephanie Oram, Navy (Non-Voting)

Absent: Dorothy Davis  
Karen Sindel

Staff Present: Ryan Ross, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Allyson Cain, Urban Planner, Planning & Zoning  
John Fisher, Urban Planner, Planning & Zoning  
Debbie Lockhart, Administrative Assistant  
Denise Halstead, Sr Office Assistant

Attendees: Griffin Vickery, Urban Planner, Planning & Zoning

1. Call to Order at 8:32 a.m.
2. Invocation and Pledge of Allegiance was given by Mr. Wingate.
3. Proof of Publication and Waive the Reading of the Legal Advertisement.

Motion by Robert V. Goodloe, Seconded by Tim Tate  
Motion to accept proof of publication and waive the reading of the legal advertisement.

**Vote:** 4 - 0 Approved

Other: Dorothy Davis (ABSENT)  
Karen Sindel (ABSENT)

4. Quasi-judicial Process Explanation.

5. Public Hearings.

A. Z-2014-09

Applicant: Frank A. and Myrtle M.  
Buchanan, Owners

Address: 7050 Pine Forest Road

From: R-1, Single-Family District,  
Low Density, (4 du/acre)

To: C-2NA, General Commercial  
and Light Manufacturing  
District, (cumulative) Bars,  
Nightclubs, and Adult  
Entertainment are Prohibited  
Uses (25 du/acre)

Mr. Goodloe and Mr. Wingate acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member refrained from voting on this matter due to any conflict of interest.

Motion by Robert V. Goodloe, Seconded by Tim Tate

Motion to accept staff findings of fact and recommend approval to the BCC.

**Vote:** 4 - 0 Approved

Other: Dorothy Davis (ABSENT)

Karen Sindel (ABSENT)

B. Z-2014-10

Applicant: William P. and Lola V.  
Kittell, Owners

Address: 7040 Pine Forest Road

From: R-1, Single-Family District,  
Low Density, (4 du/acre)

To: C-2NA, General Commercial  
and Light Manufacturing  
District, (cumulative) Bars,  
Nightclubs, and Adult  
Entertainment are Prohibited  
Uses (25 du/acre)

Mr. Goodloe and Mr. Wingate acknowledged visiting the site.

No planning board member acknowledged any ex parte communication regarding this item.

No planning board member refrained from voting on this matter due to any conflict of interest.

Motion by Tim Tate, Seconded by Alvin Wingate

Motion to accept staff findings of fact and recommend approval to the BCC.

**Vote:** 4 - 0 Approved

Other: Dorothy Davis (ABSENT)

Karen Sindel (ABSENT)

6. Adjournment at 8:48 a.m.



# DRAFT

## RESUMÉ OF THE ESCAMBIA COUNTY PLANNING BOARD REGULAR MEETING July 1, 2014

CENTRAL OFFICE COMPLEX  
3363 WEST PARK PLACE, BOARD CHAMBERS  
PENSACOLA, FLORIDA  
(8:49 A.M. – 12:07 P.M.)

Present: Wayne Briske, Chairman  
Tim Tate, Vice Chairman  
Robert V. Goodloe  
Alvin Wingate  
Patty Hightower, School Board (Non-Voting)  
Stephanie Oram, Navy (Non-Voting)

Absent: Dorothy Davis  
Karen Sindel

Staff Present: Ryan Ross, Assistant County Attorney  
Horace Jones, Interim Director, Development Services  
Juan Lemos, Senior Planner, Planning & Zoning  
Allyson Cain, Urban Planner, Planning & Zoning  
Debbie Lockhart, Administrative Assistant  
Denise Halstead, Sr Office Assistant

Attendees: Griffin Vickery, Urban Planner, Planning & Zoning

1. Called to Order at 8:49 a.m.
2. Proof of Publication was given by the Clerk.
3. Approval of Minutes.

Motion by Robert V. Goodloe, Seconded by Tim Tate  
Motion to approve the minutes from the June 3, 2014 Planning  
Board Meeting.

**Vote:** 4 - 0 Approved

Other: Dorothy Davis (ABSENT)  
Karen Sindel (ABSENT)

A.

A. **RECOMMENDATION:** That the Planning Board review and approve the Meeting Resume' Minutes of the June 3, 2014 Planning Board Meeting.

B. Planning Board Monthly Action Follow-up Report for June 2014.

C. Planning Board 6-Month Outlook for July 2014.

4. Public Hearings.

5. Action/Discussion/Info Items.

A. Continuation of Land Development Code Review.

6. Public Forum.

7. Director's Review.

8. County Attorney's Report.

9. Scheduling of Future Meetings.

The next Regular Planning Board meeting is scheduled for Tuesday, **August 5, 2014 at 8:35 a.m.** , in the Escambia County Central Office Complex, Room 104, First Floor, 3363 West Park Place, Pensacola, Florida.

10. Announcements/Communications.

11. Adjournment at 12:07 p.m.

# PLANNING BOARD MONTHLY SCHEDULE SIX MONTH OUTLOOK FOR August 2014

(Revised 07/15/14)

A.H. = Adoption Hearing      T.H. = Transmittal Hearing      P.H. = Public Hearing

\* Indicates topic/date is estimated—subject to staff availability for project completion and/or citizen liaison

Meeting Date	LDC Changes and/or Public Hearings	Comprehensive Plan Amendments	Rezoning	Reports, Discussion and/or Action Items
Tuesday, August 5, 2014			<ul style="list-style-type: none"> <li>• Z-2014-11</li> <li>• Z-2014-12</li> </ul>	<ul style="list-style-type: none"> <li>• LDC Revisions – Chapter 3</li> <li>• Navy Interlocal Agreement</li> <li>• Oath of Office New Planning Board Member</li> <li>• Removal of DSAP</li> </ul>
Tuesday, August 19, 2014				<ul style="list-style-type: none"> <li>• LDC Revisions – Continued Workshop</li> </ul>
Tuesday, September 2, 2014			<ul style="list-style-type: none"> <li>• Z-2014-13</li> <li>• Z-2014-14</li> </ul>	<ul style="list-style-type: none"> <li>• LDC Revisions – Continued</li> </ul>
Tuesday, September 16, 2014				<ul style="list-style-type: none"> <li>• LDC Revisions – Continued Workshop</li> </ul>
Tuesday, October 7, 2014				
Tuesday, November 4, 2014				
Tuesday, December 2, 2014				
Tuesday, January 6, 2015				

Disclaimer: This document is provided for informational purposes only. Schedule is subject to change. Verify all topics on the current meeting agenda one week prior to the meeting date.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Planning Board-Regular**  
**Meeting Date:** 08/05/2014

**5. C.**

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**Agenda Item:**

Continuation of Land Development Code Review Chapter 3.

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**Attachments**

Ch 3 Zoning Regulations

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## Chapter 3 ZONING REGULATIONS

### Article 1 General Provisions

- Sec. 3-1.1 Purpose of chapter.
- Sec. 3-1.2 Purpose of article.
- Sec. 3-1.3 Zoning and future land use.
- Sec. 3-1.4 Allowed uses.
- Sec. 3-1.5 Site and building requirements.
- Sec. 3-1.6 Compatibility.

### Article 2 Mainland Districts

- Sec. 3-2.1 Purpose of article.
- Sec. 3-2.2 Agricultural (Agr).
- Sec. 3-2.3 Rural Residential (RR).
- Sec. 3-2.4 Rural Mixed Use (RMU).
- Sec. 3-2.5 Low Density Residential (LDR).
- Sec. 3-2.6 Low Density Mixed Use (LDMU).
- Sec. 3-2.7 Medium Density Residential (MDR).
- Sec. 3-2.8 High Density Residential (HDR).
- Sec. 3-2.9 High Density Mixed Use (HDMU).
- Sec. 3-2.10 Commercial (Com).
- Sec. 3-2.11 Heavy Commercial and Light Industrial (HC/LI).
- Sec. 3-2.12 Industrial (Ind).
- Sec. 3-2.13 Recreation (Rec).
- Sec. 3-2.14 Conservation (Con).

### Article 3 Overlay Districts

- Sec. 3-3.1 Purpose of article.
- Sec. 3-3.2 Community redevelopment.
- Sec. 3-3.3 Barrancas Overlay (Barr-OL).
- Sec. 3-3.4 Brownsville Overlay (Brn-OL).
- Sec. 3-3.5 Englewood Overlay (Eng-OL).
- Sec. 3-3.6 Palafox Overlay (Pfox-OL).
- Sec. 3-3.7 Scenic Highway Overlay (SH-OL).
- Sec. 3-3.8 Warrington Overlay (Warr-OL).

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**Article 4 Perdido Key Districts**

- Sec. 3-4.1 Low Density Residential (R1-PK).
- Sec. 3-4.2 Medium Density Residential (R-2PK).
- Sec. 3-4.3 High Density Residential (R-3PK).
- Sec. 3-4.4 Commercial (C-1PK).
- Sec. 3-4.5 Commercial Core (CCPK).
- Sec. 3-4.6 Commercial Gateway (CGPK).
- Sec. 3-4.7 Planned Resort (PRPK).
- Sec. 3-4.8 Outdoor Recreational (S-1PK).

**Article 5 Pensacola Beach Districts**

- Sec. 3-5.1 Building Height.
- Sec. 3-5.2 Low Density Residential (LDR-PB).
- Sec. 3-5.3 Medium Density Residential (MDR-PB).
- Sec. 3-5.4 Medium Density Residential and Commercial (MDR/C-PB).
- Sec. 3-5.5 High Density Residential (HDR-PB).
- Sec. 3-5.6 High Density Residential and Commercial (HDR/C-PB).
- Sec. 3-5.7 General Retail (GR-PB).
- Sec. 3-5.8 Recreation Retail (Rec/R-PB).
- Sec. 3-5.9 Commercial Hotel (CH-PB).
- Sec. 3-5.10 Preservation (PR-PB).
- Sec. 3-5.11 Conservation and Recreation (Con/Rec-PB)
- Sec. 3-5.12 Government and Civic (G/C-PB).

1 **Article 1 General Provisions**

2 **Sec. 3-1.1 Purpose of chapter.**

3 This chapter establishes county zoning districts necessary to implement the distribution  
4 and extent of land uses prescribed by the future land use categories and related policies  
5 of the Comprehensive Plan. Regulations for each district specify the allowable uses of  
6 land and structures, the density and intensity of those uses, and other standards that  
7 define what portion of any parcel a structure or use may occupy. Special purpose  
8 overlay zoning districts further specify allowable uses and other requirements in areas  
9 of unique character or condition. Compliance with the provisions of this chapter is  
10 evaluated by the administrative authorities described in Chapter 1 according to the  
11 compliance review processes prescribed in Chapter 2. More specifically, this chapter is  
12 intended to: [FLU 1.1.2, FLU 1.1.4][6.00.00]

- 13 (1) Provide for the orderly and efficient distribution of agricultural, residential,  
14 commercial, mixed-use, industrial, recreational, conservation, and other land  
15 uses to meet the physical, social, civic, security, economic, and other needs of  
16 present and future populations.
- 17 (2) Promote sustainable land development that minimizes sprawl, avoids the under  
18 utilization of land capable of sustaining higher densities or intensities, and  
19 maximizes the use of public investments in facilities and services through urban  
20 infill and redevelopment
- 21 (3) Promote the economic stability of existing land uses that are consistent with the  
22 Comprehensive Plan, protecting them from intrusions by incompatible land uses  
23 and ensuring that new development is compatible in character and size.
- 24 (4) Preserve the character and quality of residential and rural neighborhoods.
- 25 (5) Promote both mixed-use buildings and mixed-use neighborhoods, where  
26 residential and business uses may overlap to the enhancement and benefit of  
27 both.
- 28 (6) Balance individual property rights with the interests of the community to create a  
29 healthy, safe and orderly living environment. [4.01.01.J]

30 **Sec. 3-1.2 Purpose of article.**

31 This article establishes general provisions that apply to all zoning district regulations  
32 within the chapter. The regulations applicable to specific zoning districts are prescribed  
33 in the remaining articles of this chapter.

34 **Sec. 3-1.3 Zoning and future land use.**

35 (a) **General.** Together the future land use (FLU) categories of the Comprehensive Plan  
36 and zoning districts of the Land Development Code (LDC) form the primary location-  
37 specific land use regulations of the county. Within each FLU, one or more zoning  
38 districts implement and further refine the distribution and extent of allowable land  
39 uses. The identification or classification of a use or activity as allowed by the

1 applicable future land use category and zoning district does not constitute the  
2 required approval to carry out that use or activity. Consistency with FLU and zoning  
3 only indicates that, upon appropriate review and approval for compliance with the  
4 provisions of the LDC, the use or activity may be established, reestablished or  
5 expanded.

6 **(b) Official maps.** The areas of the county subject to each future land use category  
7 established within the Comprehensive Plan are recorded on the *Official Future Land*  
8 *Use Map of Escambia County*. Similarly, the areas of each zoning district  
9 established in this chapter are recorded on the *Official Zoning Map of Escambia*  
10 *County*. The zoning map is adopted and incorporated here by reference and  
11 declared to be part of the LDC. The information shown on the map has the same  
12 force and effect as the text of the LDC. Both official maps are represented and  
13 maintained digitally in the county's "Geographic Information System" (GIS) and shall  
14 be accessible to the public via the county's website, [www.myescambia.com](http://www.myescambia.com).

15 [\[6.02.00\]](#)

16 **(c) Boundary determinations.** If uncertainty exists regarding the boundary of any FLU  
17 or zoning district, the boundary shall be determined by the Planning Official  
18 according to the following provisions: [\[2.07.02.A.2, 6.02.01\]](#)

19 **(1) Natural features.** If the ordinance establishing the boundary reflects a clear  
20 intent to follow a particular natural feature such as a ridgeline, stream, or  
21 shoreline, the boundary shall be understood to follow the feature as it actually  
22 exists. If the feature should move as a result of natural processes such as  
23 erosion or accretion, the boundary shall be understood as moving with that  
24 feature.

25 **(2) Manmade features.** If the boundary is shown on the official map as  
26 approximately following a right-of-way, parcel line, section line, or other readily  
27 identified manmade feature, it shall be understood to coincide with that feature.

28 **(3) Parallel or extension.** If the boundary is shown on the official map as  
29 approximately parallel to or an apparent extension of a natural or manmade  
30 feature, it shall be understood respectively as being actually parallel to or an  
31 extension of that feature.

32 **(4) Metes and bounds.** If a boundary splits an existing lot or parcel, any metes and  
33 bounds description used for the establishment of the boundary shall be used to  
34 determine its location.

35 **(5) Scaling.** If the specific location of the boundary cannot be determined from any  
36 of the preceding provisions, it shall be determined by scaling the mapped  
37 boundary's distance from other features shown on the map.

38 **(d) Split parcels.** The adopted zoning districts and FLU are parcel-based, but their  
39 boundaries are not prohibited from dividing a parcel. For parcels split by these  
40 boundaries, including overlay districts, only that portion of a parcel within a district or  
41 category is subject to its requirements. However, where a zoning district boundary  
42 divides a parcel that is one acre or less in size and not part of a platted residential  
43 subdivision, the zoning district of the larger portion may be applied to the entire



1 parcel if requested by the parcel owner and consistent with the applicable FLU  
2 category, and if the parcel complies with the location criteria of the requested zoning.  
3 Rezoning according to the zoning map amendment process of Chapter 2 is  
4 otherwise required to apply a single district to a split-zoned parcel. [6.02.01.D,  
5 11.02,01.B.4]

6 **(e) Land with no designations.** No zoning is adopted for military bases, state college  
7 and university campuses, and other such lands for which the regulations of the LDC  
8 are not intended. Public rights-of-way have no designated zoning or future land use.  
9 Where officially vacated right-of-way is added to abutting parcels, the future land use  
10 categories and zoning districts applicable to the abutting parcels shall apply to their  
11 additions at the time of the vacation approval, with no further action required by the  
12 county.

13 Land that otherwise has no adopted zoning, and is not within an area determined by  
14 the county to be excluded from zoning, shall have zoning established by the zoning  
15 map amendment process in Chapter 2. If the land also has no approved future land  
16 use category, one shall be adopted according to the process prescribed for such  
17 amendments prior to, or concurrently with, BCC approval of the zoning. [6.01.02,  
18 6.01.03, 6.02.01.C]

19 **(f) Map amendment.** Changes to the boundaries of adopted FLU categories or zoning  
20 districts, whether owner initiated or county initiated, are amendments to the official  
21 county maps and are authorized only through the processes prescribed in Chapter 2  
22 for such amendments.

23 **(g) Future land use designations.** The FLU categories established within the  
24 Comprehensive Plan and referenced in the LDC are designated by the following  
25 abbreviations and names:

26	AG	Agriculture
27	RC	Rural Community
28	MU-S	Mixed Use Suburban
29	MU-U	Mixed Use Urban
30	C	Commercial
31	I	Industrial
32	P	Public
33	REC	Recreation
34	CON	Conservation
35	MU-PK	Mixed Use Perdido Key
36	MU-PB	Mixed Use Pensacola Beach

37 **(h) Zoning district designations.** The zoning districts established within this chapter  
38 are designated by the following groups, abbreviations and names:

39 **(1) Residential.** The purposes of the following districts are primary residential:

40	RR	Rural Residential
41	LDR	Low Density Residential
42	MDR	Medium Density Residential
43	HDR	High Density Residential

- 1 LDR-PK Low Density Residential - Perdido Key
- 2 MDR-PK Medium Density Residential - Perdido Key
- 3 HDR-PK High Density Residential - Perdido Key
- 4 LDR-PB Low Density Residential - Pensacola Beach
- 5 MDR-PB Medium Density Residential - Pensacola Beach
- 6 HDR-PB High Density Residential - Pensacola Beach

7 **(2) Non-residential.** The purposes of the following districts are primarily mixed use  
 8 and non-residential.

9 **a. Mixed use districts are:**

- 10 RMU Rural Mixed Use
- 11 LDMU Low Density Mixed Use
- 12 HDMU High Density Mixed Use
- 13 MDR/C-PB Medium Density Residential & Commercial - Pensacola  
14 Beach
- 15 HDR/C-PB High Density Residential & Commercial - Pensacola Beach

16 **b. Commercial and industrial districts are:**

- 17 Com Commercial
- 18 Com-PK Commercial - Perdido Key
- 19 CC-PK Commercial Core - Perdido Key
- 20 CG-PK Commercial Gateway - Perdido Key
- 21 GR-PB General Retail - Pensacola Beach
- 22 Rec/R-PB Recreation Retail - Pensacola Beach
- 23 CH-PB Commercial Hotel - Pensacola Beach
- 24 HC/LI Heavy Commercial and Light Industrial
- 25 Ind Industrial

26 **c. Other non-residential districts are:**

- 27 Agr Agricultural
- 28 Rec Recreation
- 29 Con Conservation
- 30 PR-PK Planned Resort - Perdido Key
- 31 Rec-PK Outdoor Recreational - Perdido Key
- 32 PR-PB Preservation - Pensacola Beach
- 33 Con/Rec-PB Conservation and Recreation - Pensacola Beach
- 34 G/C-PB Government and Civic - Pensacola Beach

35 **(i) Consistency.** The zoning of a parcel shall be consistent with the applicable future  
 36 land use category by either directly implementing the provisions of the FLU or  
 37 otherwise not being in conflict with its intent, allowable uses, density or intensity. All  
 38 Perdido Key districts (Article 4) are consistent with the MU-PK category and all  
 39 Pensacola Beach districts (Article 5) are consistent with the MU-PB category.  
 40 Mainland districts (Article 2) are consistent with FLU categories as summarized in  
 41 the following table:  
 42

ZONING DISTRICT Specific distribution and extent of uses	FUTURE LAND USE (FLU) CATEGORY General distribution and extent of uses								
	AG max 1du/20ac max 0.25 FAR	RC max 2du/ac max 0.25 FAR	MU-S min 2du/ac max 10du/ac max 1.0 FAR	MU-U min 3.5du/ac max 25du/ac max 2.0 FAR	C Limited res max 25du/ac max 1.0 FAR	I No res allowed max 1.0 FAR	P No res allowed	REC No res allowed max 0.5 FAR	CON No res allowed
<b>Agr</b> max 1du/20ac	<b>Yes</b>	<b>Yes</b>	No, min density	No, min density	No, uses	No, uses	No, uses	No, uses	No, uses
<b>RR</b> max 1du/4ac	No, max density	<b>Yes</b>	No, min density	No, min density	No, uses	No, uses	No, uses	No, uses	No, uses
<b>RMU</b> max 2du/ac	No, max density	<b>Yes</b>	No, min density	No, min density	No, uses	No, uses	No, uses	No, uses	No, uses
<b>LDR</b> max 4du/ac	No, max density	No, max density	<b>Yes</b>	No, min density	No, uses	No, uses	No, uses	No, uses	No, uses
<b>LDMU</b> max 7du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses
<b>MDR</b> max 10du/ac	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses
<b>HDR</b> max 20du/ac	No, max density	No, max density	No, max density	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses	No, uses
<b>HDMU</b> FLU-limited max 25du/ac	No, max density	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses	No, uses
<b>Com</b> FLU-limited max 25du/ac	No, max density	No, max density	No, max density	<b>Yes</b>	<b>Yes</b>	No, res use	No, uses	No, uses	No, uses
<b>HC/LI</b> FLU-restricted max 25du/ac	No, uses	No, uses	No, uses	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No, uses	No, uses	No, uses
<b>Ind</b> No res allowed	No, uses	No, uses	No, uses	No, uses	No, uses	<b>Yes</b>	No, uses	No, uses	No, uses
<b>Rec</b> No res allowed	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No, uses	<b>Yes</b>	<b>Yes</b>	No, uses
<b>Con</b> No res allowed	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

1 For every combination of zoning district and FLU category represented by the table,  
2 "Yes" indicates the zoning is consistent with the FLU. "No" indicates zoning  
3 inconsistency with the FLU, primarily for the reason noted.

4  
5

1 **Sec. 3-1.4 Allowed uses.**

2 **(a) General.** The uses of land and structures are limited to those identified within the  
3 applicable zoning district as “permitted uses” or “conditional uses,” and to their valid  
4 accessory uses, unless other uses are secured through applicable vesting and  
5 nonconformance provisions of the LDC. Uses not identified or secured are  
6 prohibited, and the conducting of any prohibited use is a violation of the LDC  
7 punishable as provided by law and ordinance. The burden is on the landowner, not  
8 the county, to show that a use is allowed. Even when allowed, uses are subject to  
9 the general development standards of Chapter 5 and the use and location  
10 regulations established in Chapter 4. [6.04.01]

11 **(b) Conditional uses.** A conditional use within a zoning district indicates that the use  
12 may be appropriate for some locations in that district. The appropriateness of the  
13 use is determined through discretionary county review of an applicant’s  
14 demonstration that specific conditions will assure compatibility with surrounding  
15 uses. Conditions applicable to all conditional uses are established in in Chapter 2.  
16 Additional conditions applicable to a specific use may be established by the LDC  
17 where the conditional use is established.

18 **(c) Accessory uses and structures.** Uses and structures accessory to permitted uses  
19 and approved conditional uses are allowed as prescribed in Chapter 4 unless  
20 otherwise prohibited by the applicable zoning district. Where more than one zoning  
21 district applies to a parcel an accessory use or structure may not be established in  
22 one zoning district to serve a primary use in the other district if the principal use is  
23 not allowed in the zoning district in which the accessory use is located.

24 **(d) Single-family dwellings.** A single-family dwelling as the principal use for an  
25 existing lot of record is a conforming use regardless of the zoning district or future  
26 land use category. A building permit may be issued for such a dwelling on any  
27 nonconforming lot of record if the dwelling complies with all other applicable  
28 regulations. [6.04.08]

29 **(e) Mix of uses.** The identification of multiple permitted or conditionally permitted uses  
30 within a zoning district allows any mix of those uses within an individual  
31 development, parcel, or building, regardless of any designation or other  
32 characterization of the district as “mixed use” , unless clearly indicated otherwise in  
33 the LDC. A mix of uses generally may not modify the development standards and  
34 regulations applicable to any individual use within the mix.

35 **(f) Classifying uses.** Classifying a particular land use is the discretionary process of  
36 determining whether the use is one already identified in the LDC as allowed by right  
37 (permitted use) or by special approval (conditional use).

38 **(1) Information.** The Planning Official, or Board of Adjustment (BOA) shall obtain  
39 the information necessary to accurately classify a use. At a minimum, the  
40 applicant shall describe in writing the nature of the use and the county shall  
41 utilize public records, site investigations and other reliable sources of information  
42 including the *Land-Based Classification Standards* of the American Planning

1 Association or the *North American Industry Classification System* (NAICS) of the  
2 U.S. Department of Commerce.

3 **(2) Rules for classification.** Classifying a use is not specific to any individual site,  
4 project or applicant, but shall be appropriate and valid for all occasions of the  
5 use. Use classification shall be guided by Chapter 1 provisions for interpreting  
6 the LDC and the following rules:

- 7 a. If a use is defined in the LDC, that definition shall be applied to the  
8 classification.
- 9 b. The reviewing authority shall not read an implied prohibition of a particular  
10 use into a classification.
- 11 c. Classification is limited to giving meaning to the use classifications already  
12 allowed within the applicable zoning district. No policy determinations shall  
13 be made on what types of uses are appropriate within the district.
- 14 d. When the use regulations are ambiguous, the purpose and intent of the  
15 zoning district and the nature of the uses allowed within it shall be considered.
- 16 e. Classification is not based on the proximity of the proposed use to other uses.
- 17 f. The use or activity determines the classification, not property ownership,  
18 persons carrying out the use or activity, or other illegitimate reasons.
- 19 g. Generally, the function rather than the form of a structure is relevant to its  
20 classification.

21 **(3) Determinations.** All classifications determined by the Planning Official shall be  
22 recorded to ensure consistency with the future classification. A use not  
23 determined to be one specifically identified in the LDC as permitted or  
24 conditionally permitted may be referred to the Planning Board for determination.

25 **(g) Temporary uses and structures.** Temporary uses and structures are allowed as  
26 prescribed by the supplemental use regulations of Chapter 4 unless otherwise  
27 modified or prohibited by the applicable zoning district.

28 **(h) Outdoor storage.** Outdoor storage is allowed as prescribed by the supplemental  
29 use regulations of Chapter 4 unless modified or prohibited by the applicable zoning  
30 district.

31 **(i) Subdivision.** The subdivision of land to accommodate the permitted uses or  
32 approved conditional uses of the applicable zoning district is allowed as prescribed  
33 by the standards of Chapter 5 unless prohibited by the district.

### 34 **Sec. 3-1.5 Site and building requirements.**

35 **(a) General.** Each zoning district establishes site and building requirements that define  
36 the physical limits of development within district parcels. Additional limits may be  
37 imposed by the general development standards of Chapter 5 and the use and  
38 location regulations established in Chapter 4.

1 **(b) Modifications.** Variances to the strict application of site and building requirements  
2 may only be granted according to the applicable variance criteria and compliance  
3 review prescribed in Chapter 2 if the variances maintain the stated purposes of the  
4 applicable zoning district and are not otherwise excluded by provisions of the LDC.

5 **(c) Street frontage.** For the application of site and building requirements and other  
6 LDC provisions to any lot with no street frontage the Planning Official shall  
7 determine a front lot line in consideration of lot orientation, access, and other  
8 relevant conditions. The Planning Official shall determine the appropriate rear lot  
9 line for any lot with multiple street frontages.

10 **(d) Density.** The number of dwelling or lodging units allowed within a parcel is  
11 determined by the product of the total development parcel area and the maximum  
12 density allowed by the applicable zoning district. When the calculated number of  
13 allowable units for a parcel results in a fraction greater than or equal to 0.5 units,  
14 rounding to the next whole number is permitted to allow a maximum of one  
15 additional unit. [2.10.01.F]

16 **(e) Lot width and area.** All new lots shall provide the minimum frontage (typically width  
17 at right-of-way) and area required by the applicable zoning. Parcels created for  
18 public utilities or preserved for recreation, conservation or open space only need  
19 frontage sufficient for the limited use. Any lot of record that contains less width or  
20 area than required by the applicable zoning district may be used for any use allowed  
21 within that district if the use complies with all other applicable regulations, including  
22 buffering and use-specific minimum lot area. [2.10.01.D, 6.04.08]

23 **(f) Lot coverage.** The maximum amount of impervious and semi-impervious coverage  
24 allowed for any lot is established by the minimum percent pervious lot coverage  
25 required by the applicable zoning district. The amount allowed remains subject to  
26 other limitations of the LDC and any approved stormwater management plan for the  
27 lot.

28 **(g) Setbacks and yards.** The minimum setbacks and yards for structures are those  
29 required by the applicable zoning district or as otherwise may be stipulated in Santa  
30 Rosa Island Authority (SRIA) lease agreements for lands on Pensacola Beach.

31 **(1) Nonconformance.** For a structure that is nonconforming with regard to any  
32 zoning required setback, a structural alteration, enlargement or extension to it  
33 that creates no greater encroachment by distance into the substandard setback  
34 is not considered an increase in nonconformance and does not require a  
35 variance.

36 **(2) Accessory structures.** Accessory structures shall be limited to side and rear  
37 yards except where specifically allowed as encroachments. They shall be no  
38 closer than five feet to any rear or interior side lot line, and any accessory  
39 dwelling shall be limited to the setbacks required for the principal dwelling.  
40 [2.10.07.A]

41 **(3) Distance between dwellings.** Where the applicable zoning district allows more  
42 than one dwelling on a single lot, the minimum horizontal distance between such  
43 dwellings shall not be less than twice the side yard distance required by the

1 district, and the minimum distance between any structures shall not be less than  
2 the minimum required by the Florida Building Code. [2.10.01.C, 2.10.07.E]

3 **(4) Encroachments by building features.** Every part of a required yard shall be  
4 open from its lowest point to the sky, unobstructed except for the ordinary  
5 projection of sills, belt courses, cornices, buttresses, awnings, eaves, and similar  
6 building features. No such projection shall extend more than 24 inches into any  
7 yard, except roof overhangs, awnings, outside stairways and balconies which  
8 may extend up to 48 inches into any yard provided the yard is otherwise at least  
9 ten feet deep. [2.10.01.A & B]

10 **(5) Encroachment of porch or terrace.** An open, unenclosed and uncovered  
11 paved terrace or a covered porch may extend into the required front yard for a  
12 distance of not more than ten feet. [2.10.03.C]

13 **(h) Structure heights.** The maximum structure heights allowed by the applicable  
14 zoning district are modified by the following:

15 **(1) Agricultural structures.** Structures such as cotton gins, granaries, silos, and  
16 windmills associated with permitted agricultural uses may exceed the height  
17 limits prescribed by zoning if they are not in conflict with any height regulations  
18 established for airports or airfields. [2.10.02.A]

19 **(2) Rooftop structures.** The structure height limits prescribed by zoning do not  
20 apply to belfries, chimneys, church spires, cooling towers, elevator bulkheads,  
21 flag poles, television reception antennae, roof-mounted tanks, mechanical  
22 equipment rooms, or similar rooftop structures that comply with all of the  
23 following conditions:

- 24 a. They do not separately or in combination with other rooftop structures exceed  
25 ten percent of the horizontal roof area.
- 26 b. They do not exceed applicable airport or airfield height restrictions.
- 27 c. They do not exceed otherwise applicable height limitations by more than 15  
28 feet or 10 percent of actual building height, whichever is greater.

29 **Sec. 3-1.6 Compatibility.**

30 **(a) General.** Zoning districts establish and maintain the necessary balance between  
31 the needs and interests of different land uses, allowing neighboring uses to coexist  
32 successfully in a stable fashion over time, protecting the investments in each.  
33 Although zoning generally separates incompatible development, inclusion as a  
34 permitted use within a district does not alone ensure compatibility with other district  
35 uses.

36 **(b) Location criteria.** Location criteria are established within some zoning districts to  
37 promote compatibility among uses, especially new non-residential uses in relation to  
38 existing residential uses. Most criteria are designed to create smooth transitions of  
39 use intensity, from large-scale concentrations of general commercial uses near  
40 major street intersections to small-scale dispersed neighborhood commercial uses in  
41 proximity to residential areas. Such transitions prevent the adverse impacts of

1 continuous strip commercial development along major streets and avoid negative or  
2 blighting influences of some commercial uses on adjacent residential  
3 neighborhoods.

4 **(1) Intersection distance.** Any distance from a street intersection that is required  
5 by location criteria shall be measured along the street right-of-way that forms the  
6 frontage of the subject parcel to the nearest point of intersection with the other  
7 street right-of-way. A proposed use or rezoning of a parcel will comply with the  
8 required distance where at least 75 percent of the parcel frontage is within the  
9 required distance. [7.20.03.A]

10 **(2) Local streets as collectors.** For the purposes of location criteria, and only on a  
11 case-by-case basis, certain local streets not classified by the Florida Department  
12 of Transportation as collector streets may be designated by the County Engineer  
13 as collectors if all of the following minimum conditions exist:

- 14 a. Twenty-two foot width of pavement (two lanes).
- 15 b. Six foot shoulders on each side when no curb is present.
- 16 c. Signalized intersection on or at the termini of the segment designated for  
17 traffic concurrency.
- 18 d. Connection to a collector or arterial street.
- 19 e. Average Annual Daily Traffic at least 1500 vehicles.

20 **(c) Other measures.** In addition to the location criteria of the zoning districts,  
21 landscaping, buffering, and screening may be required to protect lower intensity  
22 uses from more intensive uses, such as residential from commercial or commercial  
23 from industrial. Buffers may also be required to provide protection to natural  
24 resources from intrusive activities and negative impacts of development such as  
25 trespass, pets, vehicles, noise, lights, and stormwater. [FLU 1.1.9] [CON 1.3.8]

26



1 **Article 2 Mainland Districts**

2 **Sec. 3-2.1 Purpose of article.**

3 This article establishes the zoning districts that apply to all areas of the county under the  
4 jurisdiction of the BCC, except Perdido Key and Santa Rosa Island. Each district  
5 establishes its own permitted land uses, conditional uses, basic site and building  
6 requirements, and other provisions consistent with the stated purposes of the district.  
7 District provisions are subject to all other applicable provisions of the LDC and may be  
8 modified by the requirements of overlay districts as prescribed in Article 3.

9 **Sec. 3-2.2 Agricultural district (Agr).** [VAG-1 (100%)]

10 **(a) Purpose.** The Agricultural (Agr) district establishes appropriate areas and land use  
11 regulations for the routine agricultural production of plants and animals, and such  
12 related uses as silviculture and aquaculture. The primary intent of the district is to  
13 avoid the loss of prime farmland to other uses, its division into smaller parcels of  
14 multiple owners, and other obstacles to maintaining or assembling sufficient  
15 agricultural acreage for efficient large-scale farming. Other than agricultural  
16 production, non-residential uses within the Agricultural district are generally limited to  
17 rural community uses that directly support agriculture, and to public facilities and  
18 services necessary for the basic health, safety, and welfare of a rural population.  
19 The absence of urban or suburban infrastructure is intentional. Consistent with rural  
20 land use and limited infrastructure, residential uses within the district are largely self-  
21 sustaining. Single-family dwellings are allowed at a very low density sufficient for  
22 the needs of the district’s farm-based population. [6.05.01.A, 6.05.22.A.1]

23 **(b) Permitted uses.** Permitted uses within the Agricultural district are limited to the  
24 following:

25 **(1) Residential.**

- 26 a. Manufactured (mobile) homes, but no new or expanded manufactured home  
27 parks or subdivisions.
- 28 b. Single-family dwellings (other than manufactured homes), detached only.  
29 Maximum single family lot area within any proposed subdivision of 100 acres  
30 or more of prime farmland shall be one and one half acres.

31 See also “conditional uses.” in this district

32 **(2) Retail sales.** No retail sales except as permitted “agriculture and related” uses.

33 **(3) Retail services.** No retail services except as permitted “agricultural and related”  
34 uses. See also “conditional uses.” in this district

35 **(4) Public and civic.**

- 36 a. Cemeteries. [added]
- 37 b. Clubs, civic or fraternal.
- 38 c. Educational facilities, including preschools, K-12, colleges and vocational  
39 schools.

1 d. Emergency service facilities, including law enforcement, fire fighting, and  
2 medical assistance.

3 e. Places of worship.

4 f. Public utility structures 150 feet or less in height, including  
5 telecommunications towers.

6 See also “conditional uses.” in this district

7 **(5) Recreation and entertainment.**

8 a. Campgrounds and recreational vehicle parks on lots five acres or larger.

9 b. Golf courses, tennis centers, swimming pools and similar active outdoor  
10 recreational facilities, including associated country clubs..

11 c. Hunting clubs and preserves.

12 d. Marinas, private only.[added]

13 e. Off-highway motor vehicle commercial recreation facilities on lots 20 acres or  
14 larger.

15 f. Parks without permanent restrooms or outdoor event lighting.[added]

16 g. Passive recreational uses, including hiking and bicycling. [added]

17 h. Shooting ranges.

18 See also “conditional uses.” in this district

19 **(6) Industrial and related.** No industrial or related uses except as permitted  
20 “agricultural and related” uses. See also “conditional uses.” in this district

21 **(7) Agricultural and related.**

22 a. Agriculture, including raising livestock, storing harvested crops, and  
23 cultivation of nursery plants. A minimum of two acres for keeping any farm  
24 animal on site and a maximum of one horse or other domesticated *equine* per  
25 acre.

26 b. Agricultural processing, minor only.

27 c. Agricultural research or training facilities.

28 d. Aquaculture, marine or freshwater.

29 e. Farm equipment and supply stores.

30 f. Kennels and animal shelters on lots two acres or larger.

31 g. Produce display and sales of fruit, vegetables, and similar agricultural  
32 products. All structures for such uses are limited to non-residential farm  
33 buildings.

34 h. Silviculture.

35 i. Stables, public or private, on lots two acres or larger.

1 j. Veterinary clinics. A minimum two acres for boarding animals.

2 **(8) Other uses.**

3 a. Airports, private only, including crop dusting services.

4 b. Borrow pit reclamation with site-specific BCC approval, excluding any landfill  
5 use.

6 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
7 the BOA may conditionally allow the following uses within the Agricultural district:

8 **(1) Residential.** Nursing homes.

9 **(2) Retail services.**

10 a. Bed and breakfast inns.[added]

11 b. Medical clinics, including those providing out-patient surgery, rehabilitation,  
12 and emergency treatment.

13 **(3) Public and civic.**

14 a. Community service facilities, including auditoriums, libraries, museums, and  
15 neighborhood centers.[added]

16 b. Correctional facilities, including adult and juvenile detention centers, jails and  
17 prisons.[added]

18 c. Hospitals.

19 d. Offices for government or public utilities.

20 e. Public utility structures greater than 150 feet in height, including  
21 telecommunications towers, but excluding any industrial uses.

22 f. Warehousing or maintenance facilities for government or public utilities.

23 **(4) Recreation and entertainment.**

24 a. Canoe, kayak, and float rental facilities.[added]

25 b. Parks with permanent restrooms or outdoor event lighting.[added]

26 c. Zoos and animal parks.[added]

27 **(5) Industrial and related.**

28 a. Borrow pits with site-specific BCC approval and excluding any landfill  
29 reclamation use.

30 b. Mineral extraction, including oil and gas.

31 c. Power plants.

32 d. Salvage yards, including the handling of metals, paper, tires, bottles and  
33 cans, motor vehicles, and appliances.

34 e. Solid waste collection points and transfer facilities, excluding any hazardous  
35 waste storage.

1 f. Wastewater treatment plants.

2 **(d) Site and building requirements.** The following site and building requirements  
3 apply to uses within the Agricultural district:

4 **(1) Density.** A maximum of one dwelling unit per 20 acres.

5 **(2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.

6 **(3) Structure height.** No structure height limit by zoning. See specific use.

7 **(4) Lot area.** Lot area as may be prescribed by use.

8 **(5) Lot width.** A minimum lot width of 100 feet at the street right-of-way for all lots.

9 **(6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent  
10 maximum semi-impervious and impervious cover) for all uses.

11 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

12 a. **Front and rear.** Forty feet in the front and rear.

13 b. **Sides.** On each side, five feet or ten percent of the lot width at the front  
14 building line, whichever is greater, but need not exceed 15 feet.

15 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
16 regulations and standards.

17 **(e) Location criteria.** The following location criteria apply to uses within the Agricultural  
18 district:

19 **(1) Prime farmland.** All new or expanded uses shall be located to avoid the loss of  
20 prime farmland. Where such loss cannot be avoided, it shall be limited to five  
21 acres or 10 percent of the development parcel area, whichever is greater.

22 **(2) Non-residential uses.** All non-residential uses shall be located to avoid  
23 nuisance, hazard and other adverse impacts to surrounding residential uses.  
24 Additionally, retail sales, retail service, and industrial uses shall be located along  
25 collector or arterial streets.

26 **(f) Rezoning to Agr.** Agricultural zoning may be established only within the Agriculture  
27 and Rural Community FLU categories. The district is suitable for prime farmland,  
28 agriculturally used or assessed areas, large tracts of open space, woodlands or  
29 fields, but not for areas with central sewer or highly developed street networks. The  
30 district provides transitions between areas zoned or used for conservation or outdoor  
31 recreation and areas zoned or used for more intense uses.

32 **Sec. 3-2.3 Rural Residential district (RR).** [VAG-2 (53%), VR-1 (47%)]

33 **(a) Purpose.** The Rural Residential (RR) district establishes appropriate areas and  
34 land use regulations for low density residential uses and compatible non-residential  
35 uses characteristic of rural land development. The primary intent of the district  
36 provides for residential development at greater density than the Agricultural district  
37 on soils least valuable for agricultural production, but continue to support small-scale  
38 farming on more productive district lands. The absence of urban and suburban

1 infrastructure is intentional. Consistent with rural land use and limited infrastructure,  
2 residential uses within the RR district are largely self-sustaining and generally limited  
3 to detached single-family dwellings on large lots. Clustering of smaller residential  
4 lots may occur where needed to protect prime farmland from nonagricultural use.  
5 The district allows public facilities and services necessary for the basic health, safety  
6 and welfare of a rural population, and other non-residential uses that are compatible  
7 with agricultural community character. [6.05.22.A.2, 6.05.23A]

8 **(b) Permitted uses.** Permitted uses within the RR district are limited to the following:

9 **(1) Residential.**

- 10 a. Manufactured (mobile) homes, on lots four acres or larger, or on lots a  
11 minimum of one acre if clustered to avoid prime farmland. No new or  
12 expanded manufactured home parks or subdivisions.
- 13 b. Single-family dwellings (other than manufactured homes), detached only, on  
14 lots four acres or larger, or lots a minimum of one acre if clustered to avoid  
15 prime farmland.

16 See also “conditional uses.” in this district

17 **(2) Retail sales.** No retail sales except permitted “agriculture and related” uses.

18 **(3) Retail services.** Bed and breakfast inns and permitted “agriculture and related”  
19 uses. See also “conditional uses.”

20 **(4) Public and civic.**

- 21 a. Cemeteries.[added]
- 22 b. Clubs, civic or fraternal.
- 23 c. Educational facilities, K-12 only, and on lots one acre or larger.[limited]
- 24 d. Emergency service facilities, including law enforcement, fire fighting, and  
25 medical assistance.
- 26 e. Places of worship on lots one acre or larger.
- 27 f. Public utility structures 150 feet or less in height, excluding  
28 telecommunications towers.

29 See also “conditional uses.”

30 **(5) Recreation and entertainment.**

- 31 a. Campgrounds and recreational vehicle parks on lots five acres or larger.
- 32 b. Golf courses, tennis centers, swimming pools and similar active outdoor  
33 recreational facilities, including associated country clubs..
- 34 c. Marinas, private.[added]
- 35 d. Parks without permanent restrooms or outdoor event lighting.[added]
- 36 e. Passive recreational uses.[added]

37 See also “conditional uses.” in this district

1 **(6) Industrial and related.** No industrial or related uses except as permitted  
2 “agricultural and related” uses. See also “conditional uses.” in this district

3 **(7) Agricultural and related.**

- 4 a. Agriculture, including raising livestock, storing harvested crops, and  
5 cultivation of nursery plants. A minimum of two acres for keeping any farm  
6 animal on site and a maximum of one horse or other domesticated *equine* per  
7 acre.
- 8 b. Aquaculture, marine or freshwater.
- 9 c. Farm equipment and supply stores.
- 10 d. Kennels and animal shelters on lots two acres or larger.
- 11 e. Produce display and sales of fruit, vegetables, and similar agricultural  
12 products. All structures for such use limited to non-residential farm buildings.
- 13 f. Silviculture.
- 14 g. Stables, public or private, on lots two acres or larger.
- 15 h. Veterinary clinics. A minimum of two acres for boarding animals.

16 **(8) Other uses.** Borrow pit reclamation with site-specific BCC approval, excluding  
17 any landfill use.

18 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
19 the BOA may conditionally allow the following uses within the RR district:

20 **(1) Residential.**

- 21 a. Manufactured (mobile) home parks on land zoned VR-1 prior to adoption of  
22 RR zoning.
- 23 b. Nursing homes.
- 24 c. Two-family dwellings (duplex) and multi-family dwellings up to four units per  
25 dwelling (triplex and quadruplex) on land zoned VR-1 prior to adoption of RR  
26 zoning.

27 **(2) Retail services.** Medical clinics, including those providing out-patient surgery,  
28 rehabilitation, and emergency treatment.

29 **(3) Public and civic.**

- 30 a. Community service facilities, including auditoriums, libraries, museums, and  
31 neighborhood centers.**[added]**
- 32 b. Educational facilities on lots one acre or larger not among the “permitted  
33 uses.”
- 34 c. Hospitals.
- 35 d. Offices for government or public utilities.
- 36 e. Public utility structures greater than 150 feet in height, and  
37 telecommunications towers of any height, excluding any industrial uses.

1 f. Warehousing or maintenance facilities for government or public utilities.

2 **(4) Recreation and entertainment.**

3 a. Hunting clubs and preserves.

4 b. Off-highway motor vehicle commercial recreation facilities on lots 20 acres or  
5 larger.

6 c. Parks with permanent restrooms or outdoor event lighting.

7 d. Shooting ranges.

8 **(5) Industrial and related.**

9 a. Borrow pits with site-specific BCC approval and excluding any landfill  
10 reclamation use

11 b. Mineral extraction, including oil and gas..

12 c. Power plants.

13 d. Salvage yards, including the handling of metals, paper, tires, bottles and  
14 cans, motor vehicles, and appliances.

15 e. Solid waste collection points and transfer facilities, excluding any hazardous  
16 waste storage.

17 f. Wastewater treatment plants.

18 **(6) Other uses.** Airports, private only, including crop dusting facilities.[added]

19 **(d) Site and building requirements.** The following site and building requirements  
20 apply to uses within the RR district:

21 **(1) Density.** A maximum of one dwelling unit per four acres.

22 **(2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.

23 **(3) Structure height.** Structure height limit as may be prescribed by use.

24 **(4) Lot area.** Lot area as may be prescribed by use.

25 **(5) Lot width.** A minimum lot width of 40 feet at the street right-of-way for cul-de-  
26 sac lots and 80 feet at the right-of-way for all other lots, and a minimum width of  
27 100 feet at the front building line for all lots.

28 **(6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent  
29 maximum semi-impervious and impervious cover) for all uses.

30 **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

31 a. **Front and rear.** Forty feet in the front and rear.

32 b. **Sides.** On each side, five feet or ten percent of the lot width at the front  
33 building line, whichever is greater, but need not exceed 15 feet.

34 **(8) Other requirements.**



1           **a. Farm animal shelters.** Stables or other structures for sheltering farm  
2 animals shall be no less than 50 feet from any property line and no less than  
3 130 feet from any residential dwelling on adjacent property.

4           **b. Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
5 regulations and standards.

6 **(e) Location criteria.** The following location criteria apply to uses within the RR district:

7           **(1) Prime farmland.** All new or expanded residential or non residential uses shall  
8 be located to avoid the loss of prime farmland. Where such loss cannot be  
9 avoided, it shall be limited to five acres or 10 percent of the development parcel  
10 area, whichever is greater.

11           **(2) Non-residential uses.** All non-residential uses shall be located to avoid  
12 nuisance, hazard and other adverse impacts to surrounding residential uses.  
13 Additionally, retail sales, retail services, and industrial uses shall be located along  
14 collector or arterial streets.

15 **(f) Rezoning to RR.** Rural Residential zoning may be established only within the Rural  
16 Community FLU. There the district is suitable for rural areas not used to support  
17 large farming operations due to economic viability, soil productivity, surrounding  
18 development, or similar constraints. The district is appropriate to provide transitions  
19 between areas zoned or used for agriculture, conservation or outdoor recreation and  
20 areas zoned or used for rural mixed use or low density residential.

21 **Sec. 3-2.4 Rural Mixed Use district (RMU).** [AG (14%), RR (48%), VR-2 (38%), VR-3  
22 (<1%)]

23 **(a) Purpose.** The purpose of the Rural Mixed Use (RMU) district is to establish  
24 appropriate areas and land use regulations for a mix of low density residential uses  
25 and compatible non-residential uses within areas that have historically developed as  
26 rural or semi-rural communities. The primary intent of the district is to sustain such  
27 communities by allowing greater residential density, smaller residential lots, and a  
28 more diverse mix of non-residential uses than the Agricultural or Rural Residential  
29 districts, but continue to support the preservation of agriculturally productive lands.  
30 The RMU district allows public facilities and services necessary for the health, safety  
31 and welfare of the rural mixed use community, and other non-residential uses that  
32 are compact, traditionally neighborhood supportive, and compatible with rural  
33 community character. District communities are often anchored by arterial and  
34 collector roads, but they are not characterized by urban or suburban infrastructure.  
35 Consistent with existing rural communities and limited infrastructure, residential uses  
36 are generally limited to detached single-family dwellings. [6.05.23]

37 **(b) Permitted uses.** Permitted uses within the RMU district are limited to the following:

38 **(1) Residential.**

39           **a.** Manufactured (mobile) homes, but no new or expanded manufactured home  
40 parks or subdivisions.



- 1 a. Single-family dwellings (other than manufactured homes), detached only, on  
2 lots one half acre or larger.

3 See also “conditional uses.” in this district

4 **(2) Retail sales.** The following small-scale (gross floor area 6000 sq.ft. or less per  
5 lot) retail sales with no outdoor storage:

- 6 a. Automotive fuel sales.[added]  
7 b. Drugstores.[added]  
8 c. Grocery or food stores, including bakeries and butcher shops whose products  
9 are prepared and sold on the premises, and convenience stores.[added]  
10 d. Hardware stores.[added]

11 See also permitted “agricultural and related” uses and “conditional uses.”

12 **(3) Retail services.** The following small scale (gross floor area 6000 sq.ft. or less  
13 per lot) retail services with no outdoor work or storage. [added]

- 14 a. Bed and breakfast inns.[added]  
15 b. Personal services, including beauty shops, health clubs, pet groomers, dry  
16 cleaners and tattoo parlors.[added]  
17 c. Professional services, including those provided by realtors, bankers,  
18 accountants, engineers, architects, dentists, physicians, and  
19 attorneys.[added]  
20 d. Repair services, including motor vehicle repair, appliance repair, furniture  
21 refinishing and upholstery, watch and jewelry repair, and small engine and  
22 motor services.[added]  
23 e. Restaurants, excluding on-premises consumption of alcoholic beverages and  
24 drive-in or drive-through service.[added]

25 See also permitted “agricultural and related” uses and “conditional uses.”

26 **(4) Public and civic.**

- 27 a. Cemeteries.[added]  
28 b. Community service facilities, including auditoriums, libraries, museums, and  
29 neighborhood centers.[added]  
30 c. Clubs, civic or fraternal.  
31 d. Educational facilities, including preschools, K-12, colleges and vocational  
32 schools, on lots one acre or larger.  
33 e. Emergency service facilities, including law enforcement, fire fighting, and  
34 medical assistance.  
35 f. Offices for government or public utilities, small scale (gross floor area 6000  
36 sq.ft. or less per lot).  
37 g. Places of worship on lots one acre or larger.

1 h. Public utility structures 150 feet or less in height, excluding  
2 telecommunications towers.

3 See also, “conditional uses.”

4 **(5) Recreation and entertainment.**

5 a. Campgrounds and recreational vehicle parks on lots five acres or larger.

6 b. Golf courses, tennis centers, swimming pools and similar active outdoor  
7 recreational facilities, including associated country clubs.

8 c. Marinas, private only.[added]

9 d. Parks, with or without permanent restrooms or outdoor event lighting.[added]

10 See also “conditional uses.” in this district

11 **(6) Industrial and related.** No industrial or related uses. See “conditional uses.”

12 **(7) Agricultural and related.**

13 a. Agriculture, including raising livestock, storing harvested crops, and  
14 cultivation of nursery plants. A minimum of two acres for keeping any farm  
15 animal on site and a maximum of one horse or other domesticated *equine* per  
16 acre.

17 b. Agricultural research or training facilities.

18 c. Aquaculture, marine or freshwater.

19 d. Farm equipment and supply stores.

20 e. Produce display and sales of fruit, vegetables and similar agricultural  
21 products.

22 f. Silviculture.

23 g. Stables, public or private, on lots two acres or larger.

24 h. Veterinary clinics, excluding outside kennels.

25 See also “conditional uses.” in this district

26 **(8) Other uses.**

27 a. Airports, private only, including crop dusting facilities.

28 b. Borrow pit reclamation with site-specific BCC approval and excluding any  
29 landfill use.

30 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
31 the BOA may conditionally allow the following uses within the RMU district:

32 **(1) Residential.**

33 a. Manufactured (mobile) home parks.

34 b. Nursing homes.

35 c. Two-family dwellings (duplex).

1 **(2) Retail sales.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail sales  
2 not among the “permitted uses,” including outdoor display of merchandise, but  
3 excluding sales of liquor or motor vehicles.

4 **(3) Retail services.**

- 5 a. Boarding or rooming houses.[added]  
6 b. Medical clinics, including those providing out-patient surgery, rehabilitation,  
7 and emergency treatment.

8 **(4) Public and civic.**

- 9 a. Hospitals.  
10 b. Offices for government or public utilities larger than those among the  
11 “permitted uses.”  
12 c. Public utility structures greater than 150 feet in height, and  
13 telecommunications towers of any height, but excluding any industrial uses.  
14 d. Warehousing or maintenance facilities for government or public utilities.

15 **(5) Recreation and entertainment.**

- 16 a. Hunting clubs and preserves.  
17 b. Shooting ranges.

18 **(6) Industrial and related.**

- 19 a. Borrow pits with site-specific BCC approval and excluding any landfill  
20 reclamation use  
21 b. Mineral extraction, including oil and gas.  
22 c. Power plants.  
23 d. Salvage yards, including the handling of metals, paper, tires, bottles and  
24 cans, motor vehicles, and appliances.  
25 e. Solid waste collection points and transfer facilities, but excluding any  
26 hazardous waste storage.  
27 f. Wastewater treatment plants.

28 **(7) Agricultural and related.**

- 29 a. Exotic animals, keeping or breeding.  
30 b. Kennels not interior to veterinary clinics.

31 **(d) Site and building requirements.** The following site and building requirements  
32 apply to uses within the RMU district:

33 **(1) Density.** A maximum of two dwelling units per acre.

34 **(2) Floor area ratio.** A maximum floor area ratio of 0.25 for all uses.

35 **(3) Structure height.** Structure height limit as may be prescribed by zoning use.

- 1       **(4) Lot area.** Lot area as may be prescribed by use.
- 2       **(5) Lot width.** A minimum lot width of 40 feet at the street right-of-way for cul-de-  
3       sac lots and 80 feet at the right-of-way for all other lots, and a minimum width of  
4       100 feet at the front building line for all lots.
- 5       **(6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent  
6       maximum semi-impervious and impervious cover) for all uses.
- 7       **(7) Structure setbacks.** For all principal structures, minimum setbacks are:
- 8           **a. Front and rear.** Forty feet in the front and rear.
- 9           **b. Sides.** On each side, five feet or ten percent of the lot width at the front  
10       building line, whichever is greater, but need not exceed 15 feet.
- 11       **(8) Other requirements.**
- 12           **a. Farm animal shelters.** Stables or other structures for sheltering farm  
13       animals shall be no less than 50 feet from any property line and no less than  
14       130 feet from any residential dwelling on the property of another landowner.
- 15           **b. Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
16       regulations and standards.
- 17       **(e) Location criteria.** The following location criteria apply to uses within the RMU  
18       district:
- 19           **(1) Prime farmland.** All new or expanded uses shall be located to avoid the loss of  
20       prime farmland. Where such loss cannot be avoided, it shall be limited to five  
21       acres or 10 percent of the development parcel area, whichever is greater.
- 22           **(2) Non-residential uses.** All new non-residential uses shall be located to avoid  
23       nuisance, hazard and other adverse impacts to surrounding residential uses.  
24       Additionally, non-residential uses that are not part of a predominantly residential  
25       development or a planned unit development, or are not specifically identified as  
26       exempt by district regulations, shall be on parcels that comply with at least one of  
27       the following location criteria:
- 28           **a. Proximity to intersection.** Along an arterial or collector street, and within  
29       200 feet of an intersection with another arterial or collector.
- 30           **b. Proximity to traffic generator.** Along an arterial or collector street and  
31       within a one-quarter mile radius of an individual traffic generator of more than  
32       600 daily trips, such as an apartment complex, military base, college campus,  
33       hospital, shopping mall, or industrial plant.
- 34           **c. Infill development.** Along an arterial or collector street, in an area where  
35       already established non-residential uses are otherwise consistent with the  
36       RMU district, and where the new use would constitute infill development of  
37       similar intensity as the conforming development on surrounding parcels.  
38       Additionally, the location would promote compact development and not  
39       contribute to or promote strip commercial development.

1           **d. Site design.** Along an arterial street at the intersection with a local street that  
2 serves to connect the arterial street to another arterial, and all of the following  
3 site design conditions:

- 4           1. Any Intrusion into a recorded residential subdivision is limited to a corner  
5           lot.
- 6           2. Access and stormwater management is shared with adjoining uses or  
7           properties to the extent practicable.
- 8           3. Adverse impacts to any adjoining residential uses are minimized by  
9           placing the more intensive elements of the use (solid waste dumpsters,  
10           truck loading/unloading areas, drive-thru facilities, etc.) furthest from the  
11           residential uses.

12           **e. Documented compatibility.** A compatibility analysis prepared by the  
13 applicant provides competent substantial evidence of unique circumstances  
14 regarding the parcel or use that were not anticipated by the alternative  
15 location criteria, and the proposed use will be able to achieve long-term  
16 compatibility with existing and potential uses. Additionally, the parcel has not  
17 been rezoned by the landowner from mixed use, commercial, or industrial  
18 zoning assigned by the county.

19           **(f) Rezoning to RMU.** Rural Mixed Use zoning may be established only within the  
20 Rural Community future land use category. There the district is suitable for  
21 recognized rural communities, especially those developed around intersections of  
22 higher classification streets and in areas that are generally not agriculturally  
23 productive. Rezoning to RMU shall reinforce the value of existing rural communities  
24 in serving surrounding areas and minimizing the need to travel long distances for  
25 basic necessities. Additionally, rezoning to RMU is subject to the same location  
26 criteria as any new non-residential use proposed within the RMU district.

27           **Sec. 3-2.5 Low Density Residential district (LDR).** [R-1 (27%), V-1 (11%), V-2 (6%),  
28 V-2A (1%), V-5 (9%), SDD private or non-conservation lands (44%)]

29           **(a) Purpose.** The Low Density Residential (LDR) district establishes appropriate areas  
30 and land use regulations for residential uses at low densities within suburban areas.  
31 The primary intent of the district is to provide for large-lot suburban type residential  
32 neighborhood development that blends aspects of rural openness with the benefits  
33 of urban street connectivity, and at greater density than the Rural Residential district.  
34 Residential uses within the LDR district are predominantly detached single-family  
35 dwellings. Consistent with suburban development patterns and infrastructure, they  
36 are subject to a minimum density. Clustering dwellings on smaller residential lots  
37 may occur where needed to protect prime farmland from non-agricultural use or to  
38 conserve and protect environmentally sensitive areas. The district allows non-  
39 residential uses that are compatible with suburban residential neighborhoods and  
40 the natural resources of the area. No minimum lot size is required for new  
41 subdivisions with the exception of V-1, which has a minimum lot size of one acre.  
42 (Ord 2014-08)[6.05.05, 6.05.21, 6.05.24]

1 **(b) Permitted uses.** Permitted uses within the LDR district are limited to the following:

2 **(1) Residential.**

- 3 a. Manufactured (mobile) homes only within existing manufactured home parks  
4 or subdivisions, or on land zoned SDD prior to adoption of LDR zoning. No  
5 new or expanded manufactured home parks or subdivisions. [to  
6 accommodate SDD]
- 7 b. Single-family dwellings (other than manufactured homes), detached and only  
8 one per lot, excluding accessory dwellings. Accessory dwellings only on lots  
9 two acres or larger. Attached single-family dwellings and zero lot line  
10 subdivision only on land zoned V-5 or SDD prior to adoption of LDR zoning.
- 11 c. Two-family dwellings and multi-family dwellings up to four units per dwelling  
12 (triplex and quadruplex) only on land zoned V-5 or SDD prior to adoption of  
13 LDR zoning. [to accommodate V-5 and SDD]

14 See also “conditional uses.” in this district

15 **(2) Retail sales.** No retail sales.

16 **(3) Retail services.** No retail services.

17 **(4) Public and civic.** Public utility structures not exceeding the district structure  
18 height limit, excluding telecommunications towers. See also “conditional uses.”  
19 in this district

20 **(5) Recreation and entertainment.**

- 21 a. Marinas, private only.
- 22 b. Parks without permanent restrooms or outdoor event lighting.[added]

23 See also “conditional uses.” in this district

24 **(6) Industrial and related.** No industrial or related uses.

25 **(7) Agricultural and related.** On land notzoned SDD prior to adoption of LDR  
26 zoning, agricultural production and storage is limited to food primarily for  
27 personal consumption by the producer. The following additional agricultural uses  
28 are allowed on lands zoned SDD prior to LDR zoning: [to accommodate SDD]

- 29 a. Agriculture, but no farm animals except horses and other domesticated  
30 equines kept on site accessory to a private residential use, and stables for  
31 such animals, with a minimum lot area of two acres and a maximum of one  
32 animal per acre.
- 33 b. Aquaculture, marine or freshwater.
- 34 c. Produce display and sales of fruit, vegetables and similar agricultural  
35 products.
- 36 d. Silviculture.

37 See also “conditional uses.” in this district

- 1       **(8) Other uses.** Borrow pit reclamation with site-specific BCC approval, but no  
2       landfill use.
- 3       **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
4       the BOA may conditionally allow the following uses within the LDR district:
- 5       **(1) Residential.**
- 6           a. Accessory dwellings on lots less than two acres.  
7           b. Home occupations with non-resident employees.
- 8       **a. Public and civic.**
- 9           a. Clubs, civic and fraternal.  
10          b. Educational facilities, excluding preschools or kindergartens independent of  
11          other elementary grades.  
12          c. Emergency service facilities, including law enforcement, fire fighting, and  
13          medical assistance.  
14          d. Offices for government or public utilities, small scale (gross floor area 6000  
15          sq.ft. or less per lot).  
16          e. Places of worship.  
17          f. Public utility structures exceeding the district structure height limit, excluding  
18          telecommunications towers.
- 19       **(2) Recreation and entertainment.**
- 20           a. Golf courses, tennis centers, swimming pools and similar active outdoor  
21           recreational facilities, including associated country clubs..  
22           b. Parks with permanent restrooms or outdoor event lighting.[added]
- 23       **(3) Agricultural and related.** Horses and other domesticated *equines* kept on site  
24       as a private residential accessory not among the “permitted uses” or for public  
25       riding on land zoned SDD prior to adoption of LDR zoning t, and stables for such  
26       animals. A minimum lot area of two acres if accessory to a private residential  
27       use and a minimum 10 acres if for public riding, with a maximum of one such  
28       animal per acre for either use.
- 29       **(d) Site and building requirements.** The following site and building requirements  
30       apply to uses within the LDR district:
- 31       **(1) Density.** A minimum of two dwelling units per acre within the MU-S future land  
32       use category and a maximum of four dwelling units per acre.  
33       **(2) Floor area ratio.** A maximum floor area ratio of 1.0 for all uses.  
34       **(3) Structure height.** A maximum structure height of 45 feet above highest  
35       adjacent grade. See also specific uses. [R-1, V-1, V-2, V-2A, V-5]  
36       **(4) Lot area.** Lot area as may be prescribed by use.



1 (5) **Lot width.** A minimum lot width of 20 feet at the street right-of-way for  
2 cul-de-sac lots and 50 feet at the right-of-way for all other lots, and a minimum  
3 width of 70 feet at the front building line for all lots.

4 (6) **Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent  
5 maximum semi-impervious and impervious cover) for all uses.

6 (7) **Structure setbacks.** For all principal structures, minimum setbacks are:

7 a. **Front and rear.** Twenty-five feet in the front and rear.

8 b. **Sides.** On each side, five feet or ten percent of the lot width at the front  
9 building line, whichever is greater, but need not exceed 15 feet.

10 (8) **Other requirements.**

11 a. **Horse shelters.** Stables or other structures for sheltering horses or other  
12 domesticated *equines* shall be no less than 50 feet from any property line and  
13 no less than 130 feet from any residential dwelling on the property of another  
14 landowner.

15 b. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
16 regulations and standards.

17 (e) **Location criteria.** All non-residential uses within the LDR district shall be located to  
18 avoid nuisance, hazard and other adverse impacts to surrounding residential uses.

19 (f) **Rezoning to LDR.** Low Density Residential zoning may be established only within  
20 the Mixed Use Suburban future land use category. There the district is suitable for  
21 suburban areas with or without central water and sewer. The district is appropriate  
22 to provide transitions between areas zoned or used for rural residential or rural  
23 mixed use and areas zoned or used for low medium mixed use or medium density  
24 residential or medium density mixed use.

25 **Sec. 3-2.6 Low Density Mixed Use district (LDMU).** [VM-1 (61%), VM-2 (37%), AMU-  
26 1 (1%), AMU-2 (1%)]

27 (a) **Purpose.** The purpose of the Low Density Mixed Use (LDMU) district is to establish  
28 appropriate areas and land use regulations for a complementary mix of low density  
29 residential uses and compatible non-residential uses within mostly suburban areas.  
30 The primary intent of the district is to provide for a mix of neighborhood-scale retail  
31 sales, services and professional offices with greater dwelling unit density and  
32 diversity than the Low Density Residential district. Additionally, the LDMU district is  
33 intended to rely on a pattern of well-connected streets and provide for the separation  
34 of suburban uses from more dense and intense urban uses. Residential uses within  
35 the district include most forms of single-family, two-family and multi-family dwellings.  
36 Consistent with suburban development patterns and infrastructure, they are subject  
37 to a minimum density.

38 (b) **Permitted uses.** Permitted uses within the LDMU district are limited to the  
39 following:

40 (1) **Residential.**



- 1 a. Manufactured (mobile) homes within manufactured home parks or
- 2 subdivisions, and including new or expanded manufactured home parks and
- 3 subdivisions.
- 4 b. Single-family dwellings (other than manufactured homes), attached or
- 5 detached, and including zero lot line subdivisions.
- 6 c. Two-family dwellings (duplex) and multi-family dwellings up to four units per
- 7 building (triplex and quadruplex).

8 See also “conditional uses.” in this district

9 **(2) Retail sales.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail

10 sales, or retail sales within a neighborhood retail center no greater than 35,000

11 square feet per lot and containing a mix of retail sales and services, but

12 excluding permanent outdoor storage and sales of alcoholic beverages,

13 **automotive fuels** and motor vehicles. See “conditional uses.”

14 **(3) Retail services.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail

15 services, or retail services within a neighborhood retail center no greater than

16 35,000 square feet per lot and containing a mix of retail sales and services.

17 Retail sales are limited to the following with no outdoor work or storage:

- 18 a. Bed and breakfast inns.
- 19 b. Personal services, including beauty shops, health clubs, pet groomers, dry
- 20 cleaners, and tattoo parlors.
- 21 c. Professional services, including those provided by realtors, bankers,
- 22 accountants, engineers, architects, dentists, physicians, and attorneys.
- 23 d. Repair services, including appliance repair, furniture refinishing and
- 24 upholstery, watch and jewelry repair, small engine and motor services, but
- 25 excluding major motor vehicle or boat service or repair.
- 26 e. Restaurants.

27 See also “conditional uses.” in this district

28 **(4) Public and civic.**

- 29 a. Educational facilities, including preschools, K-12, colleges and vocational
- 30 schools.
- 31 b. Emergency service facilities, including law enforcement, fire fighting, and
- 32 medical assistance.
- 33 c. Offices for government or public utilities, small scale (gross floor area 6000
- 34 sq.ft. or less per lot).
- 35 d. Places of worship.
- 36 e. Public utility structures not exceeding the district structure height limit,
- 37 excluding telecommunications towers.

38 See also “conditional uses.” in this district

1 **(5) Recreation and entertainment.** Parks without permanent restrooms or outdoor  
2 event lighting.

3 **(6) Industrial and related.** No industrial or related uses.

4 **(7) Agricultural and related.** Agricultural production limited to food primarily for  
5 personal consumption by the producer, but no farm animals.

6 **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

7 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
8 the BOA may conditionally allow the following uses within the LDMU district:

9 **(1) Residential.**

10 a. Group living, including nursing homes, assisted living facilities, retirement  
11 homes, and residential facilities providing substance abuse treatment and  
12 post-incarceration reentry.

13 b. Manufactured (mobile) homes outside manufactured home parks or  
14 subdivisions.

15 **(2) Retail sales.** Retail sales not among the “permitted uses” and with gross floor  
16 area 30,000 square feet or less excluding sales of motor vehicles.

17 **(3) Retail services.** Retail services not among the “permitted uses” and with gross  
18 floor area 30,000 square feet or less per lot excluding outdoor work:

19 **(4) Public and civic.**

20 a. Clubs, civic and fraternal.

21 b. Community service facilities, including auditoriums, libraries, museums, and  
22 neighborhood centers.

23 c. Offices for government or public utilities, with gross floor area greater than  
24 6000 square feet.

25 d. Public utility structures exceeding the district structure height limit, but  
26 excluding telecommunications towers.

27 e. Warehousing or maintenance facilities for government or public utilities.

28 **(5) Recreation and entertainment.**

29 a. Golf courses, tennis centers, swimming pools and similar active outdoor  
30 recreational facilities, including associated country clubs.

31 b. Parks with permanent restrooms or outdoor event lighting. **[added]**

32 **(d) Site and building requirements.** The following site and building requirements  
33 apply to uses within the LDMU district:

34 **(1) Density.** A minimum of two dwelling units per acre within the Mixed Use  
35 Suburban (MU-S) future land use category and 3.5 dwelling units per acre within  
36 Mixed Use Urban (MU-U), and a maximum seven dwelling units per acre  
37 regardless of the future land use category.

- 1       **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the MU-S future land  
2       use category and 2.0 within MU-U.
- 3       **(3) Structure height.** A maximum structure height of 45 feet above highest  
4       adjacent grade.
- 5       **(4) Lot area.** Lot area as may be prescribed by use.
- 6       **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of  
7       20 feet at the street right-of-way, the following minimum lot widths are required:
- 8       a. **Single-family detached.** Forty feet at both the street right-of-way and front  
9       building line for single-family detached dwellings.
- 10       b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front  
11       building line for two-family dwellings.
- 12       c. **Townhouses.** One hundred feet at the front building line for townhouse  
13       groups.
- 14       **(6) Lot coverage.** Minimum pervious lot coverage of 25 percent (75 percent  
15       maximum semi-impervious and impervious cover) for all uses.
- 16       **(7) Structure setbacks.** For all principal structures, minimum setbacks are:
- 17       a. **Front and rear.** Twenty feet in the front and 15 feet in the rear.
- 18       b. **Sides.** On each side, five feet or ten percent of the lot width at the front  
19       building line, whichever is greater, but need not exceed 15 feet. For  
20       townhouse groups, ten feet at each end unit.
- 21       **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
22       regulations and standards.
- 23       **(e) Location criteria.** All new non-residential uses proposed within the LDMU district  
24       that are not part of a predominantly residential development or a planned unit  
25       development, or are not identified as exempt by district regulations, shall be on  
26       parcels that satisfy at least one of the following location criteria: **[7.20.04]**
- 27       **(1) Proximity to intersection.** Along an arterial or collector street, and within 200  
28       feet of an intersection with another arterial or collector.
- 29       **(2) Proximity to traffic generator.** Along an arterial or collector street and within a  
30       one-quarter mile radius of an individual traffic generator of more than 600 daily  
31       trips, such as an apartment complex **[approx 90 units]**, military base, college  
32       campus, hospital, or shopping mall **[approx 160,000 sq.ft. GLA]**.
- 33       **(3) Infill development.** Along an arterial or collector street, in an area where  
34       already established non-residential uses are otherwise consistent with the LDMU  
35       district, and where the new use would constitute infill development of similar  
36       intensity as the conforming development on surrounding parcels. Additionally,  
37       the location would promote compact development and not contribute to or  
38       promote strip commercial development.

1 **(4) Site design.** Along an arterial street and at the intersection with a local street  
2 that serves to connect the arterial street to another arterial, and all of the  
3 following site design conditions:

- 4 a. Any intrusion into a recorded residential subdivision is limited to a corner lot
- 5 b. Access and stormwater management is shared with adjoining uses or  
6 properties to the extent practicable.
- 7 c. Adverse impacts to any adjoining residential uses are minimized by placing  
8 the more intensive elements of the use (solid waste dumpsters, truck  
9 loading/unloading areas, drive-thru facilities, etc.) furthest from the residential  
10 uses.

11 **(5) Documented compatibility.** A compatibility analysis prepared by the applicant  
12 provides competent substantial evidence of unique circumstances regarding the  
13 parcel or use that were not anticipated by the alternative location criteria, and the  
14 proposed use will be able to achieve long-term compatibility with existing and  
15 potential uses. Additionally, that the following conditions exist:

- 16 a. The parcel has not been rezoned by the landowner from mixed use,  
17 commercial, or industrial zoning assigned by the county.
- 18 b. If the parcel is within a county redevelopment area, the use will be consistent  
19 with the area's adopted redevelopment plan, as reviewed and recommended  
20 by the Community Redevelopment Agency (CRA).

21 **(f) Rezoning to LDMU.** Low Density Mixed Use zoning may be established only within  
22 the Mixed Use Suburban and Mixed Use Urban future land use categories. There  
23 the district is suitable for suburban or urban areas with central water and sewer and  
24 developed street networks. The district is appropriate to provide transitions between  
25 areas zoned or used for low or medium density residential and areas zoned or used  
26 for high density mixed use. Additionally, rezoning to LDMU is subject to the same  
27 location criteria as any new non-residential use proposed within the LDMU district.

28 **Sec. 3-2.7 Medium Density Residential district (MDR).** [R-2 (69%), R-3 (21%), V-3  
29 (8%), V-4 (2%)]

30 **(a) Purpose.** The purpose of the Medium Density Residential (MDR) district is to  
31 establish appropriate areas and land use regulations for residential uses at medium  
32 densities within suburban or urban areas. The primary intent of the district is to  
33 provide for residential neighborhood development in an efficient urban pattern of  
34 well-connected streets and at greater dwelling unit density than the Low Density  
35 Residential district. Residential uses within the MDR district are limited to single-  
36 family and two-family dwellings. Consistent with suburban and urban development  
37 patterns and infrastructure, they are subject to a minimum density. The district  
38 allows non-residential uses that are compatible with suburban and urban residential  
39 neighborhoods.

40 **(b) Permitted uses.** Permitted uses within the MDR district are limited to the following:

41 **(1) Residential.**

- 1       a. Manufactured (mobile) homes only within manufactured home parks or  
2       subdivisions. No new or expanded manufactured home parks. New or  
3       expanded manufactured home subdivisions only on land zoned V-4 prior to  
4       adoption of MDR zoning.
- 5       b. Single-family dwellings (other than manufactured homes), detached and only  
6       one per lot, excluding accessory dwellings. Accessory dwellings only on lots  
7       one acre or larger. Attached single-family dwellings and zero lot line  
8       subdivisions only on land zoned R-3 or V-4 prior to adoption of MDR zoning.
- 9       c. Two-family dwellings only on land zoned R-3 or V-4 prior to adoption of MDR  
10      zoning, and multi-family dwellings up to four units per dwelling (quadruplex)  
11      only on land zoned V-4 prior to adoption of MDR zoning.

12      See also “conditional uses.” in this district

13      **(2) Retail sales.** No retail sales.

14      **(3) Retail services.** No retail services. See “conditional uses.”

15      **(4) Public and civic.** Public utility structures not exceeding the district structure  
16      height limit, excluding telecommunications towers. See also “conditional uses.”  
17      in this district

18      **(5) Recreation and entertainment.**

19      a. Marinas, private.

20      b. Parks without permanent restrooms or outdoor event lighting.

21      See also “conditional uses.” in this district

22      **(6) Industrial and related.** No industrial or related uses.

23      **(7) Agricultural and related.** Agricultural production limited to food primarily for  
24      personal consumption by the producer, but no farm animals. See also  
25      “conditional uses.” in this district

26      **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

27      **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
28      the BOA may conditionally allow the following uses within the MDR district:

29      **(1) Residential.**

30      a. Accessory dwellings on lots less than one acre.

31      b. Group living, including nursing homes, assisted living facilities, and retirement  
32      homes, but excluding residential facilities providing substance abuse  
33      treatment, post-incarceration reentry, or similar services.

34      c. Home occupations with non-resident employees.

35      d. Townhouses not among the “permitted uses.”

36      **(2) Retail services.** Boarding and rooming houses.

37      **(3) Public and civic.**

- 1           a. Clubs, civic and fraternal.
- 2           b. Educational facilities, excluding preschools or kindergartens independent of
- 3           other elementary grades.
- 4           c. Emergency service facilities, including law enforcement, fire fighting, and
- 5           medical assistance.
- 6           d. Offices for government or public utilities, small scale (gross floor area 6000
- 7           sq.ft. or less per lot).
- 8           e. Places of worship.
- 9           f. Public utility structures exceeding the district structure height limit, excluding
- 10          telecommunications towers.

11       **(4) Recreation and entertainment.**

- 12           a. Golf courses, tennis centers, swimming pools and similar active outdoor
- 13           recreational facilities, including associated country clubs..
- 14           b. Parks with permanent restrooms or outdoor event lighting.

15       **(5) Agricultural and related.** Horses or other domesticated equines kept on site

16       only as a private residential accessory, and stables for such animals. Minimum

17       lot area of two acres and a maximum of one such animal per acre.

18       **(d) Site and building requirements.** The following site and building requirements

19       apply to uses within the MDR district:

20       **(1) Density.** A minimum of two dwelling units per acre within the Mixed Use

21       Suburban (MU-S) future land use category and 3.5 dwelling units per acre within

22       Mixed Use Urban (MU-U), and maximum ten dwelling units per acre regardless

23       of the future land use category.

24       **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the MU-S future land

25       use category and 2.0 within MU-U.

26       **(3) Structure height.** A maximum structure height of 45 feet above highest

27       adjacent grade.

28       **(4) Lot area.** Lot area as may be prescribed by use.

29       **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of

30       20 feet at the street right-of-way, the following minimum lot widths are required:

31           a. **Single-family detached.** Fifty feet at both the street right-of-way and front

32           building line for single-family detached dwellings.

33           b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front

34           building line for two-family dwellings.

35           c. **Townhouse and other.** One hundred feet at the front building line for

36           townhouse groups and boarding or lodging houses.

37       **(6) Lot coverage.** Minimum pervious lot coverage of 30 percent (70 percent

38       maximum semi-impervious and impervious cover) for all uses.

1       **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

2           **a. Front and rear.** In the front and rear, 20 feet.

3           **b. Sides.** On each side, five feet or ten percent of the lot width at the front  
4           building line, whichever is greater, but need not exceed 15 feet. For  
5           townhouse groups, ten feet at each end unit.

6       **(8) Other requirements.**

7           **a. Stables.** Stables shall be no less than 50 feet from any property line and no  
8           less than 130 feet from any residential dwelling on the property of another  
9           landowner.

10          **b. Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
11          regulations and standards.

12       **(e) Location criteria.** All non-residential uses within the MDR district shall be located  
13       to avoid nuisance, hazard and other adverse impacts to surrounding residential  
14       uses.

15       **(f) Rezoning to MDR.** Medium Density Residential zoning may be established only  
16       within the Mixed Use Suburban and Mixed Use Urban future land use categories.  
17       The district is suitable for suburban or urban areas with central water and sewer and  
18       developed street networks. The district is appropriate to provide transitions between  
19       areas zoned or used for low density residential and areas zoned or used for high  
20       density residential or mixed use.

21       **Sec. 3-2.8 High Density Residential district (HDR). [R-4 (100%)]**

22       **(a) Purpose.** The High Density Residential (HDR) district establishes appropriate areas  
23       and land use regulations for residential uses at high densities within urban areas.  
24       The primary intent of the district is to provide for residential neighborhood  
25       development in an efficient urban pattern of well-connected streets and at greater  
26       dwelling unit density and diversity than the Medium Density Residential district.  
27       Residential uses within the HDR district include most forms of single-family, two-  
28       family and multi-family dwellings. Consistent with urban development patterns and  
29       infrastructure, they are subject to a minimum density. Non-residential uses within  
30       the district are limited to those that are compatible with urban residential  
31       neighborhoods.

32       **(b) Permitted uses.** Permitted uses within the HDR district are limited to the following:

33           **(1) Residential.**

34           **a.** Group living, including nursing homes, assisted living facilities, and retirement  
35           homes, but excluding dormitories, fraternity and sorority houses, and  
36           residential facilities providing substance abuse treatment, post-incarceration  
37           reentry, or similar services.

38           **b.** Manufactured (mobile) homes only within manufactured home parks or  
39           subdivisions. No new or expanded manufactured home parks subdivisions.

1 c. Single-family dwellings (other than manufactured homes), attached or  
2 detached, including townhouses and zero lot line subdivisions.

3 d. Two-family and multi-family dwellings.

4 See also “conditional uses.” in this district

5 **(2) Retail sales.** No retail sales. See also “conditional uses.” in this district

6 **(3) Retail services.**

7 a. Boarding and rooming houses.

8 b. Child care facilities.

9 See also “conditional uses.” in this district

10 **(4) Public and civic.** Public utility structures not exceeding the district structure  
11 height limit, excluding telecommunications towers.

12 See also “conditional uses.” in this district

13 **(5) Recreation and entertainment.**

14 a. Marina, private.

15 b. Parks without permanent restrooms or outdoor event lighting.

16 See also “conditional uses.” in this district

17 **(6) Industrial and related.** No industrial or related uses.

18 **(7) Agricultural and related.** Agricultural production limited to food primarily for  
19 personal consumption by the producer, but no farm animals. See also  
20 “conditional uses.” in this district

21 **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

22 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
23 the BOA may conditionally allow the following uses within the HDR district:

24 **(1) Residential.**

25 a. Dormitories.

26 b. Fraternity or sorority houses.

27 c. Home occupations with non-resident employees.

28 **(2) Retail sales.** Retail sales only within a predominantly residential multi-story  
29 building.

30 **(3) Retail services.** Retail services only within a predominantly residential multi-  
31 story building.

32 **(4) Public and civic.**

33 a. Clubs, civic and fraternal.

34 b. Educational facilities, excluding preschools or kindergartens independent of  
35 other elementary grades.



- 1           c. Emergency service facilities, including law enforcement, fire fighting, and
- 2           medical assistance.
- 3           d. Hospitals.
- 4           e. Offices for government or public utilities, small scale (gross floor area 6000
- 5           sq.ft. or less per lot).
- 6           f. Places of worship.
- 7           g. Public utility structures exceeding the district structure height limit, excluding
- 8           telecommunications towers.

9           **(5) Recreation and entertainment.**

- 10          a. Golf courses, tennis centers, swimming pools and similar active outdoor
- 11          recreational facilities, including associated country clubs..
- 12          b. Parks with permanent restrooms or outdoor event lighting.

13          **(6) Agricultural and related.** Horses or other domesticated *equines* kept on site

14          only as a private residential accessory, and stables for such animals. A minimum

15          lot area of two acres and a maximum of one such animal per acre.

16          **(d) Site and building requirements.** The following site and building requirements

17          apply to uses within the HDR district:

18          **(1) Density.** A minimum 3.5 dwelling units per acre and a maximum 20 dwelling

19          units per acre.

20          **(2) Floor area ratio.** A maximum floor area ratio of 2.0 for all uses.

21          **(3) Structure height.** A maximum structure height of 120 feet above highest

22          adjacent grade. [proposed new height limit from 95 feet]

23          **(4) Lot area.** Lot area as may be prescribed by use.

24          **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of

25          20 feet at the street right-of-way, the following minimum lot widths are required:

26          a. **Single-family detached.** Forty feet at both the street right-of-way and front

27          building line for single-family detached dwellings.

28          b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front

29          building line for two-family dwellings.

30          c. **Multi-family and other.** One hundred feet at the front building line for multi-

31          family dwellings, boarding or lodging houses, and townhouse groups.

32          **(6) Lot coverage.** Minimum pervious lot coverage of 20 percent (80 percent

33          maximum semi-impervious and impervious cover) for all uses.

34          **(7) Structure setbacks.** For all principal structures, minimum setbacks are:

35          a. **Front.** In the front, 20 feet.

36          b. **Rear.** In the rear, 15 feet.

1           **c. Sides.** On each side, ten feet or ten percent of the lot width at the front  
2 building line, whichever is less, but no less than five feet. For those  
3 structures exceeding three stories, minimum side setbacks increase an  
4 additional two feet for each additional story or additional ten feet in height, but  
5 need not exceed 15 feet. For townhouse groups, ten feet at each end unit.

6           **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
7 regulations and standards.

8           **(e) Location criteria.** All non-residential uses within the HDR district shall be located to  
9 avoid nuisance, hazard and other adverse impacts to surrounding residential uses.

10          **(f) Rezoning to HDR.** High Density Residential zoning may be established only within  
11 the Mixed Use Urban future land use category. The district is suitable for urban  
12 areas with central water and sewer and developed street networks. The district is  
13 appropriate to provide transitions between areas zoned or used for medium density  
14 residential and areas zoned or used for high density mixed use or commercial.

15          **Sec. 3-2.9 High Density Mixed Use district (HDMU).** [R-5 (56%), R-6 (44%)]

16          **(a) Purpose.** The High Density Mixed Use (HDMU) district i establishes appropriate  
17 areas and land use regulations for a complimentary mix of high density residential  
18 uses and compatible non-residential uses within urban areas. The primary intent of  
19 the district is to provide for a mix of neighborhood retail sales, services and  
20 professional offices with greater dwelling unit density and diversity than the Low  
21 Density Mixed Use district. Additionally, the HDMU district is intended to rely on  
22 urban street connectivity and encourage vertical mixes of commercial and residential  
23 uses within the same building to accommodate a physical pattern of development  
24 characteristic of village main streets and older neighborhood commercial areas.  
25 Residential uses within the district include all forms of single-family, two-family and  
26 multi-family dwellings. Consistent with urban development patterns and  
27 infrastructure, they are subject to a minimum density.

28          **(b) Permitted uses.** Permitted uses within the HDMU district are limited to the  
29 following:

30          **(1) Residential.** The following residential uses are allowed throughout the district,  
31 but if within a Commercial future land use category they are permitted only if part  
32 of a predominantly commercial development. The restriction, however, does not  
33 apply to a single-family dwelling as the principal use on an existing lot of record.

34           **a.** Group living, including nursing homes, assisted living facilities, and retirement  
35 homes, but excluding dormitories, fraternity and sorority houses, and  
36 residential facilities providing substance abuse treatment, post-incarceration  
37 reentry or similar services.

38           **b.** Manufactured (mobile) homes, including manufactured home subdivisions,  
39 but excluding new or expanded manufactured home parks.

40           **c.** Single-family dwellings (other than manufactured homes), detached or  
41 attached, including townhouses and zero lot line subdivisions.

1           d. Two-family and multi-family dwellings.

2           See also “conditional uses.” in this district

3           **(2) Retail sales.** Small-scale (gross floor area 6000 sq.ft. or less per lot) retail  
4           sales, including sales of beer and wine, but excluding sales of automotive fuels,  
5           motor vehicles and liquor, and excluding permanent outdoor display or sales.  
6           See also “conditional uses.” in this district

7           **(3) Retail services.** The following small-scale (gross floor area 6000 sq.ft. or less  
8           per lot) retail services, excluding outdoor work or permanent outdoor storage:

9           a. Bed and breakfast inns.

10          b. Boarding and rooming houses.

11          c. Child care facilities.

12          d. Personal services, including beauty shops, health clubs, pet groomers, dry  
13          cleaners and tattoo parlors.

14          e. Professional services, including those provided by realtors, bankers,  
15          accountants, engineers, architects, dentists, physicians, and attorneys.

16          f. Repair services, including appliance repair, furniture refinishing and  
17          upholstery, watch and jewelry repair, small engine and motor services, but  
18          excluding major motor vehicle or boat service or repair.

19          g. Restaurants, excluding on-premises consumption of alcoholic beverages and  
20          drive-in or drive-through service.

21          See also “conditional uses.” in this district

22          **(4) Public and civic.**

23          a. Preschools and kindergartens.

24          b. Emergency service facilities, including law enforcement, fire fighting, and  
25          medical assistance.

26          c. Foster care facilities.

27          d. Places of worship.

28          e. Public utility structures not exceeding the district structure height limit,  
29          excluding telecommunications towers.

30          See also “conditional uses.” in this district

31          **(5) Recreation and entertainment.**

32          a. Marinas, private only.

33          b. Parks without permanent restrooms or outdoor event lighting.

34          See also “conditional uses.” in this district

35          **(6) Industrial and related.** No industrial or related uses.

1       **(7) Agricultural and related.** Agricultural production limited to food primarily for  
2       personal consumption by the producer, but no farm animals.

3       **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.

4       **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
5       the BOA may conditionally allow the following uses within the HDMU district:

6       **(1) Residential.**

7           a. Dormitories.

8           b. Fraternity and sorority houses.

9           c. Manufactured (mobile) home parks.

10       **(2) Retail sales.** Medium-scale (gross floor area 35,000 sq. ft. or less per lot, but  
11       greater than 6000 sq.ft.) retail sales, including sales of beer and wine and  
12       automotive fuels, but excluding sales of motor vehicles and liquor, and excluding  
13       permanent outdoor display or sales of merchandise.

14       **(3) Retail services.**

15           a. Medium-scale (gross floor area 35,000 sq. ft. or less per lot, but greater than  
16           6000 sq.ft.) retail services, excluding motor vehicle service and repair.

17           b. Restaurants with drive-in or drive-through service.

18           c. Small-scale (gross floor area 6000 sq.ft. or less per lot) major motor vehicle  
19           service and repair, excluding painting or body work and outdoor work.

20       **(4) Public and civic.**

21           a. Broadcast stations with satellite dishes and antennas, but no towers.

22           b. Cemeteries.

23           c. Clubs, civic and fraternal.

24           d. Community service facilities, including auditoriums, libraries, museums, and  
25           neighborhood centers.

26           e. Crematoriums.

27           f. Educational facilities not among the “permitted uses.”

28           g. Hospitals.

29           h. Offices for government or public utilities.

30           i. Public utility structures exceeding the district structure height limit, but  
31           excluding telecommunications towers.

32           j. Warehousing or maintenance facilities for government or public utilities.

33       **(5) Recreation and entertainment.**

34           a. Amusement arcade centers and bingo facilities.

- 1           **b.** Golf courses, tennis centers, swimming pools and similar active outdoor  
2           recreational facilities, including associated country clubs..
- 3           **c.** Parks with permanent restrooms or outdoor event lighting.
- 4           **(6) Agricultural and related.**
- 5           **a.** Horses or other domesticated equines kept on site, and stables for such  
6           animals, only as a private residential accessory with a minimum lot area of  
7           two acres and a maximum of one such animal per acre.
- 8           **b.** Veterinary clinics.
- 9           **(d) Other uses.**
- 10          **a.** Mini-warehouses with a maximum lot area of one acre outdoor storage limited  
11          to operable motor vehicles and boats, and no vehicle rental.
- 12          **b.** Structures of permitted uses exceeding the district structure height limit,  
13          excluding telecommunications towers.
- 14          **(e) Site and building requirements.** The following site and building requirements  
15          apply to uses within the HDMU district:
- 16          **(1) Density.** A minimum of 3.5 dwelling units per acre and a maximum of 25  
17          dwelling units per acre.
- 18          **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial future  
19          land use category and 2.0 within Mixed Use Urban (MU-U).
- 20          **(3) Structure height.** A maximum structure height of 150 feet above highest  
21          adjacent grade, except as may be approved as a conditional use. [proposed new  
22          height limit from 120]
- 23          **(4) Lot area.** Lot area as may be prescribed by use.
- 24          **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of  
25          20 feet at the street right-of-way, the following minimum lot widths are required:
- 26                  **a. Single-family detached.** Forty feet at both the street right-of-way and the  
27                  front building line for single-family detached dwellings.
- 28                  **b. Two-family.** Fifty feet at the street right-of-way and 80 feet at the front  
29                  building line for two-family dwellings.
- 30                  **c. Multi-family and other.** One hundred feet at the front building line for multi-  
31                  family dwellings, boarding or lodging houses, or townhouse groups. No  
32                  minimum lot width required by zoning for other uses.
- 33          **(6) Lot coverage.** Minimum pervious lot coverage of 20 percent (80 percent  
34          maximum semi-impervious and impervious cover) for all uses.
- 35          **(7) Structure setbacks.** For all principal structures, minimum setbacks are:
- 36                  **a. Front.** In the front, 20 feet.
- 37                  **b. Rear.** In the rear, 15 feet.

1           **c. Sides.** On each side, ten feet or ten percent of the lot width at the front  
2           building line, whichever is less, but no less than five feet. For those  
3           structures exceeding three stories, minimum side setbacks increase an  
4           additional two feet for each additional story or additional ten feet in height, but  
5           need not exceed 15 feet. For townhouse groups, ten feet at each end unit.

6           **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
7           regulations and standards.

8           **(f) Location criteria.** All new non-residential uses proposed within the HDMU district  
9           that are not part of a predominantly residential development or a planned unit  
10          development, or are not identified as exempt by district regulations, shall be on  
11          parcels that satisfy at least one of the following location criteria: **[7.20.04]**

12          **(1) Proximity to intersection.** Along an arterial or collector street, and within 200  
13          feet of an intersection with another arterial or collector.

14          **(2) Proximity to traffic generator.** Along an arterial or collector street and within a  
15          one-quarter mile radius of an individual traffic generator of more than 600 daily  
16          trips, such as an apartment complex, military base, college campus, hospital,  
17          shopping mall or similar generator.

18          **(3) Infill development.** Along an arterial or collector street, in an area where  
19          already established non-residential uses are otherwise consistent with the HDMU  
20          district, and where the new use would constitute infill development of similar  
21          intensity as the conforming development on surrounding parcels. Additionally,  
22          the location would promote compact development and not contribute to or  
23          promote strip commercial development.

24          **(4) Site design.** Along an arterial street and at the intersection with a local street  
25          that serves to connect the arterial street to another arterial, , and all of the  
26          following site design conditions:

27           **a.** Any intrusion into a recorded residential subdivision is limited to a corner lot

28           **b.** Access and stormwater management is shared with adjoining uses or  
29           properties to the extent practicable.

30           **c.** Adverse impacts to any adjoining residential uses are minimized by placing  
31           the more intensive elements of the use, such as solid waste dumpsters and  
32           truck loading/unloading areas, furthest from the residential uses.

33          **(5) Documented compatibility.** A compatibility analysis prepared by the  
34          compliance review applicant provides competent substantial evidence of unique  
35          circumstances regarding the parcel or use that were not anticipated by the  
36          alternative criteria, and the proposed use will be able to achieve long-term  
37          compatibility with existing and potential uses. Additionally, the following  
38          conditions exist:

39           **a.** The parcel has not been rezoned by the landowner from the mixed use,  
40           commercial, or industrial zoning assigned by the county.

1           **b.** If the parcel is within a county redevelopment district, the use will be  
2           consistent with the district’s adopted redevelopment plan, as reviewed and  
3           recommended by the Community Redevelopment Agency (CRA).

4           **(g) Rezoning to HDMU.** High Density Mixed Use zoning may be established only  
5           within the Mixed Use Urban or Commercial future land use categories. The district  
6           is suitable for areas where the intermixing of uses has been the custom, where  
7           future uses are uncertain, and some redevelopment is probable. The district is  
8           appropriate to provide transitions between areas zoned or used for medium or high  
9           density residential and areas zoned or used for commercial. Additionally, rezoning  
10          to HDMU is subject to the same location criteria as any new non-residential use  
11          proposed within the HDMU district.

12           **Sec. 3-2.10 Commercial district (Com).** [C-1 (98%), GMD (2%)]

13          **(a) Purpose.** The purpose of the Commercial (Com) district is to establish appropriate  
14          areas and land use regulations for general commercial activities, especially the  
15          retailing of commodities and services. The primary intent of the district is to allow  
16          more diverse and intense commercial uses than the neighborhood commercial  
17          allowed within the mixed use districts. To maintain compatibility with surrounding  
18          uses, all commercial operations within the Commercial district are limited to the  
19          confines of buildings and not allowed to produce undesirable effects on surrounding  
20          property. To retain adequate area for commercial activities, new and expanded  
21          residential development within the district is limited, consistent with the Commercial  
22          future land use category.

23          **(b) Permitted uses.** Permitted uses within the Commercial district are limited to the  
24          following:

25           **(1) Residential.** The following residential uses are allowed throughout the district,  
26           but if within a Commercial future land use category they are permitted only if part  
27           of a predominantly commercial development. The restriction, however, does not  
28           apply to a single-family dwelling as the principal use on an existing lot of record:

29           **a.** Group living, including nursing homes, assisted living facilities, and retirement  
30           homes, but excluding dormitories, fraternity or sorority houses, or residential  
31           facilities providing substance abuse treatment, post-incarceration reentry, or  
32           similar services.

33           **b.** Manufactured (mobile) homes, and including new or expanded manufactured  
34           home parks or subdivisions.

35           **c.** Single-family dwellings (other than manufactured homes), detached or  
36           attached, including townhouses and zero lot line subdivisions.

37           **d.** Two-family and multi-family dwellings.

38           See also “conditional uses.” in this district

39           **(2) Retail sales.** Retail sales, including sales of alcoholic beverages and automotive  
40           fuels, but excluding motor vehicle sales and permanent outdoor storage. See  
41           also “conditional uses.” in this district

1 **(3) Retail services.** The following retail services, excluding permanent outdoor  
2 storage:

- 3 a. Car washes, automatic or manual, full service or self-serve.
- 4 b. Child care facilities.
- 5 c. Hotels, motels and all other public lodging, including boarding and rooming  
6 houses.
- 7 d. Personal services, including beauty shops, health clubs, pet groomers, dry  
8 cleaners and tattoo parlors.
- 9 e. Professional services, including those provided by realtors, bankers,  
10 accountants, engineers, architects, dentists, physicians, and attorneys.
- 11 f. Repair services, including appliance repair, furniture refinishing and  
12 upholstery, watch and jewelry repair, small engine and motor services, but  
13 excluding major motor vehicle or boat service or repair, and outdoor work.
- 14 g. Restaurants, including on-premises consumption of alcoholic beverages and  
15 drive-in and drive-through service. However, the parcel boundary of any  
16 restaurant with drive-in or drive-through service shall be at least 200 from any  
17 LDR or MDR zoning district unless separated by a 60-foot or wider street  
18 right-of-way.

19 See also “conditional uses.” in this district

20 **(4) Public and civic.**

- 21 a. Community service facilities, including auditoriums, libraries, museums, and  
22 neighborhood centers.
- 23 b. Educational facilities, including preschools, K-12, colleges, and vocational  
24 schools.
- 25 c. Emergency service facilities, including law enforcement, fire fighting, and  
26 medical assistance.
- 27 d. Foster care facilities.
- 28 e. Funeral homes.
- 29 f. Hospitals.
- 30 g. Offices for government or public utilities.
- 31 h. Places of worship.
- 32 i. Public utility structures not exceeding the district structure height limit,  
33 including telecommunications towers, but excluding any industrial uses.
- 34 j. Warehousing or maintenance facilities for government or for public utilities.

35 See also “conditional uses.” in this district

36 **(5) Recreation and entertainment.**

- 37 a. Campgrounds and recreational vehicle parks on lots five acres or larger.



1           **b.** Indoor recreation or entertainment facilities, including movie theaters, bowling  
2           alleys, skating rinks, arcade amusement centers, bingo facilities and shooting  
3           ranges, but excluding bars, nightclubs or adult entertainment facilities.

4           **c.** Marinas, private and commercial.

5           **d.** Parks without permanent restrooms or outdoor event lighting.

6           See also “conditional uses.” in this district

7           **(6) Industrial and related.**

8           **a.** Printing, binding, lithography and publishing.

9           **b.** Wholesale warehousing with gross floor area no greater than 10,000 sq.ft. per  
10           lot.

11           See also “conditional uses.” in this district

12           **(7) Agricultural and related.**

13           **a.** Agricultural food production primarily for personal consumption by the  
14           producer, but no farm animals.

15           **b.** Nurseries and garden centers, including adjoining outdoor storage or display  
16           of plants.

17           **c.** Veterinary clinics.

18           See also “conditional uses.” in this district

19           **(8) Other uses.**

20           **a.** Billboard sign structures. See Chapter 5.

21           **b.** Borrow pit reclamation, only with site-specific BCC approval.

22           **c.** Mini-warehouses, excluding vehicle rental.

23           **d.** Outdoor storage if minor and customarily incidental to the permitted or  
24           approved conditional uses of the district, and if in the rear yard, covered and  
25           screened from off-site view, unless otherwise noted. See Article 4.

26           **e.** Parking garages and lots, commercial.

27           **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
28           the BOA may conditionally allow the following uses within the Commercial district:

29           **(1) Residential.**

30           **a.** Group living not among the “permitted uses.”

31           **b.** Home occupations with non-resident employees.

32           **(2) Retail sales.**

33           **a.** Boat sales, new and used.

34           **b.** Automobile sales, used only, excluding parcels fronting on any of the  
35           following “gateway” streets: Sorrento Road/Gulf Beach Highway/Barrancas

1 Avenue (SR 292); Blue Angel Parkway (SR 173); Pine Forest Road, south  
2 from Interstate 10 to SR 173; Navy Boulevard (SR 295 and US 98); and  
3 Scenic Highway (SR 10A and US 90). Additionally, the parcel shall be no  
4 larger than one acre and provided with a permanent fence, wall or other  
5 structural barrier of sufficient height and mass along all road frontage to  
6 prevent encroachment into the right-of way other than through approved site  
7 access.

- 8 c. Automobile rental limited to the same restrictions as used automobile sales.
- 9 d. Truck, utility trailer, and recreational vehicle sales, rental or service limited to  
10 the same restrictions as used automobile sales.

11 **(3) Retail services.**

- 12 a. Restaurants not among the “permitted uses.”
- 13 b. Service and repair of motor vehicles, only if small scale (gross floor area  
14 6000 sq.ft.or less per lot), but no painting or body work and no outdoor work  
15 or storage.

16 **(4) Public and civic.**

- 17 a. Broadcast stations with satellite dishes and antennas, but no towers.
- 18 b. Cemeteries.
- 19 c. Clubs, civic and fraternal.
- 20 d. Crematoriums

21 **(5) Recreation and entertainment.**

- 22 a. Bars and nightclubs.
- 23 b. Golf courses, tennis centers, swimming pools and similar active outdoor  
24 recreational facilities, including associated country clubs..
- 25 c. Parks with permanent restrooms or outdoor event lighting.

26 **(6) Industrial and related.** Borrow pits, new or expanded, only with site-specific  
27 BCC approval.

28 **(7) Agricultural and related.** Horses or other domesticated equines kept on site,  
29 and stables for such animals, only as a private residential accessory with a  
30 minimum lot area of two acres and a maximum of one such animal per acre.

31  
32 **(8) Other uses.**

- 33 a. Buildings and other structures of permitted uses proposing to exceed the  
34 district structure height limit.
- 35 b. Mini-warehouses, with vehicle rental as an accessory use.
- 36 c. Outdoor sales not among the “permitted uses.” [what limitations?]

1 d. Outdoor storage not among the permitted uses, including outdoor storage of  
2 trailed boats and operable recreational vehicles, but no repair, overhaul or  
3 salvage activities. All such storage shall be screened from residential uses  
4 and maintained to avoid nuisance conditions.

5 **(d) Site and building requirements.** The following site and building requirements apply  
6 to uses within the Commercial district:

7 **(1) Density.** A minimum of 3.5 dwelling units per acre within the Mixed Use Urban  
8 (MU-U) future land use category and a maximum of 25 dwelling units per acre  
9 throughout the district. No maximum lodging unit density imposed by zoning.

10 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial future  
11 land use category and 2.0 within Mixed Use Urban (MU-U).

12 **(3) Structure height.** A maximum structure height of 150 feet above adjacent  
13 grade, except as may be approved as a conditional use. [proposed new height  
14 limit from 120]

15 **(4) Lot area.** Lot area as may be prescribed by use.

16 **(5) Lot width.** Except for cul-de-sac lots which shall provide a minimum lot width of  
17 20 feet at the street right-of-way, the following minimum lot widths are required:

18 a. **Single-family detached.** Forty feet at both the street right-of-way and the  
19 front building line for single-family detached dwellings.

20 b. **Two-family.** Fifty feet at the street right-of-way and 80 feet at the front  
21 building line for two-family dwellings.

22 c. **Multi-family and other.** One hundred feet at the front building line for multi-  
23 family dwellings, boarding or lodging houses, or townhouse groups. No  
24 minimum lot width required by zoning for other uses.

25 **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent  
26 maximum semi-impervious and impervious cover) for all uses.

27 **(7) Structure setback.** For all principal structures, minimum setbacks are:

28 a. **Front and rear.** In both front and rear, 15 feet.

29 b. **Sides.** For each side, ten feet, increasing an additional two feet for each  
30 additional ten feet in height above the first 35 feet of the structure as  
31 measured from highest adjacent grade. For ten feet for end units of  
32 townhouse groups

33 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
34 regulations and standards.

35 **(e) Location criteria.** All new non-residential uses proposed within the Commercial  
36 district that are not part of a planned unit development or not identified as exempt by  
37 the district shall be on parcels that satisfy at least one of the following location  
38 criteria: [7.20.05]

- 1       **(1) Proximity to intersection.** Along an arterial or collector street, and within one-  
2       quarter mile of its intersection with an arterial street.
- 3       **(2) Proximity to traffic generator.** Along an arterial or collector street and within a  
4       one-quarter mile radius of an individual traffic generator of more than 600 daily  
5       trips, such as an apartment complex, military base, college campus, hospital,  
6       shopping mall or similar generator.
- 7       **(3) Infill development.** Along an arterial or collector street, in an area where  
8       already established non-residential uses are otherwise consistent with the  
9       Commercial district, and where the new use would constitute infill development of  
10      similar intensity as the conforming development on surrounding parcels.  
11      Additionally, the location would promote compact development and not contribute  
12      to or promote strip commercial development.
- 13      **(4) Site design.** Along an arterial or collector street, no more than one-half mile  
14      from its intersection with an arterial or collector street, not abutting a single-family  
15      residential zoning district (RR, LDR or MDR), and all of the following site design  
16      conditions:
- 17      a. Any intrusion into a recorded subdivision is limited to a corner lot.
- 18      b. A system of service roads or shared access is provided to the maximum  
19      extent made feasible by lot area, shape, ownership patterns, and site and  
20      street characteristics.
- 21      c. Adverse impacts to any adjoining residential uses are minimized by placing  
22      the more intensive elements of the use, such as solid waste dumpsters and  
23      truck loading/unloading areas, furthest from the residential uses.
- 24      a. **Documented compatibility.** A compatibility analysis prepared by the  
25      compliance review applicant provides competent substantial evidence of unique  
26      circumstances regarding the potential uses of parcel that were not anticipated by  
27      the alternative criteria, and the proposed use, or rezoning as applicable, will be  
28      able to achieve long-term compatibility with existing and potential uses.  
29      Additionally, the following conditions exist:
- 30      a. The parcel has not been rezoned by the landowner from the mixed use,  
31      commercial, or industrial zoning assigned by the county.
- 32      b. If the parcel is within a county redevelopment district, the use will be  
33      consistent with the district's adopted redevelopment plan, as reviewed and  
34      recommended by the Community Redevelopment Agency (CRA).
- 35      **(f) Rezoning to Commercial.** Commercial zoning may be established only within the  
36      Mixed Use Urban or Commercial future land use categories. The district is  
37      appropriate to provide transitions between areas zoned or used as high density  
38      mixed use and areas zoned or used as heavy commercial or industrial. Rezoning to  
39      Commercial is subject to the same location criteria as any new non-residential use  
40      proposed within the Commercial district.

1 **Sec. 3-2.11 Heavy Commercial and Light Industrial district (HC/LI).** [C-2 (55%), ID-  
2 CP (7%), ID-1 (28%), GBD (7%), GID (3%)]

3 **(a) Purpose.** The purpose of the Heavy Commercial and Light Industrial (HC/LI) district  
4 is to establish appropriate areas and land use regulations for a complementary mix  
5 of industrial uses with a broad range of commercial activities. The primary intent of  
6 the district is to allow light manufacturing, large-scale wholesale and retail uses,  
7 major services, and other more intense uses than allowed in the Commercial district.  
8 The variety and intensity of non-residential uses within the HC/LI district is limited by  
9 their compatibility with surrounding uses. All commercial and industrial operations  
10 are limited to the confines of buildings and not allowed to produce undesirable  
11 effects on other property. To retain adequate area for commercial and industrial  
12 activities, other uses within the district are limited.

13 **(b) Permitted uses.** Permitted uses within the HC/LI district are limited to the following:

14 **(1) Residential.** All residential use are allowed, including manufactured (mobile)  
15 home subdivisions and parks, but only outside of the Industrial future land use  
16 category and only if part of a predominantly commercial development. These  
17 restrictions, however, do not apply to a single-family dwelling as the principal use  
18 on an existing lot of record. See also “conditional uses.” in this district

19 **(2) Retail sales.** Retail sales, including sales of alcoholic beverages, sales of  
20 automotive fuels, and sales of new and used automobiles, motorcycles, boats,  
21 and mobile homes.

22 **(3) Retail services.**

23 a. Car washes, automatic or manual, full service or self-serve.

24 b. Child care facilities.

25 c. Hotels, motels and all other public lodging, including boarding and rooming  
26 houses.

27 d. Personal services, including beauty shops, health clubs, pet groomers, dry  
28 cleaners and tattoo parlors.

29 e. Professional services, including those provided by realtors, bankers,  
30 accountants, engineers, architects, dentists, physicians, and attorneys.

31 f. Rental of automobiles, trucks, utility trailers and recreational vehicles.

32 g. Repair services, including appliance repair, furniture refinishing and  
33 upholstery, watch and jewelry repair, small engine and motor services, and  
34 major motor vehicle and boat service and repair, but excluding outdoor work  
35 or storage.

36 h. Restaurants, including on-premises consumption of alcoholic beverages and  
37 drive-in and drive-through service. However, the parcel boundary of any  
38 restaurant with drive-in or drive-through service shall be at least 200 from any  
39 LDR or MDR zoning district unless separated by a 60-foot or wider street  
40 right-of-way.

1 i. Taxi and limousine services.

2 See also “conditional uses.” in this district

3 **(4) Public and civic.**

4 a. Broadcast stations with satellite dishes and antennas, including towers up to  
5 the district structure height limit.

6 b. Community service facilities, including auditoriums, libraries, museums, and  
7 neighborhood centers.

8 c. Educational facilities, including preschools, K-12, colleges, and vocational  
9 schools.

10 d. Emergency service facilities, including law enforcement, fire fighting, and  
11 medical assistance.

12 e. Funeral homes.

13 f. Hospitals.

14 g. Places of worship.

15 h. Public utility structures not exceeding the district structure height limit,  
16 including telecommunications towers, but no industrial uses not otherwise  
17 permitted.

18 See also “conditional uses.” in this district

19 **(5) Recreation and entertainment.**

20 a. Commercial entertainment facilities, indoor or outdoor, including movie  
21 theatres, amusement parks, and stadiums, but excluding off-highway motor  
22 vehicle uses. Carnival-type amusements shall be no less than 500 feet from  
23 any residential district. Additionally, bars, nightclubs and adult entertainment  
24 are prohibited in areas with the zoning designation HC/LI-NA or areas  
25 formerly within the ID-CP or ID-1 prior to adoption of HC/LI zoning. See also  
26 supplemental use regulations in Chapter 4.

27 b. Commercial recreation facilities, passive or active, including those for walking,  
28 hiking, bicycling, camping, recreational vehicles, swimming, skateboarding,  
29 bowling, court games, field sports, and golf, but excluding outdoor shooting  
30 ranges. A minimum lot area of five acres for campgrounds or recreational  
31 vehicle parks.

32 c. Marinas, private and commercial.

33 d. Parks, with or without permanent restrooms or outdoor event lighting.

34 See also “conditional uses.” in this district

35 **(6) Industrial and related.**

36 a. Borrow pits, new or expanded, only with site-specific BCC approval.

1           **b.** Light industrial uses, including research and development, printing and  
2 binding, distribution and wholesale warehousing, and manufacturing, all  
3 completely within the confines of buildings and without adverse off-site  
4 impacts.

5           **c.** Marinas, industrial.

6           See also “conditional uses.” in this district

7           **(7) Agricultural and related.**

8           **1.** Food produced primarily for personal consumption by the producer, but no  
9 farm animals.

10           **2.** Nurseries and garden centers, including adjoining outdoor storage or display  
11 of plants.

12           **3.** Veterinary clinics, but no outside kennels.

13           See also “conditional uses.” in this district

14           **(8) Other uses.**

15           **a.** Billboards sign structures. See Chapter 5.

16           **b.** Borrow pit reclamation, only with site-specific BCC approval.

17           **c.** Building or construction trades shops and warehouses, including on-site  
18 outside storage.

19           **d.** Bus leasing and rental facilities.

20           **e.** Deposit boxes for donation of used items when placed as an accessory  
21 structure on the site of a charitable organization.

22           **f.** Mini-warehouses, including vehicle rental as an accessory use.

23           **g.** Outdoor adjacent display of plants by garden shops and nurseries.

24           **h.** Outdoor sales. [any limitations?]

25           **i.** Outdoor storage of trailered boats and operable recreational vehicles, but no  
26 repair, overhaul or salvage activities.

27           **j.** Parking garages and commercial parking lots.

28           **k.** Sales and outdoor display of prefabricated storage sheds.

29           **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
30 the BOA may conditionally allow the following uses within the HC/LI district:

31           **(1) Residential.** Caretaker residences for permitted non-residential uses.

32           **(2) Retail services.** Restaurants not among the “permitted uses.” [added for  
33 consistency with C-1]

34           **(3) Public and civic.** Correctional facilities.

35           **(4) Recreation and entertainment.**

- 1           a. Off-highway motor vehicle commercial entertainment and recreation.
- 2           b. Shooting ranges, outdoor.
- 3           **(5) Industrial and related.**
- 4           a. Asphalt and concrete batch plants if within the Industrial future land use
- 5           category and within areas zoned GID prior to adoption of HC/LI zoning.
- 6           b. Salvage yards, including the handling of metals, paper, tires, bottles and
- 7           cans, motor vehicles, and appliances.
- 8           c. Solid waste collection points and transfer facilities, but no hazardous waste
- 9           storage.
- 10          **(6) Agricultural and related.** Kennels or animal shelters not interior to veterinary
- 11          clinics.
- 12          **(7) Other uses.**
- 13          a. Buildings and other structures of permitted uses proposing to exceed the
- 14          district structure height limit.
- 15          b. Heliports.
- 16          **(d) Site and building requirements.** The following site and building requirements apply
- 17          to uses within the HC/LI district:
- 18          **(1) Density.** No dwelling unit density established by zoning, but each lot of record
- 19          vested for a single-family dwelling as the principal use. No maximum lodging unit
- 20          density imposed by zoning.
- 21          **(2) Floor area ratio.** A maximum floor area ratio of 1.0 within the Commercial (C)
- 22          and Industrial (Industrial) future land use categories and 2.0 within Mixed Use
- 23          Urban (MU-U).
- 24          **(3) Structure height.** A maximum structure height of 150 feet above highest
- 25          adjacent grade, except as may be approved as a conditional use. [proposed new
- 26          height limit from 120]
- 27          **(4) Lot area.** Lot area as may be prescribed by use.
- 28          **(5) Lot width.** No minimum lot width required by zoning.
- 29          **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent
- 30          maximum semi-impervious and impervious cover) for all uses. A maximum of 75
- 31          percent of lot area occupied by principal and accessory buildings on lots of non-
- 32          residential uses.
- 33          **(7) Structure setbacks.** For all principal structures, minimum setbacks are:
- 34          a. **Front and rear.** In both front and rear, 15 feet.
- 35          b. **Sides.** For each side, ten feet, increasing an additional two feet for each
- 36          additional ten feet in height above the first 35 feet of the structure as
- 37          measured from highest adjacent grade.



1 **(8) Other requirements.**

2 a. **Access.** For any industrial use south of Well Line Road, site access shall be  
3 provided by curb cuts on an arterial or collector street. Alternatively, a private  
4 or public street may link the site to an arterial or collector, provided that the  
5 private or public street does not traverse a residential subdivision or  
6 predominantly residential neighborhood between the site and the arterial or  
7 collector street. [6.05.18.F]

8 b. **Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
9 regulations and standards.

10 **(e) Location criteria.** All new non-residential uses proposed within the HC/LI district  
11 that are not part of a planned unit development or not identified as exempt by district  
12 regulations shall be on parcels that satisfy at least one of the following location  
13 criteria: [7.20.06]

14 **(1) Proximity to intersection.** Along an arterial street, and within one-quarter mile  
15 of its intersection with an arterial street.

16 **(2) Site design.** Along an arterial street, no more than one-half mile from its  
17 intersection with an arterial street, and all of the following site design conditions:

18 a. Not abutting a RR, LDR or MDR zoning district

19 b. Any intrusion into a recorded residential subdivision is limited to a corner lot

20 c. A system of service roads or shared access is provided to the maximum  
21 extent feasible given the lot area, lot shape, ownership patterns, and site and  
22 street characteristics.

23 d. Adverse impacts to any adjoining residential uses are minimized by placing  
24 the more intensive elements of the use, such as solid waste dumpsters and  
25 truck loading/unloading areas, furthest from the residential uses.

26 e. Location in an area where already established non-residential uses are  
27 otherwise consistent with the HC/LI, and where the new use would constitute  
28 infill development of similar intensity as the conforming development on  
29 surrounding parcels. Additionally, the location would promote compact  
30 development and not contribute to or promote strip commercial development.

31 **(3) Documented compatibility.** A compatibility analysis prepared by the  
32 compliance review applicant provides competent substantial evidence of unique  
33 circumstances regarding the parcel or use that were not anticipated by the  
34 alternative criteria, and the proposed use will be able to achieve long-term  
35 compatibility with existing and potential uses. Additionally, the following  
36 conditions exist:

37 a. The parcel has not been rezoned by the landowner from the mixed use,  
38 commercial, or industrial zoning assigned by the county.

1           **b.** If the parcel is within a county redevelopment district, the use will be  
2           consistent with the district’s adopted redevelopment plan, as reviewed and  
3           recommended by the Community Redevelopment Agency (CRA).

4   **(f) Rezoning to HC/LI.**

5           **(1) General.** Heavy Commercial and Light Industrial zoning may be established only  
6           within the Mixed Use Urban, Commercial, or Industrial future land use categories.  
7           The district is appropriate to provide transitions between areas zoned or used for  
8           commercial and areas zoned or used for industrial. Rezoning to HC/LI shall  
9           consider the ability of the site to receive bulk deliveries by truck in locations  
10          served by major transportation networks and the need to avoid undesirable  
11          effects on nearby property and residential uses. Additionally, rezoning to HC/LI  
12          is subject to the same location criteria as any new non-residential use proposed  
13          within the HC/LI district.

14          **(2) HC/LI-NA designation.** Any applicant for rezoning to the HC/LI zoning district  
15          may request a HC/LI-NA designation prohibiting the subsequent establishment of  
16          any bars, nightclubs, or adult entertainment uses on the rezoned property. The  
17          request shall be in the form of a notarized affidavit that acknowledges this use  
18          restriction and affirms that it is a voluntary request. Once approved in  
19          conformance with the rezoning provisions of Chapter 2, the HC/LI-NA zoning  
20          designation and its prohibitions shall apply to the property, regardless of  
21          ownership, unless and until the parcel is rezoned.

22   **Sec. 3-2.12 Industrial district (Ind). [ID-2 (100%)]**

23   **(a) Purpose.** The Industrial (Ind) district establishes appropriate areas and land use  
24    regulations for a broad range of industrial uses. The primary intent of the district is  
25    to accommodate general assembly, outdoor storage, warehousing and distribution,  
26    major repair and services, manufacturing, salvage and other such uses and activities  
27    that contribute to a diverse economic base but cannot satisfy the compatibility  
28    requirements and higher performance standards of other districts. The Industrial  
29    district is also intended to provide appropriate locations and standards that minimize  
30    dangers to populations and the environment from heavy industrial activities, and to  
31    preserve industrial lands for the continuation and expansion of industrial production.  
32    To ensure the preservation of adequate areas for industrial activities, other uses  
33    within the district are limited. With few exceptions, new or expanded residential  
34    development is prohibited.

35   **(b) Permitted uses.** Permitted uses within the Industrial district are limited to the  
36    following:

37          **(1) Residential.** No new residential uses, including accessory dwelling units, except  
38          a single-family dwelling (including manufactured homes) allowed as the principal  
39          use on any lot of record and caretaker residences for permitted non-residential  
40          uses.

41          **(2) Retail sales.** No retail sales except as permitted “industrial and related” uses.

- 1       **(3) Retail services.** No retail services except as permitted “industrial and related”  
2       uses.
- 3       **(4) Public and civic.**
- 4       a. Emergency service facilities, including law enforcement, fire fighting, and  
5       medical assistance.
- 6       b. Public utility structures not exceeding the district structure height limit,  
7       including telecommunications towers.
- 8       **(5) Recreation and entertainment.** No recreation or entertainment uses.
- 9       **(6) Industrial and related.**
- 10      a. Bulk storage.
- 11      b. Industrial uses, light and heavy, including research and development, printing  
12      and binding, distribution and wholesale warehousing, processing of raw  
13      materials, manufacturing of finished and semi-finished products, salvage  
14      yards, solid waste transfer facilities, landfills, concrete and asphalt batch  
15      plants, power plants, and mineral extraction, but new or expanded borrow pits  
16      only with site-specific BCC approval.
- 17      c. Solid waste collection points.
- 18      **(7) Agricultural and related.** No agricultural or related uses except as permitted  
19      “industrial and related” uses.
- 20      **(8) Other uses.** Borrow pit reclamation, only with site-specific BCC approval.
- 21      **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
22      the BOA may conditionally allow a permitted use of the Industrial district to exceed  
23      the district structure height limit.
- 24      **(d) Site and building requirements.** The following site and building requirements apply  
25      to uses within the Industrial district:
- 26      **(1) Density.** No dwelling unit or lodging unit density established by zoning, but each  
27      lot of record vested for a single-family dwelling as the principal use.
- 28      **(2) Floor area ratio.** A maximum floor area ratio of 1.0 for all uses.
- 29      **(3) Structure height.** A maximum structure height of 150 feet above highest  
30      adjacent grade, except as may be approved as a conditional use.
- 31      **(4) Lot area.** Lot area as may be prescribed by use.
- 32      **(5) Lot width.** A minimum lot width of 100 feet at the street right-of-way.
- 33      **(6) Lot coverage.** Minimum pervious lot coverage of 15 percent (85 percent  
34      maximum semi-impervious and impervious cover) for all uses. A maximum of 75  
35      percent of lot area occupied by principal and accessory buildings.
- 36      **(7) Structure setbacks.** For all principal structures, minimum setbacks of 25 feet in  
37      both front and rear, and 15 feet on the sides.

1 **(8) Other requirements.**

2 **a. Access.** For any industrial use south of Well Line Road, site access shall be  
3 provided by curb cuts on an arterial or collector street. Alternatively, a private  
4 or public street may link the site to an arterial or collector, provided that the  
5 private or public street does not traverse a residential subdivision or  
6 predominantly residential neighborhood between the site and the arterial or  
7 collector street. [6.05.19.G]

8 **b. Chapters 4 and 5.** Refer to chapters 4 and 5 for additional development  
9 regulations and standards.

10 **(e) Location criteria.** All new industrial uses proposed within the Industrial district that  
11 are not part of a planned unit development shall be on parcels that satisfy all of the  
12 following location criteria: [7.20.07]

13 **(a)** Located so that the negative impacts of the uses on the functions of natural  
14 systems are avoided if possible, and minimized when unavoidable.

15 **(b)** Accessible to essential public facilities and services at the levels of service  
16 adopted in the Comprehensive Plan.

17 **(c)** Located on parcels of land large enough to adequately support the type of  
18 industrial development proposed and minimize any adverse impacts upon  
19 surrounding properties through effective buffering so that the proposed use is  
20 compatible with surrounding uses. [6.05.19.D.2]

21 **(f) Rezoning to Ind.** Industrial zoning may be established only within the Industrial (I)  
22 future land use category. The district shall be located where conflicts with other  
23 uses can be minimized through orderly zoning transitions and effective buffering,  
24 and where sufficient access to transportation and other public facilities is available.  
25 Additionally, rezoning to Industrial is subject to the same location criteria as any new  
26 industrial use proposed within the Industrial district.

27 **Sec. 3-2.13 Recreation district (Rec).** [S-1 (100%)]

28 **(a) Purpose.** The Recreation (Rec) district establishes appropriate areas and land use  
29 regulations for outdoor recreational uses and open space. The primary intent of the  
30 district is to preserve and maintain parcels of land necessary or used for a system of  
31 public and private parks providing both active and passive recreational activities and  
32 amenities. Indoor recreation facilities are allowed within the Recreational district if  
33 customarily incidental to the principal outdoor uses. Non-recreational uses are  
34 severely limited to ensure the preservation of district lands and provision of  
35 adequate areas for public recreation. With few exceptions, new or expanded  
36 residential development is prohibited.

37 **(b) Permitted uses.** Permitted uses within the Recreation district are limited to the  
38 following:

39 **(1) Residential.** No new residential uses, including accessory dwelling units, except  
40 a single-family dwelling (including manufactured homes) allowed as the principal

1 use on any lot of record and caretaker residences for permitted non-residential  
2 uses. excluding home-based businesses

3 **(2) Retail sales.** Retail sales customarily incidental to permitted recreational uses.

4 **(3) Retail services.** Retail services customarily incidental to permitted recreational  
5 uses.

6 **(4) Public and civic.**

7 a. Bird and wildlife sanctuaries.

8 b. Parks and greenbelt areas.

9 c. Public utility structures, including telecommunication towers.

10 See also “conditional uses.” in this district

11 **(5) Recreation and entertainment.**

12 a. Recreation facilities, outdoor, passive or active.

13 b. Marinas, commercial only.

14 c. Parks, with or without permanent restrooms or outdoor event lighting.

15 See also “conditional uses.” in this district

16 **(6) Industrial and related.** No industrial or related uses.

17 **(7) Agricultural and related.** No agricultural or related uses.

18 **(8) Other uses.** Borrow pit reclamation only with site-specific BCC approval.

19 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
20 the BOA may conditionally allow the following uses within the Recreation district:

21 **(2) Public and civic.** Emergency service facilities, including law enforcement, fire  
22 fighting, and medical assistance.

23 **(3) Recreation and entertainment.** Outdoor shooting ranges.

24 **(d) Site and building requirements.** The following site and building requirements apply  
25 to uses within the Recreation district:

26 **(1) Density.** No dwelling unit or lodging unit density established by zoning, but each  
27 lot of record vested for a single-family dwelling as the principal use.

28 **(2) Floor area ratio.** A maximum floor area ratio of 1.0 for all uses.

29 **(3) Structure height.** No maximum structure height imposed by zoning.

30 **(4) Lot area.** Lot area as may be prescribed by use.

31 **(5) Lot width.** No minimum lot width is required by zoning.

32 **(6) Lot coverage.** Minimum pervious lot coverage of 80 percent (20 percent  
33 maximum semi-impervious and impervious cover) for all uses.

34 **(7) Structure setbacks.** No minimum setbacks required by zoning.

1       **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
2       regulations and standards.

3       **(e) Location criteria.** No location criteria are established by the Recreation district.

4       **(f) Rezoning to Recreation.** Recreation zoning may be established within all future  
5       land use categories except Industrial and Conservation.

6       **Sec. 3-2.14 Conservation district (Con).** [SDD public or conservation land (100%)]

7       **(a) Purpose.** The Conservation (Con) district establishes appropriate areas and land  
8       use regulations for the conservation of important natural resources. The primary  
9       intent of the district is to conserve wetlands, marshes, watersheds, coastal dunes,  
10      wildlife habitats and other environmentally sensitive lands, but allow for passive  
11      recreational opportunities and amenities consistent with the Conservation future land  
12      use category. Non-conservation uses are severely limited to ensure the  
13      conservation of district resources and provision of appropriate areas for public  
14      recreation. Non-residential uses within the Conservation district are limited to  
15      activities that will have minimal impacts and where the educational benefits of the  
16      uses are determined to outweigh those impacts. With few exceptions, new or  
17      expanded residential development is prohibited.

18      **(b) Permitted uses.** Permitted uses within the Conservation district are limited to the  
19      following:

20      **(1) Residential.** No new residential uses, including accessory dwelling units, except  
21      a single-family dwelling (including manufactured homes) allowed as the principal  
22      use on any lot of record and caretaker residences for permitted non-residential  
23      uses.

24      **(2) Retail sales.** No retail sales.

25      **(3) Retail services.** No retail services.

26      **(4) Public and civic.**

27          a. Bird and wildlife sanctuaries.

28          b. Educational use of natural amenities for public benefit.

29          c. Parks and trails for passive recreation only.

30          d. Preservation and conservation lands.

31      See also “conditional uses.” in this district

32      **(5) Recreation and entertainment.** Only passive recreation and entertainment  
33      uses.

34      **(6) Industrial and related.** No industrial or related uses.

35      **(7) Agricultural and related.** See “conditional uses.”

36      **(8) Other uses.** Borrow pit reclamation with site-specific BCC approval.

- 1 **(c) Conditional uses.** Through the conditional use process prescribed in Chapter 2,  
2 the BOA may conditionally allow the following uses within the Conservation district:
- 3 **(1) Public and civic.** Public utility structures, including telecommunication towers.
- 4 **(2) Agricultural and related.** The keeping of horses or other domesticated *equines*  
5 on site, and stables for such animals, only for public riding. See “lot size.”
- 6 **(d) Site and building requirements.** The following site and building requirements  
7 apply to uses within the Conservation district:
- 8 **(1) Density.** No dwelling unit or lodging unit density established by zoning, but each  
9 lot of record vested for a single-family dwelling as the principal use.
- 10 **(2) Floor area ratio.** A maximum floor area ratio of 0.5 for all uses.
- 11 **(3) Structure height.** No maximum structure height imposed by zoning.
- 12 **(4) Lot area.** Lot area as may be prescribed by use.
- 13 **(5) Lot width.** No minimum lot width is required by zoning.
- 14 **(6) Lot coverage.** Minimum pervious lot coverage of 80 percent (20 percent  
15 maximum semi-impervious and impervious cover) for all uses.
- 16 **(7) Structure setbacks.** No minimum setbacks required by zoning.
- 17 **(8) Other requirements.** Refer to chapters 4 and 5 for additional development  
18 regulations and standards.
- 19 **(e) Location criteria.** No location criteria established by the Conservation district.
- 20 **(f) Rezoning to Conservation.** Conservation zoning may be established within all  
21 future land use categories. The district is suitable for all lands that have natural  
22 limitations to development due to sensitive environmental character, both publically  
23 owned conservation lands and private lands subject to similarly restrictive  
24 conservation easements.

1 **Article 3 Overlay districts.**

2 **Sec. 3-3.1 Purpose of article.**

3 The purpose of this article is to establish overlay zoning districts that apply to areas of  
4 the county for which specific aesthetic, historic preservation, resource protection,  
5 redevelopment or other public concerns have been formally identified by the BCC.  
6 Overlays establish supplemental requirements to address issues not sufficiently  
7 addressed by underlying zoning. The allowable uses, site and building requirements,  
8 and other conditions of the underlying zoning may be modified by the provisions of the  
9 overlay districts to achieve the stated purposes of the overlays. However, unless  
10 modified by an overlay, all provisions of the underlying zoning apply.

11 **Sec. 3-3.2 Community redevelopment.**

12 **(d) General.** The BCC has designated community redevelopment areas and adopted  
13 area plans to reduce identified slum and blighted conditions within certain areas of  
14 the county. The redevelopment plans provide guidance to enhance quality of life,  
15 encourage private sector reinvestment, and promote sound economic development  
16 principles. Additionally, they provide recommendations for capital improvement  
17 projects and other public sector enhancement opportunities. Redevelopment  
18 overlay zoning districts are established in this section to support these plans through  
19 land use regulations.

20 **(e) Community Redevelopment Agency (CRA).** As part of the redevelopment  
21 strategy for the designated redevelopment areas, the BCC created the Community  
22 Redevelopment Agency (CRA) and authorized the use of tax increment financing  
23 (TIF) as a tool for redevelopment. Within the LDC compliance review processes the  
24 CRA determines compliance with the redevelopment overlay district regulations,  
25 particularly regarding land use and site and building requirements.

26 In evaluating compliance, the CRA recognizes that there may be circumstances  
27 requiring a departure from some overlay requirements, and may grant them  
28 accordingly. Although financial hardship alone is not a basis to grant an exception,  
29 the CRA may consider the following when requested to grant exceptions to overlay  
30 zoning district requirements:

- 31 **(1)** Individual and public safety.
- 32 **(2)** Unique site conditions or building characteristics.
- 33 **(3)** Adverse effects of standards on the use of the property.
- 34 **(4)** Public benefit.

35 **(f) Crime prevention through design.** When designing any element within a  
36 redevelopment overlay district, including site layout, buildings, streets, signs,  
37 landscaping and parking, Crime Prevention Through Environmental Design  
38 (CPTED) principles shall be used. The following CPTED guidelines shall be  
39 evaluated by the CRA for designs within the district:



1 (1) **Territorial reinforcement.** All building entrances, parking areas, pathways and  
2 other elements should incorporate appropriate features that create or extend a  
3 "sphere of influence," express ownership, and clearly distinguish private areas  
4 from public ones.

5 (2) **Natural surveillance.** The site layout, building and landscape design should  
6 promote the ability to "see and be seen." Physical features and activities should  
7 be oriented and designed in ways that maximize the ability to see throughout the  
8 site.

9 (3) **Activity support.** The site layout and building design should encourage  
10 legitimate activity in public spaces.

11 (4) **Access control.** Walkways, fences, lighting, signage and landscape should be  
12 located and designed to clearly guide people and vehicles to and from the proper  
13 entrances, directing the flow of people while decreasing the opportunity for crime.

14 **Sec. 3-3.3 Barrancas Overlay (Barr-OL).** [6.07.04, RA-1(OL)]

15 (a) **Purpose.** The purpose of the Barrancas Overlay (Barr-OL) district is to support the  
16 BCC-adopted Barrancas Redevelopment Area through specific land use regulations.  
17 The regulations are intended to further the objectives of the area's redevelopment  
18 plan, especially its protection of the unique natural resources of Bayou Chico. To  
19 protect and conserve such resources along and adjacent to the bayou, as well as to  
20 nurture water-dependent and water-related uses that do not cause water quality  
21 degradation or prevent the beneficial restoration of environmental quality in the  
22 bayou, the overlay district includes limitations that specifically apply within a  
23 waterfront mixed use area. Land use controls established by the entire overlay  
24 district work to enhance the character of an area changed by the realignment of  
25 Barrancas Avenue and to alleviate the harmful effects of industrial pollutants on  
26 surface waters.

27 (b) **Permitted uses.** The permitted uses of underlying zoning districts are modified  
28 within the Barr-OL district as follows: [6.07.02.D]

29 (1) **Multi-family dwellings.** All new or modified multi-family dwellings shall be in  
30 condominium form of ownership. Single-family attached dwellings are not  
31 affected. [6.07.02.D.3]

32 (2) **Mixed-use.** For any mix of permitted residential and non-residential uses within  
33 the same building, the non-residential uses shall occupy the first or bottom floor  
34 and the residential uses shall occupy the second or upper floors. [6.07.02.D.4]

35 (c) **Conditional uses.** The Barr-OL district does not modify the conditional uses of any  
36 underlying zoning districts.

37 (d) **Prohibited uses.** Except as noted, the following uses are prohibited in the Barr-OL  
38 district regardless of their status in any underlying zoning district:

39 (1) Automotive fuel sales.

40 (2) Automotive outdoor repair or storage, including painting and bodywork.

- 1     **(3)** Boarding or lodging houses.
- 2     **(4)** Campgrounds or recreational vehicle parks.
- 3     **(5)** Carnival type amusements and amusement arcades.
- 4     **(6)** Commercial outdoor storage of boats, except within the WMU area.
- 5     **(7)** Commercial outdoor storage of recreational vehicles.
- 6     **(8)** Fortune tellers, palm readers, psychics, and similar personal services.
- 7     **(9)** Manufactured (mobile) homes. The construction of modular homes is not
- 8         prohibited.
- 9     **(10)** Manufactured (mobile home subdivisions or parks.
- 10    **(11)** Mini-warehouses.
- 11    **(12)** Pawn shops and check cashing services.
- 12    **(13)** Used clothing deposit boxes.
- 13    **(14)** Wholesale or distribution warehouses, except within the WMU area.

14    **(e) Site and building requirements.** The following site and building requirements  
15         apply in the Barr-OL district:

16         **(1) Structure height.** Except for properties within the WMU area, no structure shall  
17             exceed 45 feet in height. Any lower height required by the underlying zoning  
18             district shall govern.

19         **(2) Materials and colors.** The choice of building materials and colors shall be  
20             compatible with the intent of the overlay district and shall not have an adverse  
21             visual impact on surrounding properties. Accessory structures shall use the  
22             same materials, color, and/or style of the primary façade if visible from a public  
23             way.

24         **(3) If within MDR[R-2 & R-3] and HDR[R-4] zoning.** Residential buildings within  
25             Medium Density Residential (MDR) and High Density Residential (HDR) zoning  
26             districts shall have a clear and visible orientation to the street to create a  
27             desirable pedestrian environment between the building and the street. Street  
28             orientation shall include the following:

29             **a. Front entry.** The front facade shall include the primary entry door, be street  
30             facing, and include a porch or stoop. Front porches shall be a minimum six  
31             feet deep, ten feet wide and in scale with the primary facade. Stoops shall be  
32             a minimum of five feet wide and provide connection to entrances or porches  
33             where buildings are elevated above grade.

34             **b. Garages.** For residential uses, there shall be no front-facing garages unless  
35             they are set back an additional eight feet from the primary front facade and do  
36             not exceed 25 percent of the front-facing building facade. If the lot width is  
37             forty feet or less, the 25 percent maximum does not apply.

1           **c. Off-street parking.** All off-street parking shall be located to the rear of the  
2 building that faces the public street or within a garage. For single-family  
3 detached residential dwellings, off street parking may be located in a carport,  
4 driveway, or garage.

5           **(4) If within HDMU[R-5 & R-6] and Commercial[C-1] zoning.** Buildings within High  
6 Density Mixed Use (HDMU) or Commercial zoning districts shall have a clear and  
7 visible orientation to the street to create a desirable pedestrian environment  
8 between the building and the street. Street orientation shall include:

9           **a. Setbacks.** Front and side setbacks consistent with adjacent structures as  
10 allowed by zoning. Rear setbacks shall be as required by the underlying  
11 zoning district. Where setback patterns are not clearly established, buildings  
12 shall be built to within ten (10) feet of property lines.

13           **b. Building orientation.** Buildings oriented so that the principal facades are  
14 parallel or nearly parallel to the streets they face. On corner sites, buildings  
15 shall occupy the corner.

16           **c. Walkways.** Walkways that lead to front doors, separate from the driveway  
17 where practical.

18           **d. Entrances.** Well lit entrances visible from the street and easily accessible.

19           **e. Residential parking.** For residential uses, all off-street parking located in the  
20 rear of the building that faces the public street or within a garage. For single-  
21 family detached housing, off street parking may be located in a carport,  
22 driveway, or garage. There shall be no front facing garages unless they are  
23 setback an additional eight feet from the primary front facade and do not  
24 exceed 25 percent of the street facing building facade. If the lot width is forty  
25 feet or less, the 25 percent maximum does not apply.

26           **f. Non-residential parking.** For non-residential uses, off-street parking areas  
27 shall be located on the side or rear of the building unless a shared central  
28 parking facility is developed through an easement or common ownership  
29 among contiguous properties. Curb cuts shall be limited to one 20-foot wide  
30 access for a shared central parking facility. Liner buildings or landscaping  
31 shall be used to screen parking from the street. Walkways shall be included  
32 in off-street parking areas.

33           **g. Scale.** Buildings shall be designed in proportions to reflect human pedestrian  
34 scale and movement, and to encourage interest at the street level. Such  
35 scale is best achieved when the ratio of street width to building height is  
36 between 1:2 and 1:3. Along a 24-foot wide street, building height would  
37 ideally be 48 to 72 feet.

38           **h. Loading areas.** All service and loading areas shall be entirely screened from  
39 off-site view.

40           **i. Outdoor dining.** Outdoor dining areas shall be properly designated and  
41 appropriately separated from public walkways and streets using attractive  
42 materials such as railings, wrought iron fences, landscaping, or other suitable

1 material. Dining area adjacent to a public right-of-way shall allow a minimum  
2 unobstructed sidewalk of six feet along the right-of-way.

3 **(5) Natural features.** Natural features shall be protected and integrated into site  
4 design and development where possible. The applicant shall demonstrate how  
5 the development protects and incorporates existing vegetation.

6 **(6) Landscaping.** Water conservation is encouraged through proper landscape  
7 plant selection, installation and maintenance practices. Native plant species are  
8 required. All non-residential development applications shall include a landscape  
9 plan as part of compliance review. The plan shall include the areas of natural  
10 vegetation to be protected, location and species of all plants to be installed, and  
11 an irrigation plan.

12 **(7) Fence and wall materials.** Only fences constructed of legitimate fencing  
13 materials, or walls made of masonry, concrete or stucco may supplement buffers.  
14 Specifically, garage doors and sheets of roofing material do not qualify as fencing  
15 or wall materials. Opaque fencing shall mean chain link fence with slats, privacy  
16 wooden fence, or privacy PVC/vinyl fence. A concrete or stucco wall may be  
17 used where an opaque fence is required to screen outdoor storage.

18 **(8) Signs.**

19 a. Billboards and pole signs are prohibited.

20 b. The choice of site signage shall be compatible with the intent of the district  
21 and shall not have an adverse visual impact on surrounding properties.

22 c. Free-standing **on-premises signs** [this term is being eliminated with the  
23 **proposal of content neutral sign provisions for the LDC**] shall be "human  
24 scaled" and limited to monument signs. There shall be only one such sign  
25 per parcel and it shall not exceed 100 square feet per sign face and 12 feet in  
26 height, except in the case of multi-tenant parcels where the sign may be up to  
27 300 square feet. The sign face shall have colors, materials and lighting that  
28 are compatible with the general pattern existing in the overlay district. Wall or  
29 projecting signs may be permitted for individual businesses in a multi-tenant  
30 building. Such signs shall not exceed 20 square feet per sign face.

31 **(9) Sidewalk and tent sales.** Sidewalk sales and tent sales may be permitted  
32 within the overlay for no more than fourteen days in any one calendar year,  
33 provided that they are conducted immediately adjacent to the business, all  
34 required permits are obtained, and the business has made all arrangements  
35 necessary to keep public rights-of-way unobstructed.

36 **[WMU has been eliminated as a zoning district but not revised for incorporation**  
37 **into the overlay]**

38 **(f) Waterfront Mixed Use (WMU) area.** To take advantage of the deep water  
39 characteristics of Bayou Chico and preserve commercial and recreational waterfront,  
40 a waterfront mixed use (WMU) area is established within the overlay. The intent of  
41 the area is to promote more sensitive and consistent shoreline development; protect  
42 natural resources within and around the bayou; preserve and encourage water-

1 dependant and water-related support uses that do not degrade those resources or  
2 prevent their restoration; and encourage residential uses along and around the  
3 waterfront. [6.05.33]

4 **(1) Area defined.** The waterfront mixed use area generally includes all land  
5 bounded on the north and east by the waters of Bayou Chico, and on the south  
6 and west by Olde Barrancas Avenue, Weis Lane, and Lakewood Road extending  
7 northwest from Weis Lane. The area extends from the east line of Lot 10, Block  
8 3 of Lakewood subdivision (PB 2, P 30-E) to the east line of lots 5 and E of Brent  
9 Island subdivision (PB 4, P 78), but excludes the following areas: the area  
10 bounded by Lakewood Road, Audusson Avenue, and Browns Lane; Millwood  
11 Terrace subdivision (PB 12, P 22); and the area of a 13-lot development (Marina  
12 Villas, LLC) on the west side of Mahogany Mill Road and contiguous with the  
13 north side of Millwood Terrace. As part of the overlay, the waterfront mixed use  
14 area is officially described within the Geographical Information System (GIS) of  
15 the county.

16 **(2) Permitted uses.** The following uses are permitted within the WMU area if  
17 consistent with proper design, construction, and operation that prevent adverse  
18 off-site impacts, regardless of the underlying zoning districts:

19 **a. Water-dependent uses:**

- 20 1. Boat maintenance and repair yards that comply with the best management  
21 practices of the Florida Clean Boatyard Program of the Florida  
22 Department of Environmental Protection (FDEP).
- 23 2. Expansion of existing bulk product facilities and terminal facilities (as  
24 defined in Florida Statutes) if the expansion is no closer than 300 feet to  
25 any residential use and provides additional noise and visual buffering from  
26 adjacent parcels and public rights-of-way.
- 27 3. Commercial boat storage.
- 28 4. Commercial marine transport and excursion services, including ferries,  
29 captained charter services, sport fishing and water taxis.
- 30 5. Harbor and marine supplies and services, chandleries, and ship supply  
31 such as fueling of vessels.
- 32 6. Marinas, particularly those berthing tugboats, fireboats, pilot boats and  
33 similar services, that comply with the best management practices of the  
34 Florida *Clean Marina* Program of the FDEP.
- 35 7. Public landings.
- 36 8. Marine research, education, and laboratory facilities.
- 37 9. Seafood packaging, loading, and distribution for retail sales.

38 **b. Water-related support uses:**

- 39 1. Cabinet and carpentry shops and accessory retail sales of only those  
40 products that are produced on the premises.

- 1           2. Fabrication of marine-related goods.
- 2           3. Fabrication, storage and repair of fishing equipment.
- 3           4. Marine products wholesaling, distribution and retailing.
- 4           5. Marine repair services and machine shops.
- 5           6. Professional, business and general offices associated with marine-
- 6           dependent or marine-related uses.
- 7       **c. Other uses.**
- 8           1. Bars and nightclubs.
- 9           2. Hotels and motels.
- 10          3. Bed and breakfast inns.
- 11          4. Landscaped pedestrian parks, plazas and other similar outdoor pedestrian
- 12          spaces, including pedestrian and bicycle facilities.
- 13          5. Museums and art galleries.
- 14          6. Parking lots.
- 15          7. Professional, business, and general offices.
- 16          8. Restaurants.
- 17          9. Retail and service establishments, including craft and specialty shops.
- 18          10. Single-family and multifamily residential.
- 19          11. Wholesale or distribution warehousing.

20       **(3) Prohibited uses.**

- 21          a. New bulk product facilities or terminal facilities, as defined in Florida Statutes
- 22          (Chapter 376).
- 23          b. Facilities for marine pollution control, oil spill cleanup, and servicing of marine
- 24          sanitation devices.
- 25          c. Open storage facilities for any bulk solid or semi-solid material that is a toxic
- 26          or hazardous substance or nutrient, or that becomes one when left to stand or
- 27          when exposed to water. The "toxic or hazardous substance" does not include
- 28          petroleum and petroleum related products regulated by the Florida Pollutant
- 29          Discharge Prevention and Control Act.
- 30          d. Sewage treatment plants.
- 31          e. Storage facilities for toxic or hazardous substances or nutrients (i.e., elements
- 32          or compounds essential as raw material for organic growth and development,
- 33          such as carbon, nitrogen and phosphorus).

34       **(4) Site and building requirements.** The following site and building requirements

35       apply to uses within the WMU area:

- 36          a. **Density.** A maximum of 25 dwelling units per acre.

- 1           **b. Structure height.** A maximum structure height of 100 feet. Heights for  
2 buildings with pitched roofs shall be measured to the bottom of the eaves. In  
3 addition:
- 4           **c. Setbacks.** Front and side setback lines should be consistent with adjacent  
5 structures. Front porches, stoops and balconies that extend beyond the  
6 primary building plane may encroach to within five feet of the property line.  
7 Where setback lines are not clearly established, buildings shall be built to  
8 within ten feet of property lines. Steps leading up to the front porch or stop  
9 may encroach further, but in no event shall steps extend beyond the property  
10 line or on to public sidewalks. There shall be minimum side setback of ten  
11 feet on each side which shall be increased by five feet on each side for each  
12 story (floor) above the third story or for each ten feet in height above the first  
13 35 feet of the structure as measured from the finished grade.
- 14           **d. Screening.** All service and loading areas shall be entirely screened from  
15 view.
- 16           **e. Docks.** In an effort to improve water and sediment quality and to protect the  
17 marine environment, it is recommended that all new docks, bulkheads and  
18 seawalls constructed of treated wood products after the adoption of this  
19 ordinance be built using treated wood products registered for marine use by  
20 the U.S. Environmental Protection Agency or the Florida Department of  
21 Agriculture and Consumer Services. Other recommended materials include  
22 concrete, coated steel, recycled plastic, PVC, vinyl, and fiberglass.
- 23           **f. Garages.** For residential uses, there shall be no front facing garages unless  
24 they are setback an additional ten feet from the primary front facade and do  
25 not exceed 25 percent of the street facing building facade. If the lot width is  
26 40 feet or less, the 25 percent requirement shall not apply. All other garages  
27 must face the side or rear of the parcel.
- 28           **g. Front entry.** Buildings shall be oriented so that the principal facade is  
29 parallel or nearly parallel to the streets they face. On corner sites, buildings  
30 shall occupy the corner.
- 31           **h. Walkways.** Walkways that lead to front doors, separate from the driveway  
32 are encouraged.
- 33               1. "Mixed use" shall be defined to include two or more residential and non-  
34 residential uses. Work/live spaces are encouraged. Non-residential uses  
35 are encouraged on first and second floors. Parking structures are not  
36 considered a separate use.
- 37               2. Parking structures and nonliving areas may comprise the first two floors of  
38 a mixed use structure. Entrance to parking structures shall be from the  
39 side or rear of the building or buildings. Street facades shall consist of liner  
40 buildings or shall be properly screened so as to provide the appearance of  
41 being an occupied use, i.e. articulated building fronts, windows, etc.



- 1 i. Buildings and structures are street oriented and consistent with the  
2 requirements of the overlay district.

3 **(5) Performance standards.** The goal of this district also is to improve the visual  
4 aesthetics of the area. In addition to other controls contained in this section, the  
5 following items are focused on achieving the redevelopment goals for the area:

- 6 a. All work and operations shall be conducted within buildings except temporary  
7 outside storage may be allowed if adequately buffered and screened from  
8 adjacent uses. All waste material shall be stored while on the property in a  
9 screened enclosure.
- 10 b. No process shall emit an offensive odor detectable beyond the lot or parcel.  
11 Where odors are produced and provisions for eradication within a building are  
12 provided, the burden of successful elimination of the odors shall rest on the  
13 occupant of the premises.
- 14 c. Operations creating excessive noise, vibration, dust, smoke or fumes, which  
15 are a nuisance to persons off of the lot or parcel, are not permitted.
- 16 d. Operations creating glare shall be shielded so that the glare cannot be seen  
17 from off the lot or parcel.
- 18 e. **Shoreline protection.** Where there exists a high likelihood of success and  
19 effectiveness, natural vegetated erosion control solutions shall be  
20 implemented. County evaluation of shoreline protection shall consider  
21 bathymetry, wave climate, sediment quality, and adjacent and surrounding  
22 shorelines.

23 c. **Septic tanks.** If septic tanks are permitted they shall be located at least 100  
24 feet from the mean high water line (MHWL) of the bayou. See utilities in Chapter 5.**Sec.**  
25 **3-3.4 Brownsville Overlay (Brn-OL).** [6.07.03, C-4(OL)]

26 **(a) Purpose.** The purpose of the Brownsville Overlay (Brn-OL) district is to support the  
27 adopted Brownsville Community Redevelopment Area through specific land use  
28 regulations. The regulations are intended to further the objectives of the area's  
29 redevelopment plan, especially its support of existing commercial corridors and  
30 protection of the unique and historic character of the Brownsville community. Land  
31 use controls established by the overlay work to enhance the character of an area  
32 undergoing revitalization.

33 **(b) Permitted uses.** Within the Brn-OL district, for any mix of permitted residential and  
34 non-residential uses within the same building, the non-residential uses shall occupy  
35 the first or bottom floor and the residential uses shall occupy the second or upper  
36 floors.

37 **(c) Conditional uses.** The Brn-OL district does not modify the conditional uses of any  
38 underlying zoning districts.

39 **(d) Prohibited uses.** The following uses are prohibited in the Brn-OL district regardless  
40 of their status in any underlying zoning district:



1 (1) **Off-premises signs.** [this term is being eliminated with the proposal of content  
2 neutral sign provisions for the LDC]

3 (2) Manufactured (mobile) homes, and manufactured home subdivisions and parks.  
4 The construction of modular homes is not prohibited.

5 (e) **Non-residential site and building requirements.** The following non-residential  
6 site and building requirements apply within the Brn-OL district

7 (1) **Structure height.** New or redeveloped buildings, or building additions, shall  
8 complement the existing pattern of building heights. No structure shall exceed  
9 45 feet in height and any lower height required by the underlying zoning district  
10 shall govern.

11 (2) **Materials and detailing.** New structures, additions and renovations shall be  
12 constructed to be long-lasting and use materials and detailing that maintain the  
13 distinct character and harmony of the redevelopment district. Vinyl or metal  
14 siding is prohibited on the primary facades of buildings adjacent to public rights-  
15 of-way. All accessory structures shall use the same materials, color, and/or style  
16 of the primary façade if visible from a public way.

17 (3) **Setbacks.** New construction along Mobile Highway or Cervantes Street shall be  
18 set back a distance similar to that of adjacent buildings unless customer parking  
19 is provided adjacent to the street in support of CPTED principles. Exceptions  
20 may be granted if the setback is pedestrian oriented and contributes to the  
21 quality and character of the streetscape.

22 (4) **Facades.**

23 a. **Front facades.** Front building facades more than 80 feet in width shall be  
24 divided into increments by changes in materials, bay windows, wall offsets, or  
25 similar methods.

26 b. **Rear façade.** A minimum of 15 feet of a building's rear façade facing a public  
27 right of way, parking area, or open space shall consist of transparent  
28 materials, not including reflective glass.

29 (5) **Natural features.** Natural features shall be protected and integrated into site  
30 design and development where possible. The applicant shall demonstrate how  
31 the development protects and incorporates existing vegetation.

32 (6) **Landscaping.** Water conservation is encouraged through proper landscape  
33 plant selection, installation and maintenance practices. Native plant species are  
34 required. All non-residential development applications shall include a landscape  
35 plan as part of compliance review. The plan shall include the areas of natural  
36 vegetation to be protected, location and species of all plants to be installed, and  
37 an irrigation plan

38 (7) **Signs.**

39 a. The choice of site signage shall be compatible with the intent of the district  
40 and shall not have an adverse visual impact on surrounding properties.

- 1           b. Free-standing **on-premises signs** shall be "human scaled" and limited to  
2 monument signs. There shall be only one such sign per parcel and it shall  
3 not exceed 100 square feet per sign face and 12 feet in height, except in the  
4 case of multi-tenant parcels the sign may be up to 300 square feet. The sign  
5 face shall have colors, materials and lighting that are compatible with the  
6 general pattern existing in the overlay district. Attached signs or shingles may  
7 be permitted for individual businesses in a multi-use building. Such signs  
8 shall not exceed 20 square feet per sign face.
- 9           c. Signs cannot block or obstruct design details, windows, or cornices of the  
10 building upon which they are placed.

11 **(8) Lighting.** Lighting in the overlay district should serve to illuminate facades,  
12 entrances and signage to provide an adequate level of personal safety while  
13 enhancing the aesthetic appeal of the buildings. Building and signage lighting  
14 must be indirect, with the light source hidden from direct pedestrian and motorist  
15 view.

16 **(9) Parking.** Parking in the overlay district must adequately serve the users without  
17 detracting from the compact design that makes it a successful commercial  
18 center. Off-street parking must be located in the rear. If the lot orientation  
19 cannot accommodate adequate rear parking, parking on the side may be  
20 permitted.

21 **(10) Buffers and screening of outdoor storage.** All outside storage must be  
22 screened from public view. The screening must use the same materials, color,  
23 and/or style as the primary building for architectural compatibility with the  
24 primary building and the building it is adjacent to. If the outside storage area is  
25 separate from the building it serves the following shall apply:

- 26           a. **Type.** Only fences constructed of legitimate fencing materials (may or may  
27 not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
28 Specifically, garage doors and sheets of roofing material do not qualify for  
29 fencing or wall materials.
- 30           b. **Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
31 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
32 concrete or stucco wall may also be used to screen outdoor storage.

### 33 **Sec. 3-3.5 Englewood Overlay (Eng-OL).**

34 **2. Purpose.** The purpose of the Englewood Overlay (Eng-OL) district is to support the  
35 adopted Englewood Community Redevelopment Area through specific land use  
36 regulations. The regulations are intended to further the objectives of the area's  
37 redevelopment plan, especially its support of existing commercial areas and  
38 protection of the unique and historic character of the Englewood neighborhood.  
39 Land use controls established by the overlay work to enhance the character of an  
40 area undergoing revitalization.

41 **3. Permitted uses.** Within the Eng-OL district, for any mix of permitted residential and  
42 non-residential uses within the same building, the non-residential uses shall occupy

1 the first or bottom floor and the residential uses shall occupy the second or upper  
2 floors.

3 **4. Conditional uses.** The Eng-OL district does not modify the conditional uses of any  
4 underlying zoning districts.

5 **5. Prohibited uses.** The following uses are prohibited in the Eng-OL district  
6 regardless of their status in any underlying zoning district:

7 **(1) Off-premises signs.**

8 **(2) Manufactured (mobile) homes, and manufactured home subdivisions and parks.**  
9 The construction of modular homes is not prohibited.

10 **6. Non-residential site and building requirements.** The following non-residential  
11 site and building requirements apply within the Eng-OL district

12 **(1) Structure height.** New or redeveloped buildings, or building additions, shall  
13 complement the existing pattern of building heights. No structure shall exceed  
14 45 feet in height and any lower height required by the underlying zoning district  
15 shall govern.

16 **(2) Materials and detailing.** New structures, additions and renovations shall be  
17 constructed to be long-lasting and use materials and detailing that maintain the  
18 distinct character and harmony of the Brownsville Community Redevelopment  
19 District. Vinyl or metal siding is prohibited on the primary facades of buildings  
20 adjacent to public rights-of-way. All accessory structures shall use the same  
21 materials, color, and/or style of the primary façade if visible from a public way.

22 **(3) Setbacks.** New construction shall be set back a distance similar to that of  
23 adjacent buildings unless customer parking is provided adjacent to the street in  
24 support of CPTED principles. Exceptions may be granted if the setback is  
25 pedestrian oriented and contributes to the quality and character of the  
26 streetscape.

27 **(4) Facades.**

28 **a. Front facades.** A front building facade more than 80 feet in width shall be  
29 divided into increments by changes in materials, bay windows, wall offsets, or  
30 similar methods.

31 **b. Rear façades.** A minimum of 15 feet of a building's rear façade facing a  
32 public right of way, parking area, or open space shall consist of transparent  
33 materials, not including reflective glass.

34 **(5) Natural features.** Natural features shall be protected and integrated into site  
35 design and development where possible. The applicant shall demonstrate how  
36 the development protects and incorporates existing vegetation.

37 **(6) Landscaping.** Water conservation is encouraged through proper landscape  
38 plant selection, installation and maintenance practices. Native plant species are  
39 required. All non-residential development applications shall include a landscape  
40 plan as part of compliance review. The plan shall include the areas of natural

1 vegetation to be protected, location and species of all plants to be installed, and  
2 an irrigation plan

3 **(7) Signs.**

4 a. The choice of site signage shall be compatible with the intent of the district  
5 and shall not have an adverse visual impact on surrounding properties.

6 b. Free-standing on-premises signs shall be "human scaled" and limited to  
7 monument signs. There shall be only one such sign per parcel and it shall  
8 not exceed 100 square feet per sign face and 12 feet in height, except in the  
9 case of multi-tenant parcels the sign may be up to 300 square feet. The sign  
10 face shall have colors, materials and lighting that are compatible with the  
11 general pattern existing in the overlay district. Attached signs or shingles may  
12 be permitted for individual businesses in a multi-use building. Such signs  
13 shall not exceed 20 square feet per sign face.

14 c. Signs cannot block or obstruct design details, windows, or cornices of the  
15 building upon which they are placed.

16 **(8) Lighting.** Lighting in the overlay district should serve to illuminate facades,  
17 entrances and signage to provide an adequate level of personal safety while  
18 enhancing the aesthetic appeal of the buildings. Building and signage lighting  
19 must be indirect, with the light source hidden from direct pedestrian and motorist  
20 view.

21 **(9) Parking.** Parking in the overlay district must adequately serve the users without  
22 detracting from the compact design that makes it a successful commercial  
23 center. Off-street parking must be located in the rear. If the lot orientation  
24 cannot accommodate adequate rear parking, parking on the side may be  
25 permitted.

26 **(10) Buffers and screening of outdoor storage.** All outside storage must be  
27 screened from public view. The screening must use the same materials, color,  
28 and/or style as the primary building for architectural compatibility with the primary  
29 building and the building it is adjacent to. If the outside storage area is separate  
30 from the building it serves the following shall apply:

31 a. **Type.** Only fences constructed of legitimate fencing materials (may or may  
32 not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
33 Specifically, garage doors and sheets of roofing material do not qualify for  
34 fencing or wall materials.

35 b. **Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
36 with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
37 concrete or stucco wall may also be used to screen outdoor storage.

38 **Sec. 3-3.6 Palafox Overlay (Pfox-OL).**

39 a. **Purpose.** The purpose of the Palafox Overlay (Pfox-OL) district is to support the  
40 adopted Palafox Community Redevelopment Area through specific land use  
41 regulations. The regulations are intended to further the objectives of the area's

1 redevelopment plan, especially its support of a mix of commercial, industrial and  
2 residential uses within the Palafox area. Land use controls established by the  
3 overlay work to enhance the character of an area undergoing revitalization.

4 **b. Permitted uses.** Within the Pfox-OL district, for any mix of permitted residential  
5 and non-residential uses within the same building, the non-residential uses shall  
6 occupy the first or bottom floor and the residential uses shall occupy the second or  
7 upper floors.

8 **c. Conditional uses.** The Pfox-OL district does not modify the conditional uses of  
9 any underlying zoning districts.

10 **d. Prohibited uses.** The following uses are prohibited in the Pfox-OL district  
11 regardless of their status in any underlying zoning district:

12 (1) **Manufactured (mobile) homes.** The construction of modular homes is not  
13 prohibited.

14 (2) **Manufactured (mobile) home subdivisions and parks.**

15 **e. Non-residential site and building requirements.** The following non-residential  
16 site and building requirements apply within the Pfox-OL district

17 (1) **Structure height.** New or redeveloped buildings, or building additions, shall  
18 complement the existing pattern of building heights. No structure shall exceed  
19 45 feet in height and any lower height required by the underlying zoning district  
20 shall govern.

21 (2) **Materials and detailing.** New structures, additions and renovations shall be  
22 constructed to be long-lasting and use materials and detailing that maintain the  
23 distinct character and harmony of the Brownsville Community Redevelopment  
24 District. Vinyl or metal siding is prohibited on the primary facades of buildings  
25 adjacent to public rights-of-way. All accessory structures shall use the same  
26 materials, color, and/or style of the primary façade if visible from a public way.

27 (3) **Setbacks.** New construction shall be set back a distance similar to that of  
28 adjacent buildings unless customer parking is provided adjacent to the street in  
29 support of CPTED principles. Exceptions may be granted if the setback is  
30 pedestrian oriented and contributes to the quality and character of the  
31 streetscape.

32 (4) **Facades.**

33 **a. Front facades.** A front building facade more than 80 feet in width shall be  
34 divided into increments by changes in materials, bay windows, wall offsets, or  
35 similar methods.

36 **b. Rear façade.** A minimum of 15 feet of a building's rear façade facing a public  
37 right of way, parking area, or open space shall consist of transparent  
38 materials, not including reflective glass.

- 1       **(5) Natural features.** Natural features shall be protected and integrated into site  
2 design and development where possible. The applicant shall demonstrate how  
3 the development protects and incorporates existing vegetation.
- 4       **(6) Landscaping.** Water conservation is encouraged through proper landscape  
5 plant selection, installation and maintenance practices. Native plant species are  
6 required. All non-residential development applications shall include a landscape  
7 plan as part of compliance review. The plan shall include the areas of natural  
8 vegetation to be protected, location and species of all plants to be installed, and  
9 an irrigation plan.
- 10       **(7) Signs.**
- 11           a. The choice of site signage shall be compatible with the intent of the district  
12 and shall not have an adverse visual impact on surrounding properties.
- 13           b. Free-standing **on-premises signs** shall be "human scaled" and limited to  
14 monument signs. There shall be only one such sign per parcel and it shall  
15 not exceed 100 square feet per sign face and 12 feet in height, except in the  
16 case of multi-tenant parcels the sign may be up to 300 square feet. The sign  
17 face shall have colors, materials and lighting that are compatible with the  
18 general pattern existing in the overlay district. Attached signs or shingles may  
19 be permitted for individual businesses in a multi-use building. Such signs  
20 shall not exceed 20 square feet per sign face.
- 21           c. Signs cannot block or obstruct design details, windows, or cornices of the  
22 building upon which they are placed.
- 23       **(8) Lighting.** Lighting in the overlay district should serve to illuminate facades,  
24 entrances and signage to provide an adequate level of personal safety while  
25 enhancing the aesthetic appeal of the buildings. Building and signage lighting  
26 must be indirect, with the light source hidden from direct pedestrian and motorist  
27 view.
- 28       **(9) Parking.** Parking in the overlay district must adequately serve the users without  
29 detracting from the compact design that makes it a successful commercial  
30 center. Off-street parking must be located in the rear. If the lot orientation  
31 cannot accommodate adequate rear parking, parking on the side would then be  
32 permitted.
- 33       **(10) Buffers and screening of outdoor storage.** All outside storage must be  
34 screened from public view. The screening must use the same materials, color,  
35 and/or style as the primary building for architectural compatibility with the primary  
36 building and the building it is adjacent to. If the outside storage area is separate  
37 from the building it serves the following shall apply:
- 38           a. **Type.** Only fences constructed of legitimate fencing materials (may or may  
39 not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
40 Specifically, garage doors and sheets of roofing material do not qualify for  
41 fencing or wall materials.



1           **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
2           with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
3           concrete or stucco wall may also be used to screen outdoor storage.

4   **Sec. 3-3.7 Scenic Highway Overlay (SH-OL). [6.07.02.A]**

5   **(a) Purpose.** The purpose of the Scenic Highway Overlay (SH-OL) district is to support  
6   the Pensacola Scenic Bluffs Highway Master Plan through specific land use  
7   regulations. The regulations are intended to further the objectives of the plan,  
8   especially its protection of the unique scenic vista and environmental resources of  
9   the U.S. Highway 90 corridor and adjacent Escambia Bay shoreline. Land use  
10  controls established by the overlay work to alleviate the harmful effects of erosion  
11  and runoff caused by clearing natural vegetation and changing existing contours  
12  within the corridor. Additionally, the district is intended to preserve the bluffs,  
13  wetland areas and scenic views along the bay and assure continued public access  
14  to and enjoyment of those views.

15 **(b) Boundary.** The Scenic Highway Overlay district includes all parcels adjoining the  
16  west side of the Pensacola Scenic Bluffs Highway (U.S. Highway 90 or “Scenic  
17  Highway”) and all property between the highway and Escambia Bay on the east side  
18  of the highway, north from the Pensacola city limit along the highway for  
19  approximately five miles to the county line at Escambia River.

20 **(c) Permitted uses.** All of the uses permitted within the underlying zoning districts are  
21  permitted, subject to the site and building requirements of the overlay district.

22 **(d) Site and building requirements.**

23   **(1) Structure height.** Structures between Scenic Highway and Escambia Bay shall  
24  have a maximum height of 35 feet as measured from the highest adjacent grade.  
25  Non-residential uses can exceed the height limit only with conditional use  
26  approval by the Board of Adjustment. In addition to the other conditional use  
27  criteria, the requested height must be found not to interfere with the scenic  
28  attractiveness of the location as viewed from any plausible direction. And, for  
29  structures over 35 feet in height, for every two feet in height over 35 feet, there  
30  shall be an additional one foot of front and side setback at the ground level.

31   **(2) Lot coverage.** Maximum land area coverage by all structures, parking areas,  
32  driveways and other impervious surfaces shall not exceed 50 percent of the  
33  gross site area.

34   **(3) Setback.** All structures shall be located a minimum of 50 feet from the Scenic  
35  Highway right-of-way unless precluded by lot configuration or topography.

36   **(4) Building separation.** The minimum distance between structures shall be 15  
37  feet, and there shall be at least 100 feet between single-family dwellings and  
38  multi-family dwellings, residential group living, or public lodging.

39   **(5) Multi-use path.** Based on the corridor management plan, a multi-use path on  
40  the east side of Scenic Highway is intended to run the full length of the corridor  
41  within the right-of-way, but at the maximum distance possible from the roadway

1 pavement. Developers of property within the overlay are encouraged to  
2 maximize the innovative integration of a path extension into their development,  
3 but outside of the right-of-way on public property or on easements donated by  
4 private property owners.

5 **(6) Tree protection.**

6 a. A canopy tree protection zone is hereby established for all land within 20 feet  
7 of the right of way of Scenic Highway and Highway 90 from the Pensacola  
8 city limit to the Santa Rosa County line. No person or agency shall cut,  
9 remove, trim or in any way damage any tree in the canopy tree protection  
10 zone without a permit. Except in unique cases, permitted pruning shall not  
11 remove more than 30 percent of the existing tree material. Utility companies  
12 are not permitted to prune more than 30 percent of the existing tree canopy.

13 b. Heritage Oak trees shall be preserved.

14 c. Clearing of natural vegetation within the corridor shall require a land  
15 disturbance permit and is generally prohibited except for the minimum area  
16 needed for construction of allowable structures or view enhancement.

17 **(7) Landscaping.** For developments otherwise subject to LDC landscaping  
18 requirements, a minimum ten-foot wide landscaped strip shall be required along  
19 any Scenic Highway frontage, and shall contain one tree for every 35 linear feet  
20 of frontage. The trees shall be of sufficient height at planting such that a six-foot  
21 view shed exists at planting. Preservation of existing plant communities within the  
22 required landscaped areas can be used to satisfy this requirement.

23 **(8) Orientation of non-residential buildings.** Orientation of non-residential  
24 buildings shall be away from residential development within or adjacent to the  
25 district. Layout of parking and service areas, access, landscaping, yards, courts,  
26 walls, signs, lighting and control of noise and other potentially adverse influences  
27 shall be such as to promote protection of such residential development, and will  
28 include adequate buffering.

29 **(9) Fences.** No fence within the overlay may be solid. No chain link fence shall be  
30 located between Scenic Highway and the principal building. Any other type of  
31 fence in this area shall not exceed three feet. Where single story structures are  
32 higher than the roadbed, there should be no wall, fence, structure or plant  
33 material located between the front building line and the roadbed that will obstruct  
34 the view from automobiles on the scenic route.

35 **(10) Structure location.** All structures will be reviewed to assure conformance with  
36 the following criteria:

37 a. The location shall afford maximum views of the bay from the street right-of-  
38 way.

39 b. The location shall minimize impact on the natural bluff and plant material  
40 (other than pruning to enhance views).

41 c. Provide underground utilities.



1 **Sec. 3-3.8 Warrington Overlay (Warr-OL). [C-3(OL)] [6.07.01.A]**

2 **(a) Purpose.** The purpose of the Warrington Overlay (Warr-OL) district is to provide  
3 enhanced protection of land uses for all properties within the adopted Warrington  
4 Redevelopment Area, especially along those commercial corridors that provide  
5 primary access or gateways to the adjoining military installations.

6 **(b) Permitted uses.** Within the Warr-OL district, for any mix of permitted residential  
7 and non-residential uses within the same building, the non-residential uses shall  
8 occupy the first or bottom floor and the residential uses shall occupy the second or  
9 upper floors.

10 **(c) Conditional uses.** The Warr-OL district does not modify the conditional uses of any  
11 underlying zoning districts.

12 **(d) Prohibited uses.** The following uses are prohibited in the Warr-OL district  
13 regardless of their status in any underlying zoning district:

14 **(1)** Portable food vendors.

15 **(2)** Manufactured (mobile) homes. The construction of modular homes is not  
16 prohibited.

17 **(3)** Manufactured (mobile) home subdivisions or parks.

18 **(e) Non-residential site and building requirements.** The site and building  
19 requirements of non-residential uses within the Warr-OL are modified as follows:

20 **(1) Structure height.** New buildings, additions and redeveloped buildings shall  
21 complement the existing pattern of building heights. No structure shall exceed  
22 45 feet in height and any lower height required by the underlying zoning district  
23 shall govern.

24 **(2) Setbacks.** New construction must maintain the existing alignment of facades  
25 along the street front. Exceptions may be granted if the setback is pedestrian  
26 oriented and contributes to the quality and character of the streetscape.

27 **(3) Materials and detailing.** New structures, additions and renovations shall be  
28 constructed to be long-lasting and use materials and detailing that maintain the  
29 distinct character and harmony of the Warrington Community Redevelopment  
30 District. Vinyl or metal siding is prohibited on the primary facades of buildings  
31 adjacent to public rights-of-way. All accessory structures shall use the same  
32 materials, color, and/or style of the primary façade if visible from a public way.

33 **(4) Facades.**

34 **a. Front façade.** A front building facade more than 80 feet in width shall be  
35 divided into increments by changes in materials, bay windows, wall offsets, or  
36 similar methods.

37 **b. Rear façades.** A minimum of 15 feet of a building's rear façade facing a  
38 public right of way, parking area, or open space shall consist of transparent  
39 materials, not including reflective glass.

- 1       **(5) Awnings.** Awnings are encouraged to enhance the character of Warrington  
2       while providing sun protection for display windows, shelter for pedestrians, and a  
3       sign panel for businesses.
- 4       **(6) Natural features.** Natural features shall be protected and integrated into site  
5       design/development where possible. The applicant shall demonstrate how the  
6       development protects and incorporates existing vegetation.
- 7       **(7) Landscaping.** Water conservation is encouraged through proper landscape  
8       plant selection, installation and maintenance practices. Native plant species are  
9       required. All non-residential development applications shall include a landscape  
10      plan as part of compliance review. The plan shall include the areas of natural  
11      vegetation to be protected, location and species of all plants to be installed, and  
12      an irrigation plan.
- 13      **(8) Buffers and screening of outdoor storage.** All outside storage must be  
14      screened from public view. The screening must use the same materials, color,  
15      and/or style as the primary building for architectural compatibility with the primary  
16      building and the building it is adjacent to. If the outside storage area is separate  
17      from the building it serves the following shall apply:
- 18      **a. Type.** Only fences constructed of legitimate fencing materials (may or may  
19      not be opaque) or masonry, concrete or stucco walls may supplement buffers.  
20      Specifically, garage doors and sheets of roofing material do not qualify for  
21      fencing or wall materials.
- 22      **b. Screening of outdoor storage.** Opaque fencing shall mean chain link fence  
23      with slats, privacy wooden fence, or privacy PVC/vinyl fence. A six-foot  
24      concrete or stucco wall may also be used to screen outdoor storage.
- 25      **(9) Signs.** In addition to the standards of Chapter 5, signage shall be provided  
26      according to the following:
- 27      **a.** The choice of building signage shall be compatible with the intent of this  
28      district and shall not have an adverse visual impact on surrounding  
29      properties.
- 30      **b.** Free-standing on-premises signs shall be "human scaled". There shall be  
31      only one such sign per parcel and it shall not exceed 100 square feet per sign  
32      face and 12 feet in height; in the case of multi-use parcels, the sign shall not  
33      exceed 299 square feet. The sign face shall have colors, materials and  
34      lighting that are compatible with the general pattern existing in the Warrington  
35      Redevelopment Area Overlay District. Freestanding signs shall be limited to  
36      monument signs. Attached signs or shingles may be permitted for individual  
37      businesses in a multi-use building. Such signs shall not exceed 20 square  
38      feet per sign face.
- 39      **c.** Signs cannot block or obstruct design details, windows, or cornices of the  
40      building upon which they are placed.
- 41      **(10) Lighting.** Lighting in the overlay district should serve to illuminate facades  
42      entrances and signage to provide an adequate level of personal safety while

1 enhancing the aesthetic appeal of the buildings. Building and signage lighting  
2 must be indirect, with the light source(s) hidden from direct pedestrian and  
3 motorist view.

4 **(11) Parking.** Parking in the overlay district must adequately serve the users without  
5 detracting from the compact design that makes it a successful commercial  
6 center. Off-street parking must be located in the rear. If the lot orientation cannot  
7 accommodate adequate rear parking, parking on the side will be permitted.

8 **(12) If within HC/LI zoning.** Development within the HC/LI zoning district is subject  
9 to the following design standards.

10 **a. Landscaping.** A minimum ten-foot wide landscaped strip is required on all  
11 roadway frontages. The strip shall contain one tree and ten shrubs for every  
12 35 linear feet of frontage. Preservation of existing plants within the required  
13 landscaped areas can be used to satisfy this requirement. Buffers required  
14 adjacent to residential districts shall include a minimum of two trees and 15  
15 shrubs for every 35 linear feet of required buffer length.

16 **b. Vehicular use areas.** Areas other than public rights-of-way, designed to be  
17 used for parking, storage of vehicles for rent or sales, or movement of  
18 vehicular traffic, shall be separated by a minimum five-foot wide landscaped  
19 strip from any boundary of the property on which the vehicular use area is  
20 located. The strip shall contain shrubs or ground covers with a minimum  
21 mature height of 24 inches and a maximum height of 30 inches. Plant  
22 material shall be spaced 18 inches to 24 inches apart, depending on mature  
23 size.

24 **c. Parking lots.** Interior parking areas shall have one landscape island  
25 containing at least one tree and shrubs or ground covers as per the above  
26 specifications, for every eight contiguous spaces.

27 **d. Irrigation system.** An irrigation system shall be installed for all landscaped  
28 areas of the site. All systems shall include rain sensors and all system  
29 materials used shall be ASTM approved.

30 **e. Existing development.** Any change of use to a HC/LI use within the overlay  
31 district must meet the above standards.

32 **f. Rezonings.** Rezoning of Commercial zoned property to a more intense  
33 zoning district is prohibited if located on an arterial roadway.

34

1 **Article 4 Perdido Key districts.**

2 **Note: The provisions of this article are the current LDC provisions. Only minor**  
3 **changes have been made to adjust formatting and remove or correct invalid**  
4 **references. Format is not consistent with other districts and terms used are not**  
5 **verified.**

6 **Sec. 3-4.1 Low Density Residential district, Perdido Key (R-1PK).**

7 **(a) Intent and purpose of district.** This district is intended to be a low population  
8 density area. The maximum density is two dwelling units per acre. Refer to the  
9 Escambia County Comprehensive Plan regarding dwelling and lodging unit caps on  
10 Perdido Key. [6.05.06]

11 **(b) Permitted uses.**

- 12 a. Single-family, two-family (duplex), three-family (triplex), and multifamily  
13 dwellings.
- 14 b. Boathouses and boat docks as accessory uses, provided the roof of said  
15 boathouse does not exceed 20 feet above the elevation 0.0 (MSL) based  
16 upon USC&G datum plane.
- 17 c. Places of worship.
- 18 d. Public utility.
- 19 e. Public buildings for general administrative, executive or studio functions, or  
20 for general warehousing or maintenance operations.
- 21 f. Marina (private).
- 22 g. Family day care homes and family foster homes.

23 **(c) Conditional uses.**

- 24 a. Golf courses, tennis centers and swimming pools, with customary attendant  
25 facilities and accessory buildings.
- 26 b. Country clubs and their customary accessory uses.
- 27 c. Home occupations with employees.
- 28 d. Public utility and service structures.
- 29 e. Public parks and recreation facilities.

30 **(d) Off-street parking requirements.** See Chapter 5.

31 **(e) Site and buildings requirements.**

- 32 a. **Lot coverage.** The pervious area shall be at least 30 percent of the total lot  
33 (70 percent maximum impervious cover ratio).
- 34 b. **Lot width.** The minimum lot widths shall be as follows:
  - 35 1. *Single-family detached dwellings.* Forty feet at the front building line and  
36 40 feet at the street right-of-way.

- 1           2. *Two-family (duplex) dwellings.* Eighty feet at the front building line and 50  
2           feet at the street right-of-way line.
- 3           3. *Multifamily dwellings, townhouses, boarding and lodging houses.* One  
4           hundred feet at both the front building line and the street right-of-way line.
- 5           4. *Cul-de-sac lots.* A minimum of 20 feet at the street right-of-way.
- 6       **c. Front yard.** There shall be front yard having a depth of not less than 25 feet.
- 7       **d. Rear yard.** The minimum rear yard shall not be less than ten percent of the  
8           depth of the lot but need not exceed 25 feet. On property abutting estuarine,  
9           riverine or creek systems, the setback shall be in accordance with the  
10          marine/estuarine/riverine setback (MERS) provisions of this Code or 30 feet,  
11          whichever is greater.
- 12       **e. Side yard(s).** The minimum side yard on each side shall be ten percent of  
13          the lot width, measured at the front building line but need not exceed 15 feet  
14          on each side; however, required side yards shall not be less than five feet on  
15          each side. On property abutting estuarine, riverine or creek systems, the  
16          setback shall be in accordance with the marine/estuarine/riverine setback  
17          (MERS) provisions of this Code or 30 feet, whichever is greater.
- 18       **f. Building height.** No building shall exceed 35 feet in height above the  
19          habitable first floor. Variances to height through board of adjustment approval  
20          or PUD approval are subject to compliance with the MU-PK future land use  
21          category height limitations for residential zoning.
- 22       **g. Open space.** There shall be an open space requirement of 35 percent of the  
23          total parcel area.

24       **(f) Landscaping.**

- 25       **a.** See Chapter 5.
- 26       **b.** When county landscaping or buffer regulations conflict with requirements of  
27          state or federal authorizations, including biological opinions, technical  
28          assistance letters or concurrence letters, the conditions in those state or  
29          federal documents shall prevail.
- 30       **c.** For developments subject to the landscaping requirements of Chapter 5,  
31          standard B-1 of the buffer and roadway setback performance standards shall  
32          be required on all roadway frontages. For every additional ten feet in width of  
33          the landscape area, the plant material required shall be doubled. Preservation  
34          of existing plant communities within the required landscaped areas can be  
35          used to satisfy this requirement. Buffers required adjacent to residential  
36          districts shall include a minimum of two trees and 15 shrubs for every 35  
37          linear feet of required buffer area.
- 38       **d.** Xeriscape principles. It is the proposed intent of this ordinance to encourage  
39          water conservation through proper plant selection, installation and  
40          maintenance practices. The following xeriscape principles are to be  
41          incorporated into all landscape designs:

- 1           1. Proposed plant material shall be tolerant of beach conditions, including  
2           salt, wind, low nutrient levels, and drought.
- 3           2. Limit turf to locations where it provides functional benefits.
- 4           3. Provide efficient irrigation systems.
- 5           4. Mulches and organic soil amendments to improve water-holding capacity  
6           of soil may only be applied north of Perdido Key Drive.
- 7           e. Irrigation system.
- 8           1. An irrigation system shall be installed for all landscaped areas of the site.
- 9           2. All irrigation materials used shall be ASTM approved.
- 10          3. All irrigation systems shall include rain sensors.

11 **(f) Signs.** See Chapter 5.

12 **(g) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.

13

14 **Sec. 3-4.2 Medium Density Residential district, Perdido Key (R-2PK).**

15 **(a) Intent and purpose of district.** This district is intended to be a medium population  
16 density residential area that recognizes the desirability of maintaining open space.  
17 The maximum density is 4.5 dwelling units per acre. Refer to the Escambia, County  
18 Comprehensive Plan regarding dwelling and lodging unit caps on Perdido Key.  
19 **[6.05.08]**

20 **(b) Permitted uses.**

- 21           a. Any use permitted in the R-1PK district.
- 22           b. Kindergartens and child care centers.

23 **(c) Conditional uses.** Any conditional uses allowed in the R-1PK district.

24 **(d) Off-street parking requirements.** See Chapter 5.

25 **(e) Site and building requirements.**

- 26           a. *Lot coverage.* Same as the R-1PK district.
- 27           b. *Lot width.* Same as the R-1PK district.
- 28           c. *Front yard.* Same as the R-1PK district.
- 29           d. *Rear yard.* Same as the R-1PK district.
- 30           e. *Side yard.* Same as the R-1PK district.
- 31           f. *Building height.* No building shall exceed a height of four stories, or two  
32 stories less than an adjacent structure, if the adjacent structure is greater than  
33 four stories and existed on June 1, 1997. Variances to height through board  
34 of adjustment approval or PUD approval are subject to compliance with the  
35 MU-PK future land use category height limitations for residential zoning.

1           **g.** *Open space.* Same as the R-1PK district.

2   **(f) Landscaping.**

3           **a.** See Chapter 5.

4           **b.** When county landscaping or buffer regulations conflict with requirements of  
5           state or federal authorizations, including biological opinions, technical  
6           assistance letters or concurrence letters, the conditions in those state or  
7           federal documents shall prevail.

8           **c.** All commercial and multifamily projects shall submit a landscape plan as part  
9           of the development review criteria. This plan will include plant species  
10           proposed, location of all plant material, including areas proposed for sod,  
11           areas of natural vegetation to be protected, and an irrigation plan.

12           **d.** Xeriscape principles. It is the proposed intent of this ordinance to encourage  
13           water conservation through proper plant selection, installation and  
14           maintenance practices. The following xeriscape principles are to be  
15           incorporated into all landscape designs:

16                **1.** Proposed plant material shall be tolerant of beach conditions, including  
17                salt, wind, low nutrient levels, and drought.

18                **2.** Limit turf to locations where it provides functional benefits.

19                **3.** Provide efficient irrigation systems.

20                **4.** Mulches and organic soil amendments to improve water-holding capacity  
21                of soil may only be applied north of Perdido Key Drive.

22           **e.** For developments subject to the landscaping provisions of Chapter 5,  
23           standard B-1 of the buffer and roadway setback performance standards shall  
24           be required on all roadway frontages. For every additional ten feet in width of  
25           the landscape area, the plant material required shall be doubled.  
26           Preservation of existing plant communities within the required landscaped  
27           areas can be used to satisfy this requirement. Buffers required adjacent to  
28           residential districts shall include a minimum of two trees and 15 shrubs for  
29           every 35 linear feet of required buffer area.

30           **f.** Vehicular use areas.

31                **1.** Vehicular use areas, other than public rights-of-way, designed to be used  
32                for parking or movement of vehicular traffic, shall be separated by a five-  
33                foot landscaped strip for any boundary of the property on which the  
34                vehicular use area is located. This landscaped strip shall consist of shrubs  
35                or groundcovers with a minimum mature height of 24 inches and a  
36                maximum height of 30 inches. Plant material shall be spaced 18 inches to  
37                24 inches apart, depending on their mature size.

38                **2.** Interior parking areas shall have one landscape island containing at least  
39                one tree and shrubs or groundcovers as per the above specifications, for  
40                every eight continuous spaces.

1           **g.** Irrigation system.

2               1. An irrigation system shall be installed for all landscaped areas of the site.

3               2. All irrigation materials used shall be ASTM approved.

4               3. All irrigation systems shall include rain sensors.

5           **(g) Signs.** See Chapter 5.

6           **(h) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.

7  
8           **Sec. 3-4.3 High Density Residential district, Perdido Key (R-3PK).**

9           **(a) Intent and purpose of district.** This district is intended to be primarily a high  
10           density residential area. Low intensity office use and service facilities are also  
11           permitted. The maximum density is 12 dwelling units per acre. Refer to the  
12           Escambia, County Comprehensive Plan regarding dwelling and lodging unit caps on  
13           Perdido Key. [6.05.10]

14           **(b) Permitted uses.**

15               a. Any permitted uses in the R-2PK district.

16               b. Professional offices such as those of architects, engineers, lawyers, tax  
17               consultants, accountants, and medical and dental offices.

18               c. Real estate or insurance offices.

19           **(c) Conditional uses.** Any conditional use allowed in the R-2PK district.

20           **(d) Off-street parking requirements.** See Chapter 5.

21           **(e) Site and building requirements.**

22               a. *Lot coverage.* The pervious area shall be at least 30 percent of the total area  
23               (a maximum of 70 percent impervious cover ratio).

24               b. *Lot width.* Same as the R-1PK district.

25               c. *Front yard.* There shall be a front yard having a depth of not less than 20  
26               feet.

27               d. *Rear yard.* The rear yard shall be not less than ten percent of the depth of  
28               the lot but not to exceed 25 feet. On property abutting estuarine, riverine or  
29               creek systems, the setback shall be in accordance with the  
30               marine/estuarine/riverine setback (MERS) provisions of this Code or 30 feet,  
31               whichever is greater.

32               e. *Side yard.* The minimum side yard on each side shall be ten percent of the  
33               lot width, measured at the front building line but need not exceed 15 feet on  
34               each side; however, required side yards shall not be less than five feet on  
35               each side. No side yard shall be required in attached townhouse projects  
36               except at the ends of such projects where a minimum of ten feet shall be  
37               required. On property abutting estuarine, riverine or creek systems, the



1 setback shall be in accordance with the marine/estuarine/riverine setback  
2 (MERS) provisions of this Code or 30 feet, whichever is greater.

3 f. *Building height.* No building shall exceed a height of eight stories, or two  
4 stories less than an adjacent structure, if the adjacent structure is greater than  
5 eight stories and existed on June 1, 1997. Variances to height through Board  
6 of Adjustment approval or PUD approval are subject to compliance with the  
7 MU-PK Comprehensive Plan height limitations for residential zoning.

8 g. *Open space.* Same as the R-1PK district.

9 **(f) Landscaping.**

10 a. See Chapter 5.

11 b. When county landscaping or buffer regulations conflict with requirements of  
12 state or federal authorizations, including biological opinions, technical  
13 assistance letters or concurrence letters, the conditions in those state or  
14 federal documents shall prevail.

15 c. All commercial and multifamily projects shall submit a landscape plan as part  
16 of the development review criteria. This plan will include plant species  
17 proposed, location of all plant material, including areas proposed for sod,  
18 areas of natural vegetation to be protected, and an irrigation plan.

19 d. Xeriscape principles. It is the proposed intent of this ordinance to encourage  
20 water conservation through proper plant selection, installation and  
21 maintenance practices. The following xeriscape principles are to be  
22 incorporated into all landscape designs:

23 1. Proposed plant material shall be tolerant of beach conditions, including  
24 salt, wind, low nutrient levels, and drought.

25 2. Limit turf to locations where it provides functional benefits.

26 3. Provide efficient irrigation systems.

27 4. Mulches and organic soil amendments to improve water holding capacity  
28 of soil may only be applied north of Perdido Key Drive.

29 e. Buffers. For developments subject to the landscape provisions of Chapter 5, a  
30 minimum ten-foot wide landscaped strip shall be required on all roadway  
31 frontages, and shall contain one tree and ten shrubs for every 35 linear feet of  
32 frontage. For every additional ten feet in width of the landscape area, the  
33 plant material required shall be doubled. Preservation of existing plant  
34 communities within the required landscaped areas can be used to satisfy this  
35 requirement. Buffers required adjacent to residential districts shall include a  
36 minimum of two trees and 15 shrubs for every 35 linear feet of required buffer  
37 area.

38 f. Vehicular use areas.

39 1. Vehicular use areas, other than public rights-of-way, designed to be used  
40 for parking or movement of vehicular traffic, shall be separated by a five-

1 foot landscaped strip for any boundary of the property on which the  
2 vehicular use area is located. This landscaped strip shall consist of shrubs  
3 or groundcovers with a minimum mature height of 24 inches and a  
4 maximum height of 30 inches. Plant material shall be spaced 18 inches to  
5 24 inches apart, depending on their mature size.

- 6 2. Interior parking areas shall have one landscape island containing at least  
7 one tree and shrubs or groundcovers as per the above specifications, for  
8 every eight continuous spaces.

9 **g.** Irrigation system.

- 10 1. An irrigation system shall be installed for all landscaped areas of the site.  
11 2. All irrigation materials used shall be ASTM approved.  
12 3. All irrigation systems shall include rain sensors.

13 **(g) Signs.** See Chapter 5.

14 **(h) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.  
15

16 **Sec. 3-4.4 Commercial district, Perdido Key (C-1PK).**

17 **(a) Intent and purpose of district.** This district is composed of lands and structures  
18 used primarily to provide for the retailing of commodities and the furnishing of  
19 selected services. The regulations are intended to permit and encourage a full  
20 development of essential neighborhood commercial uses, at the same time,  
21 however, protecting nearby residential properties from adverse effects of commercial  
22 activity. The maximum density is three dwelling units per acre. Refer to the  
23 Escambia, County Comprehensive Plan regarding dwelling and lodging unit caps on  
24 Perdido Key. [6.05.15]

25 **(b) Permitted uses.**

- 26 **a.** Any use permitted in the R-3PK district.  
27 **b.** Any retail business, provided that the products are displayed and sold only  
28 inside a building.  
29 **c.** Personal service establishments, such as, but not limited to, financial  
30 institutions, beauty and barber shops, tailors, shoe repairs, watches and  
31 similar services.  
32 **d.** Service stations and auto repair shops, provided that such repairs are carried  
33 on within the confines of a building. Does not include body repair shops.  
34 **e.** Restaurants, including the sale of beer, wines and liquor for on-premise  
35 consumption, provided that the boundaries of the building are located in  
36 excess of 100 feet from any residential district.  
37 **f.** Bars, nightclubs, and package stores, provided that the boundaries of the  
38 building are located in excess of 100 feet from the nearest residential district,  
39 and are in accordance with Article 4.

- 1           g. Recreational and commercial marinas.
- 2           h. Educational facilities.
- 3           i. Bed and breakfast inns that conform to the residential character of Perdido
- 4           Key in terms of bulk, scale, height, and architectural style, as determined by
- 5           the Planning Official.

6   **(c) Conditional uses.**

- 7           a. Commercial amusement and commercial recreational facilities, including
- 8           miniature golf courses.
- 9           b. Arcade amusement centers and bingo facilities.

10 **(d) Prohibited uses.**

- 11          a. Hotels and motels, excluding bed and breakfast inns.

12 **(e) Off-street parking and loading regulations.** See Chapter 5.

13 **(f) Screening adjacent to residential district.** See Chapter 5.

14 **(g) Site and building requirements.**

- 15          a. *Lot coverage.*
  - 16           1. At least 25 percent of each lot or parcel shall remain pervious (75 percent
  - 17           maximum impervious cover ratio).
  - 18           2. The maximum combined area occupied by all principal and accessory
  - 19           buildings shall not exceed the percentage (%) allowed under the
  - 20           "footprint" regulations for the number of stories proposed.
- 21          b. *Lot width.* The minimum lot width for residential single-family, two-family
- 22           (duplex), three-family (triplex), four-family (quadruplex), and townhouse
- 23           buildings shall be the same as for the R-1PK district. Multifamily dwelling and
- 24           commercial buildings shall have no minimum lot width.
- 25          c. *Yards.* The front yard for residential single-family, two-family (duplex), three-
- 26           family (triplex), four-family (quadruplex), and townhouse buildings, the front
- 27           yard shall be the same as for the R-3PK district. For multifamily dwelling and
- 28           commercial buildings, the front yard shall be at least 15 feet. For both
- 29           residential and commercial projects, there shall be a rear yard of at least 15
- 30           feet. Required side yard setbacks shall not be less than five feet on each
- 31           side, except where a commercial district is contiguous to a residential district,
- 32           there shall be a minimum side yard of ten feet on the side abutting the
- 33           residential district, unless the two districts are separated by a public street,
- 34           body of water, or similar manmade or natural buffer, in which case no side
- 35           yard is required. On property abutting estuarine, riverine or creek systems,
- 36           the setback shall be in accordance with the marine/estuarine/riverine setback
- 37           (MERS) provisions of this Code or 30 feet, whichever is greater.
- 38          d. *Building heights.* No building shall exceed a height of four stories.
- 39          e. *Footprint.*

- 1           **1.** If the lot or parcel is proposed to be improved with, or contains an existing  
2           building of two and one-half or more stories, up to and including four  
3           stories, the footprint of both proposed and existing buildings shall not  
4           exceed 25 percent of lot coverage.
- 5           **2.** The lot or parcel used in computing the area required to satisfy footprint  
6           restrictions on buildings two and one-half stories or greater, may not be  
7           crossed, intersected or divided by any public road or right-of-way. If a lot  
8           or parcel is divided, crossed, intersected or divided by any public road or  
9           right-of-way, footprint restrictions shall be applied to each portion of the  
10          divided lot or parcel as if the divided lot or parcel were two separate lots or  
11          parcels. In the event a public road or right-of-way splits a lot or parcel and  
12          creates public access to a waterway, then the lot coverage for both  
13          divisions of the lot or parcel shall be used to determine whether footprint  
14          restrictions have been satisfied.

15   **(h) Landscaping.**

- 16          **a.** See Chapter 5.
- 17          **b.** When county landscaping or buffer regulations conflict with requirements of  
18          state or federal authorizations, including biological opinions, technical  
19          assistance letters or concurrence letters, the conditions in those state or  
20          federal documents shall prevail.
- 21          **c.** Landscape plan. All commercial and multifamily projects shall submit a  
22          landscape plan as part of the development review criteria. This plan will  
23          include plant species proposed, location of all plant material, including areas  
24          proposed for sod, areas of natural vegetation to be protected, and an  
25          irrigation plan.
- 26          **d.** Xeriscape principals. It is the proposed intent of this ordinance to encourage  
27          water conservation through proper plant selection, installation and  
28          maintenance practices. The following xeriscape principles are to be  
29          incorporated into all landscape designs:
  - 30                  **1.** Proposed plant material shall be tolerant of beach conditions, including  
31                  salt, wind, low nutrient levels, and drought.
  - 32                  **2.** Limit turf to locations where it provides functional benefits.
  - 33                  **3.** Provide efficient irrigation systems.
  - 34                  **4.** Mulches and organic soil amendments to improve water-holding capacity  
35                  of soil may only be applied north of Perdido Key Drive.
- 36          **f.** Buffer. For developments subject to the landscape provisions of Chapter 5, a  
37          minimum ten-foot wide landscaped strip shall be required on all roadway  
38          frontages, and shall contain one tree and ten shrubs for every 35 linear feet of  
39          frontage. For every additional ten feet in width of the landscape area the  
40          plant material required shall be doubled. Preservation of existing plant  
41          communities within the required landscaped areas can be used to satisfy this

1 requirement. Buffers required adjacent to residential districts shall include a  
2 minimum of two trees and 15 shrubs for every 35 linear feet of required buffer  
3 area.

4 **g. Vehicular use areas.**

5 1. Vehicular use areas, other than public rights-of-way, designed to be used  
6 for parking or movement of vehicular traffic, shall be separated by a five-  
7 foot landscaped strip for any boundary of the property on which the  
8 vehicular use area is located. This landscaped strip shall consist of shrubs  
9 or groundcovers with a minimum mature height of 24 inches and a  
10 maximum height of 30 inches. Plant material shall be spaced 18 inches to  
11 24 inches apart, depending on their mature size.

12 2. Interior parking areas shall have one landscape island containing at least  
13 one tree and shrubs or groundcovers as per the above specifications, for  
14 every eight continuous spaces.

15 **h. Irrigation system.**

16 1. An irrigation system shall be installed for all landscaped areas of the site.

17 2. All irrigation materials used shall be ASTM approved.

18 3. All irrigation systems shall include rain sensors.

19 **(h) Signs.** See Chapter 5.

20 **(i) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.

21 **(j) Density transfer.** Densities may not be transferred to parcels south of Perdido Key  
22 Drive. Densities may be transferred across public roadways and commercial zoning  
23 district lines, identified as areas zoned C-1PK, CCPK, CGPK and PRPK, provided  
24 that the proposed development is on contiguous land (exclusive of public roadways),  
25 under unified control of an individual, partnership, corporation, or a grouping thereof.  
26 Height maximums cannot be so transferred except through the PUD process.

27  
28 **Sec. 3-4.5 Commercial Core district, Perdido Key (CCPK).**

29 **(a) Intent and purpose of district.** This district is composed of lands and structures  
30 used primarily for intense residential development and retailing of resort-related  
31 commodities and services. The regulations are intended to permit and encourage  
32 mixed use development, including high density residential, hotels and motels, and  
33 commercial uses associated with resort areas. The maximum density is 13 dwelling  
34 units per acre. Refer to the Escambia, County Comprehensive Plan and latest  
35 amendments regarding dwelling and lodging unit caps on Perdido Key. **[6.05.15.01]**

36 **(b) Permitted uses.**

37 **a.** Any use permitted in the C-1PK district.

38 **b.** Hotels and motels. Maximum density shall be 25 units per acre.

1 c. Commercial amusement and commercial recreational facilities, including  
2 miniature golf courses.

3 d. Arcade amusement centers and bingo facilities.

4 **(c) Off-street parking and loading requirements.** See Chapter 5.

5 **(d) Screening adjacent to residential districts.** See Chapter 5.

6 **(e) Site and building requirements.**

7 a. *Lot coverage.* 80 percent maximum impervious cover ratio.)

8 b. *Lot width.* The minimum lot width for residential single-family, two-family  
9 (duplex), three-family (triplex), four-family (quadruplex), and townhouse  
10 buildings shall be the same as for the R-1PK district. Multifamily dwelling and  
11 commercial buildings shall have no minimum lot width.

12 c. *Yards.* The front and yard shall be the same as the R-3PK district. The rear  
13 yard shall be the same as the C-1PK district. The side yards shall be the  
14 same as the R-3PK district. Required side yard setbacks shall not be less  
15 than five feet on each side, except where a commercial district is contiguous  
16 to a residential district there shall be a minimum side yard of ten feet on the  
17 side abutting the residential district, unless the two districts are separated by  
18 a public street, body of water, or similar manmade or natural buffer, in which  
19 case no side yard is required. On property abutting estuarine, riverine or  
20 creek systems, the setback shall be in accordance with the  
21 marine/estuarine/riverine setback (MERS) provisions of this Code or 30 feet,  
22 whichever is greater.

23 d. *Building heights.* Building heights shall not exceed 20 stories, with the  
24 exception of hotels which shall not exceed 30 stories.

25 **(f) Landscaping.**

26 a. See Chapter 5.

27 b. When county landscaping or buffer regulations conflict with requirements of  
28 state or federal authorizations, including biological opinions, technical  
29 assistance letters or concurrence letters, the conditions in those state or  
30 federal documents shall prevail.

31 c. *Landscape plan.* All commercial and multifamily projects shall submit a  
32 landscape plan as part of the development review criteria. This plan will  
33 include plant species proposed, location of all plant material, including areas  
34 proposed for sod, areas of natural vegetation to be protected, and an  
35 irrigation plan.

36 d. *Xeriscape principles.* It is the proposed intent of this ordinance to encourage  
37 water conservation through proper plant selection, installation and  
38 maintenance practices. The following xeriscape principles are to be  
39 incorporated into all landscape designs:

- 1            1. Proposed plant material shall be tolerant of beach conditions, including  
2            salt, wind, low nutrient levels, and drought.
- 3            2. Limit turf to locations where it provides functional benefits.
- 4            3. Provide efficient irrigation systems.
- 5            4. Mulches and organic soil amendments to improve water-holding capacity  
6            of soil may only be applied north of Perdido Key Drive.
- 7            e. Buffers. For developments subject to ~~section 7.01.00~~ Chapter 5, a minimum  
8            ten-foot wide landscaped strip shall be required on all roadway frontages, and  
9            shall contain one tree and ten shrubs for every 35 linear feet of frontage. For  
10           every additional ten feet in width of the landscape area, the plant material  
11           required shall be doubled. Preservation of existing plant communities within  
12           the required landscaped areas can be used to satisfy this requirement.  
13           Buffers required adjacent to residential districts shall include a minimum of  
14           two trees and 15 shrubs for every 35 linear feet of required buffer area.
- 15           f. Vehicular use areas.
  - 16           1. Vehicular use areas, other than public rights-of-way, designed to be used  
17           for parking or movement of vehicular traffic, shall be separated by a five-  
18           foot landscaped strip for any boundary of the property on which the  
19           vehicular use area is located. This landscaped strip shall consist of shrubs  
20           or groundcovers with a minimum mature height of 24 inches and a  
21           maximum height of 30 inches. Plant material shall be spaced 18 inches to  
22           24 inches apart, depending on their mature size.
  - 23           2. Interior parking areas shall have one landscape island containing at least  
24           one tree and shrubs or groundcovers as per the above specifications, for  
25           every eight continuous spaces.
- 26           g. Irrigation system.
  - 27           1. An irrigation system shall be installed for all landscaped areas of the site.
  - 28           2. All irrigation materials used shall be ASTM approved.
  - 29           3. All irrigation systems shall include rain sensors.

30 **(g) Signs.** See Chapter 5.

31 **(h) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.

32 **(i) Density transfers.** Same as preceding district.

### 34 **Sec. 3-4.6 Commercial Gateway district, Perdido Key (CGPK).**

35 **(c) Intent and purpose of district.** This district is intended to provide gateways  
36 (entryways) into Perdido Key, providing an identity for Perdido Key as a visually  
37 attractive, family style, resort community. The district is characterized by resort-  
38 related commercial uses, including hotels and motels, as well as high density  
39 residential development. The maximum density is 12.5 dwelling units per acre. Refer

1 to the Escambia, County Comprehensive Plan regarding dwelling and lodging unit  
2 caps on Perdido Key. [6.05.15.02]

3 **(b) Permitted uses.**

- 4 a. Any use permitted in the CCPK district.
- 5 b. Hotels and motels. Maximum density shall be 25 units per acre.
- 6 c. Any uses which are similar or compatible to the uses permitted herein that  
7 promote the intent and purpose of this district. Determination shall be made  
8 by the planning board (LPA).

9 **(c) Off-street parking and loading requirements.** See Chapter 5.

10 **(d) Screening adjacent to residential districts.** See Chapter 5.

11 **(e) Site and building requirements.**

- 12 a. *Lot coverage.* The lot coverage for residential single-family, two-family  
13 (duplex), three-family (triplex), four-family (quadruplex), and townhouse  
14 buildings shall be the same as for the R-1PK district. At least 15 percent of  
15 each lot or parcel shall remain pervious (85 percent maximum impervious  
16 cover ratio) for multifamily dwelling and commercial buildings.
- 17 b. *Lot width.* The minimum lot width for residential single-family, two-family  
18 (duplex), three-family (triplex), four-family (quadruplex), and townhouse  
19 buildings shall be the same as for the R-1PK district. Multifamily dwelling and  
20 commercial buildings shall have no minimum lot width.
- 21 c. *Yards.* The front yard shall be the same as the R-3PK district. The rear yard  
22 shall be the same as the C-1PK district. Required side yard setbacks shall not  
23 be less than five feet on each side, except where a commercial district is  
24 contiguous to a residential district, there shall be a minimum side yard of ten  
25 feet on the side abutting the residential district, unless the two districts are  
26 separated by a public street, body of water, or similar manmade or natural  
27 buffer, in which case no side yard is required. On property abutting estuarine,  
28 riverine or creek systems, the setback shall be in accordance with the  
29 marine/estuarine/riverine setback (MERS) provisions of this Code or 30 feet,  
30 whichever is greater.
- 31 d. *Building heights.* No building shall exceed a height of ten stories.
- 32 e. *Footprint.*
  - 33 1. If the lot or parcel is proposed to be improved with, or contains an existing  
34 building of two and one-half or more stories, but less than five stories, the  
35 footprint of both proposed and existing buildings shall not exceed 25  
36 percent of lot coverage.
  - 37 2. If the lot or parcel is proposed to be improved with, or contains an existing  
38 building of five or more stories, but less than seven stories, the footprint of  
39 both proposed and existing buildings shall not exceed 23 percent of lot  
40 coverage.



- 1           **3.** If the lot or parcel is proposed to be improved with, or contains an existing  
2           building of seven or more stories, but less than nine stories, the footprint  
3           of both proposed and existing buildings shall not exceed 21 percent of lot  
4           coverage.
- 5           **4.** If the lot or parcel is proposed to be improved with, or contains an existing  
6           building of nine or more stories, up to and including ten stories, the  
7           footprint of both proposed and existing buildings shall not exceed 19  
8           percent of lot coverage.
- 9           **5.** The lot or parcel used in computing the area required to satisfy footprint  
10          restrictions on buildings two and one-half stories or greater, may not be  
11          crossed, intersected or divided by any public road or right-of-way. If a lot  
12          or parcel is divided, crossed, intersected or divided by any public road or  
13          right-of-way, footprint restrictions shall be applied to each portion of the  
14          divided lot or parcel as if the divided lot or parcel were two separate lots or  
15          parcels. In the event a public road or right-of-way splits a lot or parcel and  
16          creates public access to a waterway, then the lot coverage for both  
17          divisions of the lot or parcel shall be used to determine whether footprint  
18          restrictions have been satisfied.

19 **(f) Landscaping.**

- 20           **a.** See Chapter 5.
- 21           **b.** When county landscaping or buffer regulations conflict with requirements of  
22           state or federal authorizations, including biological opinions, technical  
23           assistance letters or concurrence letters, the conditions in those state or  
24           federal documents shall prevail.
- 25           **c.** Landscape plan. All commercial and multifamily projects shall submit a  
26           landscape plan as part of the development review criteria. This plan will  
27           include plant species proposed, location of all plant material, including areas  
28           proposed for sod, areas of natural vegetation to be protected, and an  
29           irrigation plan.
- 30           **d.** Xeriscape principles. It is the proposed intent of this ordinance to encourage  
31           water conservation through proper plant selection, installation and  
32           maintenance practices. The following xeriscape principles are to be  
33           incorporated into all landscape designs:
  - 34                   **1.** Proposed plant material shall be tolerant of beach conditions, including  
35                   salt, wind, low nutrient levels, and drought.
  - 36                   **2.** Limit turf to locations where it provides functional benefits.
  - 37                   **3.** Provide efficient irrigation systems.
  - 38                   **4.** Mulches and organic soil amendments to improve water-holding capacity  
39                   of soil may only be applied north of Perdido Key Drive.
- 40           **e.** Buffer. For developments subject to the landscape provisions Chapter 5, a  
41           minimum ten-foot wide landscaped strip shall be required on all roadway

1 frontages, and shall contain one tree and ten shrubs for every 35 linear feet of  
2 frontage. For every additional ten feet in width of the landscape area, the  
3 plant material required shall be doubled. Preservation of existing plant  
4 communities within the required landscaped areas can be used to satisfy this  
5 requirement. Buffers required adjacent to residential districts shall include a  
6 minimum of two trees and 15 shrubs for every 35 linear feet of required buffer  
7 area.

8 f. Vehicular use area. Other than public rights-of-way, those vehicular use areas  
9 designed to be used for parking or movement of vehicular traffic shall be  
10 separated by a five-foot landscaped strip for any boundary of the property on  
11 which the vehicular use area is located. This landscaped strip shall consist of  
12 shrubs or groundcovers with a minimum mature height of 24 inches and a  
13 maximum mature height of 30 inches. Plant material shall be spaced 18  
14 inches to 24 inches apart, depending on their mature size.

15 g. Irrigation system.

16 1. An irrigation system shall be installed for all landscaped areas of the site.

17 2. All irrigation materials used shall be ASTM approved.

18 3. All irrigation systems shall include rain sensors.

19 **(g) Signs.** See Chapter 5.

20 **(h) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.

21 **(i) Density transfers.** Same as preceding district.

22  
23 **Sec. 3-4.7 Planned Resort district, Perdido Key (PRPK).**

24 **(a) Intent and purpose of district.** This district is intended to be a large-scale planned  
25 resort district, allowing for destination-type mixed uses that include residential and  
26 hotel development and the supporting recreational and commercial facilities, all  
27 developed within a master planned setting that includes extensive open space,  
28 adequate internal pedestrian/bicycle circulation, creative design, resort-related  
29 amenities, and adequate buffer areas. Parcels in this district shall have a gross site  
30 area of no less than ten acres. A master plan submittal of the overall proposed  
31 development is required. The maximum area-wide density is five units per acre.  
32 Refer to the Escambia, County Comprehensive Plan regarding dwelling and lodging  
33 unit caps on Perdido Key. [6.05.15.03]

34 **(b) Density transfers.** Same as preceding district, but includes building allocation,  
35 provision of open spaces, and preservation areas which may be permitted among  
36 and between the planned resort district, commercial core district, commercial  
37 gateway district and the commercial district, provided the proposed development is a  
38 master planned development.

39 **(c) Site plan approval.** Requests for site plan approval shall include competent  
40 evidence of unified control of the entire area proposed for development.

- 1 a. The development will be in accordance with an overall master site plan of the  
2 entire area under unified control;
- 3 b. Development successors in title shall be bound by the approved site plan.  
4 Such site plan shall include but not be limited to maximum project density,  
5 overall requirements for open spaces and preservation areas, building  
6 coverage allocation, and allocation for incidental commercial uses;
- 7 c. Revision to the approved site plan is permitted; however, all portions of the  
8 project shall be in strict accord with the revised master site plan.

9 **(d) Permitted uses.**

- 10 a. Any use permitted in the CGPK district.
- 11 b. Hotels and motels. Maximum density shall be 25 units per acre.
- 12 c. Storage areas for personal use only by residents and guests of the planned  
13 resort. Such areas shall be screened by opaque fencing and landscape  
14 material a minimum of six feet in height.
- 15 d. Zero lot line development. See Chapter 5.

16 **(e) Off-street parking and loading requirements.** See Chapter 5.

17 **(f) Screening adjacent to residential districts.** See Chapter 5.

18 **(g) Site and building requirements.**

- 19 a. *Lot coverage.* The lot coverage for residential single-family, two-family  
20 (duplex), three-family (triplex), four-family (quadruplex), and townhouse  
21 buildings shall be the same as for the R-1PK district. Maximum area land  
22 coverage by all structures shall not exceed 40 percent of the gross site area  
23 for multifamily dwelling and commercial buildings.
- 24 b. *Lot width.* The minimum lot width for residential single-family, two-family  
25 (duplex), three-family (triplex), four-family (quadruplex), and townhouse  
26 buildings shall be the same as for the R-1PK district. Multifamily dwelling and  
27 commercial buildings shall have no minimum lot width.
- 28 c. *Yards.* The front yard shall be the same as the R-3PK district. The rear yard  
29 shall be the same as the C-1PK district. Required side yards shall not be less  
30 than ten feet. All structures shall be located a minimum of 50 feet from any  
31 publicly dedicated right-of-way. On property abutting estuarine, riverine or  
32 creek systems, the setback shall be in accordance with the  
33 marine/estuarine/riverine setback (MERS) provisions of this Code or 30 feet,  
34 whichever is greater.
- 35 d. *Building heights.* No building shall exceed a height of ten stories.
- 36 e. *Open space.*
- 37 1. Open space shall not be less than 30 percent of the total site area.
- 38 2. Fifty percent of the front yard shall remain as open space.

1           **f. *Building separation.***

- 2           1. The minimum distance between structures shall be 15 feet, excluding zero  
3           lot-line development.
- 4           2. A multifamily structure, including hotels and motels, shall be located at  
5           least 100 feet from any area on the site plan designated for single-family  
6           dwellings.
- 7           3. For structures over 35 feet in height, for every two feet in height over 35  
8           feet, there shall be an additional one foot of setback at the ground level.

- 9           **g. *Sidewalks.*** Sidewalks shall be required and shall provide pedestrian linkages  
10          to residential areas, recreational areas, commercial areas, and any locations  
11          where there is the potential conflict between pedestrian and vehicular traffic.  
12          These conflict areas shall be marked with appropriate pavement markings to  
13          clearly indicate pedestrian crossings.

14       **(h) *Landscaping.***

- 15          **a.** See Chapter 5.

- 16          **b.** When county landscaping or buffer regulations conflict with requirements of  
17          state or federal authorizations, including biological opinions, technical  
18          assistance letters or concurrence letters, the conditions in those state or  
19          federal documents shall prevail.

- 20          **c.** Landscape plan. All commercial and multifamily projects shall submit a  
21          landscape plan as part of the development review criteria. This plan will  
22          include plant species proposed, location of all plant material, including areas  
23          proposed for sod, areas of natural vegetation to be protected, and an  
24          irrigation plan.

- 25          **d.** Xeriscape principles. It is the proposed intent of this ordinance to encourage  
26          water conservation through proper plant selection, installation and  
27          maintenance practices. The following xeriscape principles are to be  
28          incorporated into all landscape designs:

- 29           1. Proposed plant material shall be tolerant of beach conditions, including  
30           salt, wind, low nutrient levels, and drought.
- 31           2. Limit turf to locations where it provides functional benefits.
- 32           3. Provide efficient irrigation systems.
- 33           4. Mulches and organic soil amendments to improve water-holding capacity  
34           of soil may only be applied north of Perdido Key Drive.

- 35          **e.** Buffer. For developments subject to the landscape provisions of Chapter 5, a  
36          minimum ten-foot wide landscaped strip shall be required on all roadway  
37          frontages, and shall contain one tree and ten shrubs for every 35 linear feet of  
38          frontage. For every additional ten feet in width of the landscape area, the  
39          plant material required shall be doubled. Preservation of existing plant  
40          communities within the required landscaped areas can be used to satisfy this

1 requirement. Buffers required adjacent to residential districts shall include a  
2 minimum of two trees and 15 shrubs for every 35 linear feet of required buffer  
3 area.

4 **f. Vehicular use areas.**

5 1. Vehicular use areas, other than public rights-of-way, designed to be used  
6 for parking or movement of vehicular traffic, shall be separated by a five-  
7 foot landscaped strip for any boundary of the property on which the  
8 vehicular use area is located. This landscaped strip shall consist of  
9 shrubs or groundcovers with a minimum mature height of 24 inches and a  
10 maximum height of 30 inches. Plant material shall be spaced 18 inches to  
11 24 inches apart, depending on their mature size.

12 2. Interior parking areas shall have one landscape island containing at least  
13 one tree and shrubs or groundcovers; as per the above specifications, for  
14 every eight continuous spaces.

15 **g. Irrigation system.**

16 1. An irrigation system shall be installed for all landscaped areas of the site.

17 2. All irrigation materials used shall be ASTM approved.

18 3. All irrigation systems shall include rain sensors.

19 **h. Protection from adverse effects.** Orientation of commercial buildings shall be  
20 away from residential development within or adjacent to the district. Layout of  
21 parking and service areas, access, landscaping yards, courts, walls, signs,  
22 lighting and control of noise and other potentially adverse influences shall be  
23 such as to promote protection of such residential development, and will  
24 include adequate buffering.

25 **(i) Signs.** See Chapter 5.

26 **(j) Lighting.** Artificial beachfront lighting shall conform to Chapter 5.

27 **(k) Hotels, motels and timeshares.** Maximum density for hotels, motels, and lodging  
28 unit timeshares shall be 25 units per acre.

29  
30 **Sec. 3-4.8 Outdoor Recreational district, Perdido Key (S-1PK).**

31 **(a) Intent and purpose of district.** This district is intended to preserve and maintain  
32 the land for outdoor recreational uses and open space. [6.05.20]

33 **(b) Permitted uses.**

34 **a.** Golf courses.

35 **b.** Country clubs and their customary accessory uses.

36 **c.** Bird and wildlife sanctuaries.

37 **d.** Parks and greenbelt areas.

1 **(c) Conditional uses.**

2       a. Public utility and service structures.

3 **(d) Lot coverage.** The amount of impervious surface shall not exceed 20 percent of the  
4 total area.

5 **(e) Signs.** See Chapter 5.

1 **Article 5 Pensacola Beach districts.**

2 **Note: The provisions of this section are the current LDC provisions. Only minor**  
3 **changes have been made to adjust formatting and remove or correct invalid**  
4 **references. Format is not consistent with other districts and terms used are not**  
5 **verified.**

6 **Sec. 3-5.1 Building heights. [13.15.00]**

7 **(a) Low and medium density districts.** In the following zoning districts the maximum  
8 height shall be 35 feet above the bottom of the lowest horizontal structural member  
9 of the first habitable floor area; the first habitable floor shall be at or above the  
10 minimum elevation established for the applicable flood zone. The overall height of  
11 the structure may not exceed 45 feet above the finished ground level grade:

- 12 a. Low density residential.
- 13 b. Medium density residential.
- 14 c. Medium density residential/commercial.
- 15 d. General retail.
- 16 e. Recreation retail.

17 **(b) High density and non-residential districts.** In the following districts, the maximum  
18 height shall be 12 habitable stories plus not more than two stories of parking or  
19 storage:

- 20 a. High density residential.
- 21 b. High-density residential/commercial.

22 **(c) Commercial Core Area.** The maximum height shall be 18 habitable stories plus not  
23 more than two stories for parking or storage, excepting Gulf front property which is  
24 not leased to a private party as of June 4, 1998, commonly referred to as "Casino  
25 Beach", and the Gulf from leasehold immediately to the east of and adjoining such  
26 property, all of which property shall be limited to three stories in height, habitable or  
27 otherwise (from the Hampton Inn, incorporating Crab's and westerly to the area  
28 immediately east of the Holiday Inn). This area is defined as being from the east line  
29 of Blocks C and H First Addition to Villa Sabine (p.b.5, p.75) to Avenida 10 (the  
30 commercial core).

31 **(d) Vested properties.** The following properties are deemed vested insofar as the  
32 application of the height restrictions imposed by this ordinance:

- 33 a. *Pensacola Beach Land Trust Property (east of Calle Marbella)* - vested for 21  
34 stories for each eight towers pursuant to the lease agreement between  
35 Pensacola Beach Land Trust Property and the Santa Rosa Island Authority  
36 dated June 30, 1997.
- 37 b. *Santa Rosa Towers Condominium (Fort Pickens Road)* - vested 17 stories  
38 (16 stories above parking), pursuant to the Final Judgment issued March 13,  
39 1997 in Santa Rosa Dunes Association, Inc. And Lamar N. Coxe, Jr. v. Santa

Rosa Island Authority; Escambia County, Florida; Gulfview Partnership and Santa Rosa Towers, Ltd. Case No. 96-1231-CA-01.

- c. *Gulfview Partnership parcel adjacent to Santa Rosa Towers* - vested to 17 stories (16 stories above parking), pursuant to the 1986 lease agreement between Gulfview Partnership and the Santa Rosa Island Authority and the option agreement between Gulfview Partners and Santa Rosa Towers, Ltd., dated April 3, 1998.

**Sec. 3-5.2 Low density residential (LDR-PB).** Areas delineated as low density residential are restricted to the development of single family detached homes at densities up to and including four units per acre.

**(1) Site and building requirements.**

TABLE LDR-PB

Minimum Size Lot	Building Setbacks 1, 2	Parking	Special Requirements
Minimum lot size is 10,000 sq. ft.	Front - 30 feet 3, 4 Side - 15 feet* 4, 5 Rear - 20 feet* 3, 6, 7 *See list for existing subdivisions	Minimum 2 spaces off street	Subdivision plat required. Landscaping requirements per Chapter 5

**Notes:**

1. Setbacks to be measured to outside walls with maximum of three feet of overhang allowed.
2. Front is defined as side facing main street or access. If water front property, then side facing water is rear.
3. If facing County Road 399 setback shall be 50 feet.
4. If sound front, building front setback may be reduced to a minimum of 20 feet.
5. Corner lot setbacks shall be 25 feet. For irregular shaped lots the sideline restrictions may be based on 10 percent of the average of the front and rear lines, but in no case shall be less than 10 feet unless otherwise specified.
6. If Gulf front, building line shall be the most restrictive of 50 feet landward of the crest of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line (CCCL). In Lafitte Cove, as per recorded plat. In Villa Sabine, as per recorded plat.
7. If sound front (Villa Primera and Villa Segunda subdivisions) building setback shall be established as 30 feet upland of the mean high water line, for structures deemed in compliance with current flood elevation requirements and whose shoreline has been stabilized. All other structures shall maintain a building setback of 50 feet upland of the vegetation line.
8. First floor level of lowest habitable floor must be in compliance with current flood insurance rate map issued by the National Flood Insurance Program, or this chapter, whichever is greater.
9. Enclosures below established base flood level must be accomplished through "break-away" wall construction, and such enclosures may not be used for habitable purposes. (Habitable includes working, sleeping, eating, cooking or recreation, or a combination thereof.)

**Setbacks.** Listed below are required setbacks for the existing single-family detached subdivisions located on Pensacola Beach.



Name of Subdivision	Front	Side	Rear
Deluna Point	plat	plat	plat
LaCaribe	plat	plat	plat
Lafitte Cove	25 feet	10 feet	plat
Lafitte Cove Unit II	40 feet	plat	30 feet
Santa Rosa Villas	25 feet	7.5 feet 5	10 feet 1, 3, 4
Santa Rosa Villas 1st Addition	30 feet 1	15 feet 2	20 feet 3
Santa Rosa Villas 2nd Addition	30 feet	15 feet 2	20 feet 4
Santa Rosa Villas Estates	plat	plat	plat
Seashore Village	plat	plat	plat
Tristan Villas	plat	plat	plat
Villa Primera	30 feet 1	15 feet 2	20 feet 3, 4
Villa Sabine	30 feet	15 feet	Plat 4
Villa Segunda	30 feet 1	15 feet 2	20 feet 3, 4
White Sands Cottages	30 feet	5 feet	20 feet

1

2 **Sec. 3-5.3 Medium density residential (MDR-PB).** Areas delineated as medium  
3 density residential are restricted to the development of detached and multiple dwelling  
4 units at densities ranging from five units per acre up to and including 15 units per acre.

5 **(1) Permitted uses.** The following types of uses are permitted under MDR-PB:

- 6 a. Duplexes.
- 7 b. Triplexes.
- 8 c. Multiple Dwellings.

9 **(2) Site and building requirements.**

10 TABLE MDR-PB

Minimum Lot Size	Building Setbacks 1, 2	Parking	Special Requirements
5,000 sq. ft. per unit for first 3 units and 3,000 sq. ft. per unit for remaining units built; maximum density 20 units per net acre; maximum 25% for building only	Front 30 feet 2, 3 Side 15 feet 4 Rear 30 feet 5	See Chapter 5	Subdivision plat required. All multiple owner projects to have approved maintenance association. Landscaping requirements per Chapter 5.

11 *Notes:*

- 12 1. Setbacks to be measured to outside walls with maximum of three feet of overhang
- 13 allowed.

- 1 2. Front is defined as side facing main street or access. If water front property, then  
2 side facing water is rear.
- 3 3. If facing County Road 399 setback shall be 50 feet.
- 4 4. Corner lot setbacks shall be 25 feet. For irregular shaped lots the sideline restrictions  
5 may be based on ten percent of the average of the front and rear lines, but in no case  
6 shall be less than ten feet unless otherwise specified.
- 7 5. If gulf front, building line shall be the most restrictive 50 feet landward of the crest of  
8 the primary dune line; or the State of Florida 1975 Coastal Construction Control Line  
9 (CCCL).
- 10 6. First floor level of lowest habitable floor must be in compliance with current flood  
11 hazard map and flood insurance rate map issued by the National Flood Insurance  
12 Program, or this chapter, whichever is greater.
- 13 7. Enclosures below established base flood level must be accomplished through  
14 "break-away" wall construction, and such enclosures may not be used for habitable  
15 purposes. (Habitable includes working, sleeping, eating, cooking or recreation, or a  
16 combination thereof.)
- 17 8. If sound front, building setback line shall be 50 feet upland of the vegetation line.

18 **Sec. 3-5.4 Medium density residential/commercial (MDR/C-PB).** Areas delineated  
19 as medium density residential/commercial are for mixed uses including medium density  
20 residential, motel, hotel and limited accessory retail uses. Densities shall be in the range  
21 of five to 15 units per acre for residential use and for a mix of residential and motel/hotel  
22 uses. For developments consisting solely of motel/hotel development, where the  
23 application of the five to 15 density range will result in a reduction of the existing number  
24 of units, or where such density restrictions will impede efficient motel/hotel  
25 development, the Santa Rosa Island Authority may, but shall not be obligated to,  
26 recommend conditional use approval to the Escambia County Board of Adjustments  
27 such that motel/hotel development may be increased up to a maximum of 20 units per  
28 acre. This special exception shall not apply to condominium dwellings which are made  
29 available for rental use.

30 **(1) Permitted uses.** The following types of uses are permitted under MDR/C-PB:

- 31 a. Duplexes.
- 32 b. Triplexes.
- 33 c. Multiple dwellings. [multi-family?]
- 34 d. Motel and hotels.
- 35 e. Restaurants.
- 36 f. Tourist related retail goods.
- 37 g. Marinas, etc.
- 38 h. Cocktail lounges and package stores.
- 39 i. Miscellaneous convenience goods stores.
- 40 j. Professional offices.
- 41 k. Realty and property rental offices.

1 I. Personal service establishments.

2 (2) Conditional uses. The following types of use are conditional uses under  
3 MDR/C-PB:

4 a. Temporary structures.

5 (3) Site and building requirements.

6 TABLE MDR/C-PB

Minimum Lot Size	Building Setbacks	Project Access Points	Special Requirements
For residential, same as MDR-PB	For residential, same as MDR-PB	For residential, same as MDR-PB	For residential, same as MDR-PB
Tourist oriented, service oriented, & local service, commercial uses, & governmental uses.	Front 50 feet 2 Side 50 feet 3 Rear 40 feet 4	Access points from service roads limited to 1 every 400 feet unless otherwise specifically approved by the county	1. Landscaped separate strips shall be provided and maintained along all property lines & streets. 2. Parking in accordance with Chapter 5

7 Notes:

8 1. Setbacks to be measured to outside walls with maximum of three feet of overhang  
9 allowed.

10 2. Front is defined as side facing main street or access. If water front property, then  
11 side facing water is rear.

12 3. If facing County Road 399 setback shall be 50 feet.

13 4. Corner lot setbacks shall be 25 feet. For irregular shaped lots the sideline restrictions  
14 may be based on ten percent of the average of the front and rear lines, but in no case  
15 shall be less than ten feet unless otherwise specified.

16 5. If Gulf front, building line shall be the most restrictive of 50 feet landward of the crest  
17 of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line  
18 (CCCL).

19 6. First floor level of lowest habitable floor must be in compliance with current flood  
20 hazard map and flood insurance rate map issued by the National Flood Insurance  
21 Program, or this chapter, whichever is greater.

22 7. Enclosures below established base flood level must be accomplished through  
23 "break-away" wall construction, and such enclosures may not be used for habitable  
24 purposes. (Habitable includes working, sleeping, eating, cooking or recreation, or a  
25 combination thereof).

26 8. If sound front, building setback line shall be 50 feet upland of the vegetation line.

27 **Sec. 3-5.5 High density residential (HDR-PB).** Areas delineated for high density  
28 residential shall be developed for multiple dwelling development in the range of 16 to  
29 30 units per acre. [13.03.04]

30 (1) Permitted uses. The following types of use are permitted in HDR-PB:

31 a. Multiple dwelling.

1 **(2) Site and building requirements.**

2 TABLE HDR-PB

Minimum Building Setbacks 1, 2, 3	Maximum Coverage*	Parking	Special Requirements 5
Front 60 feet 2 Side 4 Rear 60 feet	3 to 4 stories - 25% 5 to 7 stories - 23% 8 to 9 stories - 21% Over 9 stories - 19% *Net building coverage maximum percent of land built over	If maximum lot coverage is attained there will be a minimum of 1 parking space per unit inside building. See Chapter 5	1. Maximum 30 units per acre 2. Maximum floor area 500 s.f. per unit for 1 bedroom apts. For 2 bedroom a minimum of 850 s.f. per unit 3. All multiple owner projects to have appropriate maintenance associations 4. Landscaping requirements per Chapter 5

3 *Notes:*

- 4 1. Setbacks to be measured to outside walls with maximum of three feet of overhang  
 5 allowed.  
 6 2. Front is defined as side facing main street or access. If water front property, then  
 7 side facing water is rear.  
 8 3. If gulf front, building line shall be the most restrictive of 50 feet landward of the crest  
 9 of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line  
 10 (CCCL). If sound front, building setback shall be established as 50 feet upland of the  
 11 vegetation line.  
 12 4. Side setbacks to be determined on an individual basis.  
 13 5. First floor level of lowest habitable floor must be in compliance with current flood  
 14 hazard map and flood insurance rate map issued by the National Flood Insurance  
 15 Program, or this chapter, whichever is greater. No floodproofing methods will be allowed  
 16 in the Velocity ("V") Zone. All enclosures below base flood level must be of "break-away"  
 17 type construction. Such enclosures may not be used for habitable purposes. (Habitable  
 18 includes working, sleeping, eating, cooking, or recreation, or a combination thereof.)  
 19 6. If sound front, building setback line shall be 50 feet upland of the vegetation line.

20 **Sec. 3-5.6 High density residential/commercial (HDR/C-PB).** Areas delineated as  
 21 high density residential/commercial are for mixed uses including high density  
 22 residential, hotel and limited accessory retail uses. Densities shall be in the range of  
 23 16 to 30 units per acre for residential uses and for a mix of residential and hotel  
 24 uses. For development consisting solely of hotel development, where the  
 25 application of the 16 to 30 density range will result in a reduction of the existing  
 26 number of units, or where such density restrictions will impede efficient hotel  
 27 development, the SRIA may, but shall not be obligated to, recommend conditional  
 28 use approval to the BOA such that hotel development may be increased up to a  
 29 maximum of 50 units per acre. This conditional use shall not apply to condominium  
 30 dwellings which are made available for rental use. **[13.03.05]**

31 **(1) Permitted uses.** The following types of use are permitted under HDR/C-PB:

- 32 a. Condominiums.

- 1           **b.** Motels and hotels.
- 2           **c.** Restaurants.
- 3           **d.** Tourist related retail goods.
- 4           **e.** Marinas, etc. [etc.??]
- 5           **f.** Cocktail lounges and package stores.
- 6           **g.** Miscellaneous convenience goods stores.
- 7           **h.** Professional offices.
- 8           **i.** Realty and property rental offices.
- 9           **j.** Personal service establishments.

10       **(2) Conditional uses.** The following types of use are conditional uses in HDR/C-  
11       PB:

- 12           **a.** Temporary structures.

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**(3) Site and building requirements.**

TABLE HDR/C-PB

Minimum Building Setbacks 1, 2, 3  Types of Commercial Uses	Maximum Coverage*	Parking  Project Access Points	Special Requirements 5
Front 60 feet Side 4 Rear 60 feet	3 to 4 stories - 25% 5 to 7 stories - 23% 8 to 9 stories - 21% Over 9 stories - 19% *Net building coverage maximum percent of land built over	If maximum lot coverage is attained there will be a minimum of 1 parking space per unit inside building. See Chapter 5. Access points from service roads limited to 1 every 400 feet unless otherwise specifically approved by the county.	1. Minimum floor area 500 sq.ft. per unit for 1 bedroom apts. For 2 bedroom a minimum of 850 sq.ft. per unit. 2. All multiple owner projects to have appropriate maintenance associations. 3. Landscaping requirements per Chapter 5
Tourist oriented, service oriented, & local service commercial uses, & governmental uses	Front 50 feet 2 Side 50 feet 4 Rear 40 feet 3		

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*Notes:*

1. Setbacks to be measured to outside walls with maximum of three feet of overhang allowed.
2. Front is defined as side facing main street or access. If water front property, the side facing water is rear.
3. If gulf front, building line shall be the most restrictive of 50 feet landward of the crest of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line (CCCL). If sound front, building setback shall be established as 50 feet upland of the vegetation line.
4. Side setbacks to be determined on an individual basis.
5. First floor level of lowest habitable floor must be in compliance with current flood hazard map and flood insurance rate map issued by the National Flood Insurance Program, or this chapter, whichever is greater. No floodproofing methods will be allowed in the velocity ("V") zone. All enclosures below base flood level must be of "break-away" type construction. Such enclosures may not be used for habitable purposes. (Habitable includes working, sleeping, eating, cooking, or recreation, or a combination thereof.)
6. If sound front, building setback line shall be 50 feet upland of the vegetation line.

**Sec. 3-5.7 General retail (GR-PB).** Areas delineated as general retail may be developed for uses pertaining to retail sales and services including motels (in accordance with the density provisions of medium density residential/commercial), restaurants, service stations, marinas, cocktail lounges, tourist related retail goods and professional services, sundries, convenience stores, groceries, professional offices, realty offices, personal service establishments, and substantially similar uses as determined by the Santa Rosa Island Authority Board. **[13.03.06]**

**(1) Permitted uses.** The following types of uses are permitted in GR-PB:

- a. Motels and hotels.
- b. Restaurants, indoor and drive-in.
- c. Grocery stores.
- d. Miscellaneous convenience goods stores.
- e. Professional offices.
- f. Realty and property rental offices.
- g. Personal service establishments.
- h. Convenience goods stores.
- i. Professional offices.
- j. Personal service establishments.
- k. Realty and property rental offices.
- l. Marinas.
- m. Temporary structures.

**(2) Site and building requirements.**

TABLE GR-PB

Minimum Lot Size	Building Setbacks 1, 2	Project Access Points	Special Requirements
Tourist oriented, service oriented, & local service commercial uses, & governmental uses.	Front 50 feet 2 Side 50 feet 4 Rear 40 feet 3	Access points from service roads limited to 1 every 400 feet unless otherwise specifically approved by the county	1. Landscaped separate strips shall be provided and maintained along all property lines & streets. 2. Parking requirements shall be in accordance with Chapter 5

Notes:

- 1. Setbacks to be measured to outside walls with maximum of three feet of overhang allowed.
- 2. Front is defined as side facing main street or access. If water front property, then side facing water is rear.
- 3. If facing County Road 399 setback shall be 50 feet.

1 4. Corner lot setbacks shall be 25 feet. For irregular shaped lots the sideline restrictions  
2 may be based on ten percent of the average of the front and rear lines, but in no case  
3 shall be less than ten feet unless otherwise specified.

4 5. If gulf front, building line shall be the most restrictive of 50 feet landward of the crest  
5 of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line  
6 (CCCL).

7 6. First floor level of lowest habitable floor must be in compliance with current flood  
8 hazard map and flood insurance rate map issued by the National Flood Insurance  
9 Program, or this chapter, whichever is greater.

10 7. Enclosures below established base flood level must be accomplished through  
11 "break-away" wall construction, and such enclosures may not be used for habitable  
12 purposes. (Habitable includes working, sleeping, eating, cooking or recreation, or a  
13 combination thereof.)

14 **Sec. 3-5.8 Recreation retail (Rec/R-PB).** Areas delineated as recreation retail are  
15 for retail establishments relating directly to a specific adjacent beach or other  
16 recreation area. Permitted uses include sandwich, fast food and other eating  
17 establishments, beachwear and tourist related sundry shops, gift shops,  
18 amusements and rental of recreation facilities, e.g. surfboards, jet skis, sailboats,  
19 and substantially similar uses as determined by the county. [13.03.07]

20 **(1) Permitted uses.** The following types of uses are permitted in Rec/R-PB:

- 21 a. Restaurants, indoor and drive-in.
- 22 b. Convenience goods stores.
- 23 c. Tourist related retail goods.
- 24 d. Tourist related personal and professional services.
- 25 e. Temporary structures.

26 **(2) Site and building requirements.**

27 TABLE REC/R-PB

Minimum Lot Size	Building Setbacks 1, 2	Project Access Points	Special Requirements
Tourist oriented, service oriented, & local service commercial uses, & governmental uses	Front 50 feet 2 Side 50 feet 3 Rear 40 feet 4	Access points from service roads limited to 1 every 400 feet unless otherwise specifically approved by the county	1. Landscaped separate strips shall be provided and maintained along all property lines & streets 2. Parking requirements shall be in accordance with Chapter 5.

28 *Notes:*

- 29 1. Setbacks to be measured to outside walls with maximum of three feet of overhang  
30 allowed.
- 31 2. Front is defined as side facing main street or access. If water front property, then  
32 side facing water is rear.
- 33 3. If facing County Road 399 setback shall be 50 feet.



1 4. Corner lot setbacks shall be 25 feet. For irregular shaped lots the sideline restrictions  
2 may be based on ten percent of the average of the front and rear lines, but in no case  
3 shall be less than ten feet unless otherwise specified.

4 5. If gulf front, building line shall be the most restrictive of 50 feet landward of the crest  
5 of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line  
6 (CCCL).

7 6. First floor level of lowest habitable floor must be in compliance with current flood  
8 hazard map and flood insurance rate map issued by the National Flood Insurance  
9 Program, or this chapter, whichever is greater.

10 7. Enclosures below established base flood level must be accomplished through  
11 "break-away" wall construction, and such enclosures may not be used for habitable  
12 purposes. (Habitable includes working, sleeping, eating, cooking or recreation, or a  
13 combination thereof.)

14 **Sec. 3-5.9 Commercial hotel (CH-PB).** Areas delineated as commercial hotel sites  
15 are intended primarily for hotel development in keeping with the hotel density  
16 guidelines established for hotel uses within the high density residential/commercial  
17 districts. This district also permits uses permitted in the recreation retail district.

18 [13.03.08]

19 **(1) Permitted uses.** The following types of uses are permitted in CH-PB:

- 20 a. Motels and hotels.
- 21 b. Restaurants.
- 22 c. Tourist related retail goods.
- 23 d. Marinas, etc.
- 24 e. Cocktail lounges and package stores.
- 25 f. Miscellaneous convenience goods stores.
- 26 g. Professional offices.
- 27 h. Realty and property rental offices.
- 28 i. Personal service establishments.
- 29 j. Temporary structures.

30 **(2) Site and building Requirements.**

31 TABLE CH-PB

Types of Commercial Uses	Minimum Building Setbacks <sup>1</sup>	Project Access Points	Special Requirements
Tourist oriented, service oriented, & local service commercial uses, & governmental	Front 50 feet <sup>2</sup> Side 50 feet <sup>4</sup> Rear 40 feet <sup>3</sup>	Access points from service roads limited to 1 every 400 feet unless otherwise specifically approved by the	1. Landscaped separate strips shall be provided and maintained along all property lines & streets 2. Parking requirements shall be in accordance

uses		county.	with Chapter 5
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Notes:

1. Setbacks to be measured to outside walls with maximum of three feet of overhang allowed.
2. Front is defined as side facing main street or access. If water front property, then side facing water is rear.
3. If gulf front, building line shall be the most restrictive of 50 feet landward of the crest of the primary dune line; or the State of Florida 1975 Coastal Construction Control Line (CCCL). If sound front, building setback shall be established as 50 feet upland of the vegetation line.
4. Side setbacks to be determined on an individual basis.
5. First floor level of lowest habitable floor must be in compliance with current flood hazard map and flood insurance rate map issued by the National Flood Insurance Program, or this chapter, whichever is greater. No floodproofing methods will be allowed in the velocity ("V") zone. All enclosures below base flood level must be of "break-away" type construction. Such enclosures may not be used for habitable purposes. (Habitable includes working, sleeping, eating, cooking, or recreation, or a combination thereof.)

**Sec. 3-5.10 Preservation (PR-PB).** Areas delineated as preservation are environmentally sensitive and permanently set aside for the maintenance of all natural features. Such areas shall not be leased and public access may be restricted as deemed necessary by the SRIA Board. [13.03.09.]

**(1) Permitted uses.** The following types of uses are permitted in PR-PB:

- a. Areas permanently set aside for preservation in natural state.
- b. Areas temporarily set aside for natural revegetation.

**Sec. 3-5.11 Conservation/recreation (Con/Rec-PB).** Areas delineated as conservation/recreation are those set aside as open space where the need for recreation is balanced with the need for environmental conservation. Important natural site features, including dune formations, wetlands and areas of native vegetation shall not be eliminated or damaged. Depending on the specific characteristics of each site appropriate recreation uses may include, public parking, beach access boardwalks, nature trails, boat launching areas, docking facilities, picnic areas, restrooms, and other such related uses as may be approved by the Santa Rosa Island Authority consistent with legal requirements presently in force. Other uses may be approved by the county subject to appropriate studies which demonstrate that such uses are environmentally sound and in the public interest. Although all gulf front beaches are places in the Conservation/Recreation Category only dune crosswalks and parking nodes shall be approved east of Avenida 10. The Santa Rosa Island Authority Board also retains the authority to establish temporary preservation areas within areas designated for conservation/recreation where such designations are needed to restrict public access and restore native vegetation. [13.03.10]

**(1) Permitted uses.** The following types of uses are permitted in Con/Rec-PB:

- a. Picnic shelters and related facilities.

- 1           **b.** Service concessions.
- 2           **c.** Public beaches.
- 3           **d.** Public safety facilities.
- 4           **e.** Public rest shelters and restrooms.
- 5           **f.** Open parks and play areas.
- 6           **g.** Public parking areas.
- 7           **h.** Boat launching facilities.
- 8           **i.** Lifeguard facilities.
- 9           **j.** Nature trails.
- 10          **k.** Conservation areas.
- 11          **l.** Walkways to preserve dunes.
- 12          **m.** Small concession limited to food and drinks.

13   **Sec. 3-5.12 Government and civic (G/C-PB).** Areas designated for government and  
14   civic uses are intended to accommodate public services and civic facilities including  
15   government offices and operations, public utilities, schools, religious institutions,  
16   places of worship, community service organizations, and substantially similar uses  
17   as determined by the county. **[13.03.11]**

18   **(1) Permitted uses.** The following types of uses are permitted under G/C-PB:

- 19          **a.** Santa Rosa Island Authority uses.
- 20          **b.** Law enforcement uses.
- 21          **c.** Public safety uses.
- 22          **d.** Public utility and service structures.
- 23          **e.** Schools.
- 24          **f.** Places of worship.