

**AN ORDINANCE AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE SECTION 303.6, APPLICATION SUBMITTAL AND ACCEPTANCE; SECTION 406.1, SIGNS; SECTION 407.5, ALTERNATIVE STANDARDS, TO PROVIDE FOR ALTERNATIVE STANDARDS FOR SIGNS; CHAPTER 500, ZONING, SECTIONS 500 - 530 TO CORRECT INCONSISTENCIES; SECTION 530, SUPPLEMENTAL REGULATIONS, TO ALLOW FOR STORAGE OF RECREATIONAL VEHICLES ON RESIDENTIAL LOTS UNDER SPECIFIC CIRCUMSTANCES; APPENDIX A, DEFINITIONS; AND OTHER SECTIONS AS NECESSARY FOR INTERNAL CONSISTENCY; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the Board of County Commissioners of Pasco County, Florida, is authorized under Chapters 125, 162, 163, 177 and 380, Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of Pasco County; and

**WHEREAS**, Sections 163.3201, 163.3202, 163.3211 and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Pasco County, Florida, to implement adopted Comprehensive Plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

**WHEREAS**, Section 163.3202, Florida Statutes, provides that certain specified and mandated regulations are to be combined and compiled into a single land development code for the jurisdiction; and

**WHEREAS**, the Board of Commissioners adopted the restated Pasco County Land Development Code on October 18, 2011 by Ord. No. 11-15; and

**WHEREAS**, at the time of the adoption of the restated Land Development Code, the Board of County Commissioners contemplated adopting further amendments as necessary to implement their policy direction; and

**WHEREAS**, the Board of County Commissioners conducted duly noticed public hearings on November 15, 2011, and December 6, 2011. The Board of County Commissioners considered all oral and written comments, including staff reports and information received, during said public hearings; and

**WHEREAS**, the citizens of Pasco County were provided with ample opportunity for comment and participation in this amendment process through staff workshops, public meetings and public hearings; and

**WHEREAS**, in exercise of said authority the Board of County Commissioners of Pasco County, Florida, has determined that it is necessary and desirable to amend the restated Pasco County Land Development Code to implement policy direction and to correct internal inconsistencies; and

**WHEREAS**, the Board of County Commissioners, acting as the Local Planning Agency, finds this Ordinance consistent with the Comprehensive Plan.

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

**SECTION 1. Authority.**

This Ordinance is enacted pursuant to Chapter 125, Florida Statutes (2011), and under the home rule powers of the County.

**SECTION 2. Legislative Findings of Fact.**

The foregoing Whereas clauses, incorporated herein, are true and correct.

**SECTION 3. Applicability and Effect on Existing Development Approvals.**

The applicability of this Ordinance to development applications and requests for substantial modifications shall be as provided for in Section 4 of Ord. No. 11-15. The effect of this Ordinance on existing development approvals shall be as provided for in Section 5 of Ord. No. 11-15.

**SECTION 4. Section 303.6, Application Submittal and Acceptance.**

Section 303.6, Application and Submittal Acceptance, is hereby amended as set forth in Attachment A, attached hereto and incorporated herein.

**SECTION 5. Section 406.1, Signs.**

Section 406.1, Signs, is hereby amended as set forth in Attachment B, attached hereto and incorporated herein.

**SECTION 6. Section 406.6, Model Centers.**

Section 406.6, Model Centers, is hereby amended as set forth in Attachment C, attached hereto and incorporated herein.

**SECTION 7. Section 407.5, Alternative Standards.**

Section 407.5, Alternative Standards, is hereby amended as set forth in Attachment D, attached hereto and incorporated herein.

**SECTION 8. Chapter 500, Zoning.**

Chapter 500, Zoning, is hereby amended as set forth in Attachment E, attached hereto and incorporated herein.

**SECTION 9. Section 902.1, Stormwater Quality.**

Section 902.1, Stormwater Quality, is hereby amended as set forth in Attachment F, attached hereto and incorporated herein.

**SECTION 10. Section 905.2 Landscaping and Buffering.**

Section 905.2, is hereby amended as set forth in Attachment G, attached hereto and incorporated herein.

**SECTION 11. Appendix A, Definitions.**

Appendix A, Definitions, is hereby amended as set forth in Attachment H, attached hereto and incorporated herein.

**SECTION 11. Severability.**

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

**SECTION 12. Effective Date.**

A certified copy of this Ordinance shall be filed with the Florida Department of State by the Clerk to the Board within ten (10) days after adoption of this Ordinance. This Ordinance shall take effect on January 1, 2012.

**ADOPTED** with a quorum present and voting this 6th day of December, 2011.

( S E A L )

BOARD OF COUNTY COMMISSIONERS  
OF PASCO COUNTY, FLORIDA

ATTEST:

By: \_\_\_\_\_  
PAULA S O'NEIL, Ph.D., CLERK &  
COMPTROLLER

By: \_\_\_\_\_  
ANN HILDEBRAND, CHAIRMAN

Attachment A



**TABLE 303-1**

**Timelines for Zoning Actions\***

<b>Zoning Action</b>	<b>Deadline for Submittal**</b>	<b>DRC Hearing</b>	<b>PC</b>	<b>BCC Hearing</b>
MPUD Rezoning	N/A	140 Days***	N/A	152+/- Days
Euclidean Rezoning	15 <sup>th</sup> of Month	N/A	50+/- Days	60+/- Days
Conditional Use				60+/- Days
Special Exception				N/A
Zoning Variance	1 <sup>st</sup> of Month	45+/- Days	N/A	N/A

These timeframes are subject to the County receiving all requested information which is reasonable and relevant to form a recommendation.

\*\*Submittal is accepted when the application is found complete at content review.

\*\*\*The DRC hearing will not be scheduled sooner than thirty (30) days of completion and receipt by the County of a traffic study.

**TABLE 303-2**

**Timelines for Site Development Processing**

Site Development Plan Reviews	Days after Submittal* First Round Comments Must be Sent	Applicant Must Respond Within	Second Round Comments Must be Mailed or Electronically Sent Within	DRC Hearing Must Be
PSP/Small	35 Days	180 Days**	<del>15-21</del> Days	N/A
Minor Rural Preliminary Development Plan	21 Days			
Minor Rural Stormwater and Construction Plan	28 Days			
Limited Family Lot Division Plan	21 Days			
PSP/Large	45 Days			
PDPs - Residential, Nonresidential, or Mixed Use				
Stormwater Construction Plans				
Simultaneous Plans				

\*Submittal is accepted when the application is found complete at content review and after three (3) business days allotted for file creation and distribution.

\*\* Second or subsequent rounds response by applicant within thirty (30) days.

**TABLE 303-3**

**Timelines for Combined Conditional Use/Operating Permit Applications**

Submittal	1 <sup>st</sup> Comments	Applicant Response	2 <sup>nd</sup> Comments	Applicant Response	DRC	PC	BCC
Conditional Use						**	<b>180 days</b>
Operating Permit	<b>45 days</b>	<b>45 days</b>	<b>15 days*</b>	<b>15 days*</b>	<b>120 days</b>		<b>180 days</b>

**\* If Applicable \*\*PC Hearing will be last available hearing prior to BCC Hearing**  
Time frames will begin after application has been found complete and after three (3) business days allotted for file creation and distribution.

It is the policy of Pasco County to expedite the review of applications for affordable housing projects, projects within the Urban Concentration Area, LEEDs projects and projects approved by the Pasco Economic Development Council as targeted industry projects. In all cases, every effort will be made to expedite those projects using a shared, agreed upon time frame where the responsibilities and timeframes for both the County and applicant are mutually agreed upon. Table 303-4 identifies the timelines for several types of applications.

**TABLE 303-4**

**Timelines for Expedited Plan Reviews**

Plan Type	Expedited Review Time	Nonexpedited Review Time	Time Saved
PSP	20 Days	45 Days	25 Days
Simultaneous Plans	20 Days	45 Days	25 Days
Resubmittals	10 Days PSP; 15 Days Others	21 Days	6-11 Days

Time commences when an application is accepted and three business days have been allotted for file creation and distribution.

Attachment B

## CHAPTER 400. PERMIT TYPES AND APPLICATIONS

### SECTION 406. MISCELLANEOUS PERMITS

#### 406.1. Signs

##### 406.1.1. General

###### A. Intent and Purpose

The intent and purpose of this section is to provide the minimum control of signs necessary to promote the health, safety, and general welfare of the citizens of the County by lessening hazards to pedestrians and vehicular traffic, by preserving property values by preventing unsightly and detrimental signs that detract from the aesthetic appeal of the County and lead to economic decline and blight, by preventing signs from reaching excessive size and numbers disproportionate to the size or intensity of use of the parcel on which they are located or that they obscure one another to the detriment of the County, by ensuring good and attractive design that will strengthen the County's appearance and economic base, and by preserving the right of free speech and expression in the display of signs.

It is not the purpose of this section to regulate or control the copy, the content, or the viewpoint of signs. Nor is it the intent of this section to afford greater protection to commercial speech than to noncommercial speech. Noncommercial signs are allowed in all districts and may be substituted for any sign expressly allowed in this section, and any sign permitted by this section may display a noncommercial message. If any or all of the other provisions of this section are held to be unconstitutional, it is the explicit intent of the Board of County Commissioners (BCC) that, at a minimum, the standards in Section 406.1.12 be considered severable and enforced as the minimum standards for signs in the County.

###### B. Applicability

All signs proposed to be located or currently existing in the unincorporated area of the County are subject to the requirements of this section. All persons proposing to locate a sign or in control of an existing sign are subject to the requirements of this section. Nonconforming signs shall comply with this Code, Section 1203. The Florida Department of Transportation and the County are specifically exempt from this section. This does not apply to billboards which are regulated pursuant to Section 406.1.2.

##### 406.1.2. Authorization for Signs

###### A. Applications and Permits for Signs

1. Permit required. No person shall erect or assist in the erection, construction, alteration, and relocation of any sign for which a Sign Permit, and any other required permit, has not been obtained. "Alter" shall include, but not be limited to, the addition of sign surface area,

changing a static sign face to an activated sign face, a multiprism sign face, or any technology that automatically changes the sign face, and the changing or relocation of the light source. Alter includes any and all structural changes in the sign, but shall not include the changing of copy on a sign, which is designed as a changeable copy sign, or the sign face. Any sign erected, constructed, altered, or relocated without the required permits, as applicable, is illegal and a violation of this Code. The repair and maintenance of an existing sign shall not require a Sign Permit provided the work performed does not exceed that necessary to keep the sign, including the sign structure, in a good state of repair. If the repair and maintenance of the sign requires a Building Permit, e.g., electrical work is involved, that permit shall be obtained prior to commencement of the work.

2. Application; determination of completeness. Before any Sign Permit is issued, a written application in the form provided by the County Administrator or designee, shall be filed, together with such drawings and specifications as may be necessary to fully advise the County of the location, construction, materials, manner of illuminating, method of securing or fastening, the number of signs applied for, the consent of the property owner, the required application fee, and proof of issuance of or application for any required development and Building Permits for the structure. Upon the submission of an application, staff shall have ten (10) business days to determine whether it is complete. If staff finds that the application is not complete, they shall provide the applicant with written notice of the deficiencies within the ten (10) day period. Upon resubmission of the application, staff shall have five (5) additional business days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, staff will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed "as is."
3. Administrative review. Administrative review of Sign Permit applications shall include the review of all information submitted to determine conformity with this Code and an on-site inspection of the proposed sign location. Sign and landscape conflicts may be resolved by an administrative variance, see Section 407.3. Proposed structural and safety features and electrical systems shall be in accordance with the requirements of the County's adopted Construction Code. No sign shall be approved for use unless it has been inspected and found to be in compliance with all the requirements of this Code and the County's adopted Construction Code.
4. The County Administrator or designee shall approve or deny the Sign Permit application based on whether it complies with the requirements of this Code and the County's adopted Construction Code and shall approve or deny the Sign Permit within thirty (30) calendar days after receipt of a complete application or from the date the applicant

demands that the application be reviewed "as is." The County Administrator or designee shall prepare a written notice of its decision describing the applicant's appeal rights and send it by certified mail, return receipt requested to the applicant pursuant to Section 407.1. The applicant may file an appeal application to the BCC within thirty (30) calendar days after the date of mailing the County's written notice. The BCC shall hear and decide the appeal at the next available BCC meeting that is at least thirty (30) calendar days after the date of receiving the appeal application. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.

5. Sign Permit tag. For each permit issued, the permittee shall permanently affix a permit identification tag which shall be printed or impressed thereon, a number corresponding to the permit number, plus any additional information deemed appropriate by the County Administrator or designee subject to the following. The Sign Permit will become void unless the permit tag is properly displayed on the permitted sign within thirty (30) days after the completion of the installation of the sign.
  - a. No sign as herein defined, unless specifically exempted, shall be erected, displayed, rebuilt, repaired, or otherwise maintained which does not have such tag securely attached thereto, or to its supporting structure in such a manner as to be plainly visible from the street or roadway.
  - b. The absence of an identification tag shall be prima facie evidence that the sign or advertising structure has been erected or is being operated in violation of the provisions of this Code.
  - c. The permittee, owner of the property where the sign is located, a tenant/occupant of the land where the sign is located, and the owner of the sign are each responsible for maintaining a valid permit tag on each permitted sign at all times.
  - d. The tag shall be no smaller than 5" X 2" and shall contain numbers not less than one (1) inch high.

B. Extension and Expiration of Sign Applications and Permits

1. An application for a Sign Permit for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing for the Sign Permit, unless before then a Sign Permit has been issued. One (1) or more extensions of time for a period of not more than ninety (90) days each may be allowed by the County Administrator or designee for the application, provided the extension is requested in writing and justifiable cause is demonstrated.

2. Time to complete construction. Every Sign Permit issued shall become invalid unless the work authorized by such Sign Permit is commenced within six (6) months after its issuance, or if the work authorized by such Sign Permit is suspended or abandoned for a period of six (6) months after the time the work is commenced. If a Building Permit for the sign is applied for within thirty (30) days after the Sign Permit is issued, and the Building Permit is issued, the work authorized by the Sign Permit shall be commenced and at least one required inspection shall be successfully completed within six (6) months after issuance of the Building Permit. If the work has commenced and the Sign Permit is revoked, becomes null and void, or expires because of lack of progress or abandonment, a new Sign Permit covering the proposed work shall be obtained before proceeding with the work.

C. Permit Revocation

The County Administrator or designee is hereby authorized and empowered to revoke, in writing, any permit issued by the County upon failure of the holder thereof to comply with the provisions of this Code or if the permit was issued on the basis of a mistake by the County, or misstatement of facts or fraud by the applicant. The County Administrator or designee shall send the revocation by certified mail, return receipt requested to the sign owner. Any person having an interest in the sign or property may appeal the revocation by filing a written notice of appeal with the County within fifteen (15) calendar days after mailing the written notice of revocation. The BCC shall hear and decide the appeal at the next BCC meeting that is at least in thirty (30) calendar days after the date of receiving the written notice of appeal. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.

D. Relationship to Other Permits

No permit for any on-site sign shall be issued by the County until a Building Permit or Development Permit has been issued for the establishment to which it relates.

406.1.3. Prohibited Signs

A variance may not be approved for a prohibited sign. The following types of signs are prohibited.

- A. Activated signs and devices.
- B. Revolving signs.
- C. Snipe signs.
- D. Signs other than sandwich signs placed on the sidewalk or curb.
- E. Swinging signs.

- F. Vehicle signs.
- G. Signs which imitate or resemble any official traffic or government sign, signal, or device. Signs which obstruct, conceal, hide, or otherwise obscure from view any official traffic or government sign, signal, or device.
- H. Any sign which:
  - 1. Has unshielded, illuminated devices that produce glare or are a hazard or nuisance to motorists or occupants of adjacent properties.
  - 2. Due to any lighting or control mechanism, causes radio, television, or other communication interference.
  - 3. Is erected or maintained so as to obstruct any fire-fighting equipment, window, door, or opening used as a means of ingress or egress for fire escape purposes, including any opening required for proper light and ventilation.
  - 4. Does not comply with the specific standards required for that type of sign as elsewhere required in this Code.
  - 5. Is erected on public property or a public right-of-way, except as expressly allowed in this Code.
- I. Bench signs located on private property.
- J. Abandoned signs.
- K. Inflatable signs or devices.
- L. Illegal signs.
- M. Beacon lights.
- N. Roof signs located above the top line of the mansard, parapet, eaves, or similar architectural features.
- O. Window signs which, in aggregate, cover more than twenty-five (25) percent of the total window surface.
- P. Signs in or upon any river, bay, lake, or other body of water within the unincorporated limits of the County. Signs attached to or painted on piers or seawalls.
- Q. Pole signs except for temporary signs.
- R. Multiprism signs.
- S. Portable signs.



- T. Pennants.
- U. Festoons.
- V. Any unpermitted sign for which a Development, Building, or Sign Permit is required and the permit(s) has not been obtained.
- W. Any sign exempt from obtaining a Sign Permit that does not comply with the applicable requirements of Section 406.1.5.
- X. Off-site signs other than registered billboards as provided for in this Code.
- Y. Signs located on public rights-of-way without a valid Right-of-Way Use Permit.

406.1.4. Abandoned Signs

- A. An abandoned sign is prohibited and shall be removed. An abandoned sign is any sign or sign structure which, for a period of six (6) consecutive months, has any, all, or a combination of the following characteristics:
  - 1. The sign or structure does not bear copy.
  - 2. Is not maintained as required by this Code.
  - 3. The property upon which the sign is located remains vacant for a period of six (6) consecutive months or more.
- B. Signs which have any or all of the characteristics listed above shall be covered and remain covered with an opaque covering by the property owner.
- C. Signs on parcels with active Building Permits will not be considered abandoned during the period that a permit is active provided that the internal fixtures are covered and the sign is maintained as required by this Code.

406.1.5. Signs Exempt from Obtaining Sign Permits

- A. The following on-site signs are not required to obtain a Sign Permit provided, however, that such signs are erected in conformance with all other requirements of this Code and provided that all required permits have been issued. In nonresidential zoning districts:
  - 1. A permit is not required to change or replace the copy, message, or sign face on changeable copy signs. However, the change or replacement of the copy, message, or sign face must not enlarge, increase, or decrease the sign surface area, sign structure area, nor adversely affect the original design integrity. If, in order to change or replace the copy, message, or sign face, the supporting sign structure must be unfastened, loosened, or removed, then a Sign Permit shall

be required. Copy shall not be replaced such that the sign becomes an off-site sign.

2. One (1) sandwich sign per business establishment having a Certificate of Occupancy, when the sign is placed on the sidewalk no further than five (5) feet from the main entrance door of the establishment and with a maximum height of 3½ feet and maximum sign structure width of two (2) feet. The sign shall not be placed so as to obstruct pedestrian traffic along the sidewalk.
  3. Window signs which comprise, in aggregate, twenty-five (25) percent of the total window area or less.
- B. In residential districts, one (1) nonilluminated wall sign not to exceed two (2) square feet in sign surface area.
- C. In addition, all parcels may display the following without a permit(s):
1. Flags when displayed on a pole(s) or other supporting structures and provided that the flags do not bear a commercial message.
  2. Signs or tablets not bearing a commercial message when cut into any masonry surface or when constructed of bronze or other noncombustible materials and located on a building or monument.
  3. Interior signs as defined by this Code. Such signs shall not be counted as part of the maximum sign square footage permitted on any parcel.
  4. One (1) noncommercial sign per premises not to exceed four (4) square feet in sign surface area and six (6) feet in height.

#### 406.1.6. Temporary Signs

A. Generally

All allowed temporary signs shall meet the following general standards, as applicable, in addition to any applicable specific standards as provided in this Code:

1. Time of display. Temporary signs may be displayed before, during, and up to five (5) calendar days after an event to which the sign relates. Temporary signs shall not be posted more than fifteen (15) calendar days prior to the time of the event or activity to which they relate and shall be removed no later than five (5) calendar days after the conclusion of that event or activity. For the purposes of illustration, temporary political campaign signs may be posted no earlier than fifteen (15) days prior to the date of candidate qualification and must be removed no later than five (5) calendar days after the election to which they relate.

2. Location on parcel. A temporary sign shall not create a physical or visual hazard for pedestrians or motorists and shall be set back a minimum of five (5) feet from the right-of-way line and twenty (20) feet from the intersection of any rights-of-way. Temporary signs shall not be located within public rights-of-way.
3. Permitting. Temporary signs, other than advertising banners and balloons, shall not require a Sign Permit.
4. Temporary signs shall not be illuminated.
5. Residential districts. One (1) temporary sign per premises is allowed and shall not exceed four (4) square feet in sign surface area and six (6) feet in height.
6. Nonresidential districts. One (1) temporary sign per premises is allowed and shall not exceed thirty (32) square feet in sign surface area and eight (8) feet in height.

B. Specific Standards for Certain Types of Temporary Signs

1. Real estate signs. One nonilluminated sign may be displayed per street frontage, subject to the following restrictions:
  - a. In residential zoning districts:
    - (1) A maximum of 4½ square feet in sign surface area, where the property has a street frontage of less than 500 feet.
    - (2) A maximum eight (8) square feet in sign surface area, where the property being advertised or developed has a street frontage of 500 feet or more.
    - (3) In E-R Estate-Residential and ER-2 Estate-Residential, a maximum of six (6) square feet in sign surface area.
    - (4) Parcels bordering a navigable waterway or golf course may have one (1) additional sign on the waterfront or golf course side of the property.
    - (5) Shall not exceed six (6) feet in height.
    - (6) Shall not be posted more than fifteen (15) days prior to the listing of the property for sale or lease or the filing of applications for the development of the property and shall be removed within five (5) days after the sale or lease of the property or the completion of development as evidenced by the issuance of a Certificate of Occupancy (CO).

b. In nonresidential zoning districts:

- (1) A maximum of thirty-two (32) square feet in sign surface area.
- (2) Shall not exceed ten (10) feet in height.
- (3) Shall not be posted more than fifteen (15) days prior to the listing of the property for sale or lease or the filing of applications for the development of the property, and shall be removed within five (5) days after the lease or sale of the property or the completion of development as evidenced by the issuance of a CO.

2. Construction signs. One (1) nonilluminated sign may be displayed per street frontage, subject to the following restrictions:

- a. Shall not be erected more than fifteen (15) days prior to issuance of a Building Permit and located upon a site under construction.
- b. Shall be removed within five (5) days after the completion of the building or construction activity as evidenced by the issuance of a CO.

In residential zoning districts:

- (1) Four and one-half square feet in sign surface area where the property has a street frontage of less than 500 feet.
- (2) Eight (8) square feet in sign surface area where the property has a street frontage of 500 feet or more.
- (3) Shall not exceed six (6) feet in height.

In nonresidential zoning districts:

- (1) A maximum of eight (8) square feet in sign surface area where the property has a street frontage less than 200 feet.
- (2) A maximum of thirty-two (32) square feet in sign surface area where the property has a street frontage of 200 feet or more.
- (3) Shall not exceed ten (10) feet in height.

C. In nonresidential districts, one (1) banner sign or advertising balloon for each establishment having a CO may be displayed a maximum of four (4) times per calendar year, with a maximum sign surface area for banners of forty (40)

square feet. A Sign Permit shall be obtained for such banner or advertising balloon, pursuant to Section 406.1.2, and the permit number and expiration date shall be displayed on the banner or advertising balloon as provided in the permit. The Sign Permit shall be valid for thirty-five (35) days for each occurrence.

406.1.7. Signs in Rights-of-Way

- A. Bench signs as permitted in this Code, Section 406.5, may be placed in public rights-of-way within the County.
- B. Signs for which a valid Right-of-Way Use Permit and a License and Maintenance Agreement have been obtained from the County prior to December 31, 2011, may be placed in the public right-of-way subject to the terms of the Right-of-Way Use Permit and the License and Maintenance Agreement. However, such signs are nonconforming structures pursuant to this Code, Chapter 1200.
- C. Prohibition of all other signs on rights-of-way. It shall be unlawful for any person, firm, corporation or other entity, for its own or the benefit of another, to erect, place, post, install, affix, attach, or in any other way locate or maintain a sign upon, within, or otherwise encroaching on a right-of-way or upon a structure located within such a right-of-way.

406.1.8. General Standards

All signs for which a Sign Permit is sought or has been issued shall meet the following general standards, as applicable, in addition to any applicable specific standards as provided in this Code.

- A. For the purpose of determining the spacing requirement found in this subsection, distances shall be measured from the leading edge of the sign structure to the property line of the property from which the distance is being measured.
- B. Illuminated signs, including neon signs, shall not produce more than one (1) foot-candle of illumination four (4) feet from the sign, when measured from the base of such sign. Exposed neon tubing shall not be permitted on ground signs.
- C. Signs shall not be placed in the clear sight triangle or in the rights-of-way.
- D. Maintenance of signs. All signs for which a permit is required by this Code, including their supports, braces, guys, and anchors, shall be maintained so as to present a neat, clean appearance. Painted areas and sign surfaces shall be kept in good condition and illumination, if provided, shall be maintained in safe and good working order. Trash, rubbish, and debris shall be kept clear in front of, behind, underneath, and around the base of signs for a distance of five (5) feet. On-site signs not currently in use, but that are not abandoned signs pursuant to Section 406.1.4, shall also be maintained in a neat and clean appearance.

- E. Height. The height of all signs shall include berms or permanent planters if the sign is located thereon and shall be measured at an elevation equal to the elevation of the closest portion of the nearest paved right-of-way to the highest point of the sign structure.
- F. Ground signs shall be designed with an enclosed base. The width of such enclosed base shall be equal to at least two-thirds of the width of the sign structure measured at its widest point. The finish shall be consistent with materials used on the building that the sign serves.
- G. Number of signs. For the purpose of determining the number of signs, a sign shall be construed to be a single display surface or device containing elements organized, related, and composed to form a single unit. In cases where material is displayed in a random or unconnected manner, or where there is reasonable doubt as to the intended relationship of such components, each component or element shall be considered to be a separate sign. A projecting sign or ground sign with a sign surface on both sides of such structure shall be construed as a single sign provided that the back to back sign faces do not exceed an angle of ninety (90) degrees and the total area of such sign shall be the area computed on a single side of the sign.
- H. Nothing contained in this section shall be construed to allow the display of signs when otherwise prohibited or restricted by private restrictions or covenants of residential or nonresidential property.

406.1.9. Standards for Signs in Residential Districts

- A. All signs for which a Sign Permit is sought or has been issued shall meet the following general standards.
  - 1. Noncommercial signs are allowed in all residential districts and may be substituted for any sign expressly allowed and any such sign may display a noncommercial message. Noncommercial signs are subject to the same permit requirements, restrictions on size and type, and other conditions and specifications as to the sign for which they are being substituted.
  - 2. On-site signs meeting the general and specific standards of this Code, as applicable, are allowed in residential districts. Off-site signs are prohibited in residential districts.
  - 3. An individual firm, partnership, association, corporation, or other legal entity other than the County shall be designated as the person responsible for perpetual maintenance of the sign(s).
  - 4. A sign shall not create a physical or visual hazard for pedestrians or motorists entering or leaving a development and shall be set back a minimum of five (5) feet from the right-of-way line and twenty (20) feet from the intersection of the rights-of-way. Signs located in medians of

residential development entrance streets need not comply with the setback requirements of this subsection.

5. Each sign structure area shall not exceed ten (10) feet in height.

B. Signs at Entrances to Residential Developments

One (1) double-faced ground or up to two (2) single-faced sign(s) may be located at each entrance to a residential development and each individual village, pod, or distinct neighborhood. One (1) additional sign may be located at each terminus (or farthest edge) of the residential development, provided each additional sign is located at least 1,000 feet from the main development sign, up to a maximum of two (2) additional signs. Each sign surface area shall not exceed forty (40) square feet.

C. Signs Internal to a Residential Development

1. An unlimited number of permanent signs located on lands in common ownership shall be allowed to fulfill the functions of the residential community, not exceeding five (5) feet in height and twenty-four (24) square feet of sign structure area and meeting the right-of-way setback requirements of this subsection.
2. Other permanent directional signs, as necessary, not to exceed four (4) square feet in sign structure area and thirty (30) inches in height. A Sign Permit is not required unless the sign is illuminated.

- D. Nonresidential permitted uses, such as churches; special exception uses, such as day cares; and conditional uses, such as residential treatment and care facilities located in residential or agricultural districts; shall be allowed one (1) ground sign [or wall sign](#) not exceeding eight (8) feet in height and eighty (80) square feet in sign structure area, including architectural features. The sign shall not create a physical or visual hazard for pedestrians or motorists entering or leaving the property and shall be set back a minimum of five (5) feet from the right-of-way line, twenty (20) feet from the property line if adjacent to a residential use, and twenty (20) feet from the intersection of any rights-of-way. Illuminated signs shall not be allowed facing residential uses unless the nonresidential use is separated from the residential use by an arterial or collector road. For nonresidential permitted uses within residential communities, one (1) ground sign not exceeding five (5) feet in height and twenty-four (24) square feet in sign structure area is allowed. This subsection does not apply to home occupations.

406.1.10. Standards for Signs in Nonresidential Districts

- A. All signs for which a Sign Permit is sought or has been issued shall meet the following general standards:
1. Noncommercial signs are allowed in all nonresidential districts and may be substituted for any sign expressly allowed and any such sign may display a noncommercial message. Noncommercial signs are

subject to the same permit requirements, restrictions on size and type, and other conditions and specifications as to the sign for which they are being substituted.

2. On-site signs meeting the general and specific standards of this Code, as applicable, are allowed in nonresidential districts. Off-site signs, other than registered billboards, are prohibited in nonresidential districts.
3. Signs on properties in nonresidential districts which abut a residential district shall not be erected closer than ten (10) feet from any residential zoning district.
4. A Signs shall ~~be not create a physical or visual hazard for pedestrians or motorists and shall be~~ set back five (5) feet from the right-of-way line and twenty (20) feet from the intersection of any rights-of-way. When located on the intersection of two (2) or more one (1) way streets, the setback from any intersection may be reduced to fifteen (15) feet, so long as the sign does not interfere with the clear sight triangle.
5. The finishing materials used on the sign shall be consistent with those used on the structure to which the sign relates.
6. Official address numbers and/or the range of official address numbers shall be posted on the ground sign structure and shall not be considered when figuring copy area.

**B. Ground Signs**

1. One double-faced ground or up to two (2) single-faced sign(s) maybe located at each entrance to a nonresidential development and each individual distinct pod. Each sign surface area shall not exceed forty (40) square feet.
2. One (1) ground sign is allowed for each parcel having frontage on a street. If a parcel has street frontage in excess of 300 feet, one (1) additional ground sign shall be allowed for each additional 300 feet of street frontage. At least 600 feet of street frontage is needed for a second sign, and the signs shall be placed no closer than 300 feet from each other on the same parcel.
3. Ground signs shall not exceed eleven (11) feet in height except that a ground sign may contain an ornamental top feature that is sculptural or artistic in nature that exceeds the eleven (11) foot height limitation. The ornamental top feature shall not exceed fifteen (15) percent of the overall height of the sign structure.
4. Maximum sign structure area and maximum copy area.



To encourage innovative design and aesthetically pleasing ground signs in the nonresidential districts of the County, the sign structure must contain architectural features equal to at least fifty (50) percent of the total square footage of the copy area and comply with the following standards:

- a. Single occupancy parcels. The maximum allowable copy area and total sign structure area for any single occupancy parcel shall be determined by the table below:

<b>Building Size Square Feet</b>	<b>Maximum Copy Area Square Feet</b>	<b>Maximum Sign Structure Area (Including Copy Area) Square Feet</b>
0-75,000	100	200
75,000-250,000	125	250
Over 250,000	150	300

- b. Multioccupancy parcels. The maximum allowable copy area for any multioccupancy parcel shall be determined by the table above by aggregating the size of the buildings, proposed and existing, if the parcel has multiple buildings, and/or by calculating the copy area equal to twelve (12) square feet for each tenant, proposed and existing, or a combination of these two (2) approaches to achieve the higher number of square feet allowed for copy area. However, the maximum allowable copy area for a sign on a multioccupancy parcel shall not exceed 200 square feet, and the maximum sign structure area shall not exceed 400 square feet.
- c. Multioccupancy parcels with 600 feet or more of frontage. If a parcel is entitled to more than one (1) sign under Section 406.1.10.B.3.a and is a multioccupancy parcel, all allowable ground signs may be combined into a single ground sign not to exceed 400 square feet in sign structure area. Such a combined sign may not exceed fifteen (15) feet in height, except for an ornamental top feature that is sculptural or artistic in nature, that exceeds the fifteen (15) foot height limitation. However, the ornamental top feature shall not exceed fifteen (15) percent of the overall height of the structure. The combined sign may be divided into two (2) signs, if the frontage of the parcel exceeds 1,500 feet. The total area of the combined signs shall not exceed 400 square feet in sign structure area and the height of each sign shall not exceed fifteen (15) feet.

5. Location of multioccupancy signs. Multioccupancy signs or signs for a large scale, commercial, retail building may be located on an out-

parcel if the out-parcel and the multioccupancy parcel or the large scale, commercial, retail building have shared common access. The out-parcel may also have its own sign, the size of which shall be determined by the single occupancy parcel table located in this section.

C. Wall Signs

Wall signs shall be allowed in nonresidential districts provided the following specific regulations are met in addition to the general regulations stated above:

1. The maximum allowable sign structure area for wall signage shall not exceed 1½ square feet per linear foot of establishment frontage, excluding parking garages linear footage, if applicable, facing a street. Notwithstanding the foregoing, the maximum sign structure area shall not exceed 150 square feet for each frontage.
2. Wall signs shall not project above the roof line, the top line of the mansard, parapet, eave, or other architectural features as applicable, or side walls of the establishment to which the wall sign is attached nor shall the wall sign project more than eighteen (18) inches from the wall to which it is attached.
3. One (1) wall sign shall be permitted for each establishment in a multioccupancy parcel. Establishments located at a corner shall be allowed one (1) wall sign for each side of the establishment that faces a street.

D. Projecting Signs

Projecting signs shall be allowed in nonresidential districts, provided the following specific regulations are met, in addition to the general regulations stated above:

1. Projecting signs may be substituted for the wall sign, provided that the sign structure area of the projecting sign is not greater than the maximum sign structure area permitted for a wall sign.
2. Projecting signs shall not project more than four (4) feet from the wall to which the projecting sign is attached.
3. Projecting signs shall not be located above the roofline of the building nor more than eighteen (18) feet above the grade of the street, whichever is less.
4. Projecting signs shall not be located closer than ten (10) feet from an interior lot line or an adjacent establishment.
5. Projecting signs which project over any public or private pedestrian way shall be elevated a minimum of nine (9) feet above such

pedestrian way. Projecting signs which project over any public or private street shall be elevated a minimum of fifteen (15) feet above such street.

E. Regulations for Marquee, Canopy, and Awning Signs

Marquee, canopy, and awning signs shall be allowed in nonresidential districts, provided the following specific regulations are met, in addition to the general regulations stated above:

1. An awning, canopy, or marquee sign may be substituted for a wall sign.
2. Any sign located on an awning, canopy, or marquee shall be affixed flat to the surface and shall not rise in a vertical dimension above the awning, canopy, or marquee.
3. The maximum sign structure area for awning, canopy, and marquee signs shall not exceed four (4) square feet per linear foot of building frontage facing a street. The aggregate copy shall not exceed twenty-five (25) percent of the total area of the awning, canopy, or marquee surface. The awning or canopy sign may be illuminated only if the material of which it is made is opaque.

F. Signs Internal to a Nonresidential Development

The intent and purpose of this subsection is to allow for signage internal to a nonresidential development that directs customers to destinations within the development and where such signage is not readily visible from adjacent rights-of-way.

1. An unlimited number of permanent signs may be located within a multioccupancy parcel or multiple parcels, developed under a Unified Plan of Development, not exceeding a height of five (5) feet and thirty-two (32) square feet of sign structure area, and meeting the right-of-way setback requirements of this subsection. The signs may be ground, wall, or projecting signs as appropriate to the site design.
2. Unlimited permanent signs, as necessary, not to exceed four (4) square feet in sign structure area and thirty (30) inches in height. No Sign Permit is required unless illuminated.
3. Colonnade signs. One (1) colonnade sign per establishment may be suspended at least nine (9) feet above a walkway limited to pedestrian traffic or at least fifteen (15) feet above a walkway open to vehicular traffic, not exceeding six (6) square feet of sign structure area.

G. Miscellaneous Nonresidential Signs

1. Signs for drive-through restaurants. In addition to the signs otherwise permitted by these sign regulations, a drive-through restaurant shall be allowed two (2) signs placed in proximity to each drive-through lane. Such sign shall be set back to the minimum building setback for the appropriate zoning district, or forty (40) feet, whichever is less. Sign surface area may not exceed twenty-four (24) square feet and the sign structure area may not exceed eleven (11) feet in height.
2. Two (2) signs are allowed per driveway not exceeding four (4) square feet in sign surface area and the sign structure area may not exceed thirty (30) inches in height. If such sign is to be illuminated, then an Electrical Permit shall be obtained. Directional signs may be placed with a one (1) foot setback from the right-of-way provided that such signs meet all other applicable regulations.

406.1.11. Standards for Signs in Mixed Use Projects ~~Unified Sign Plans for Developments~~  
~~Reserved~~

A. All signs for which a Sign Permit is sought or has been issued for a sign located in a mixed use project or development shall meet the standards applicable to the underlying district (residential or nonresidential).

B. For the purposes of determining whether a sign or proposed sign is located on-site, the boundaries of the mixed use project or development shall be considered the site.

406.1.12. Minimum Criteria for All Signs in the County

It is the intent of the BCC that, should any provision of this Section 406.1 be declared unconstitutional, the unconstitutional subsection(s) hereof is intended to be severable from the remaining provisions of Section 406.1. Should all other provisions of Section 406.1 be declared unconstitutional, notwithstanding any other provision of this Code, the following minimum criteria shall also be met by all signs erected in the County.

- A. Residential districts. No sign may be erected in a residential district that exceeds the following dimensions:
  1. Maximum sign height: Ten (10) feet.
  2. Maximum sign structure area: Forty (40) square feet.
- B. Nonresidential districts. No sign may be erected in a nonresidential district that exceeds the following dimensions:
  1. Maximum sign height: Fifteen (15) feet.
  2. Maximum sign structure area: 400 square feet.

#### 406.1.13. Enforcement

In addition to the enforcement provisions of Section 108, the County may apply any one (1) or combination of the following remedies in the event of a violation of this section.

- A. Whenever a violation(s) of this section occurs or exists or has occurred or existed, any person, individual, entity, or otherwise, who has legal, beneficial, or equitable interest in the facility, or instrumentality causing or contributing to the violation(s), and any person, individual, entity or otherwise who has legal, beneficial, or equitable interest in the real or personal property upon which such violation(s) occurs or exists or has occurred or existed, shall be liable for such violation(s). The owner or marketer of goods, services, and/or events which are advertised on a sign, which is displayed in violation of this Code, is presumed to have a legal, beneficial, or equitable interest in the facility or instrumentations causing or contributing to the violation. Such presumption can only be rebutted by clear and convincing evidence. In addition, any person with control or responsibility over the condition or appearance of the premises where a violation exists, such as a manager, any owner or marketer of goods, services, and/or events, which are advertised on a sign which is displayed in violation of the Code, is liable for the violation. Any person who erects a sign in violation of this ordinance or any person who otherwise causes or contributes to a violation shall be liable for the violation.
- B. Information contained in any sign, including names, addresses, or telephone numbers of persons or entities benefiting from or advertising on the sign, shall be sufficient evidence of ownership or beneficial use or interest for purposes of enforcing this section. More than one (1) person or entity may be deemed jointly and severally liable for the placement or erection of the same sign. Each unlawful sign shall be deemed a separate violation of this section.
- C. Removal of Signs on Rights-of-Way

Any sign on a right-of-way or on public property in violation of this section shall be subject to immediate removal and impounding, without notice, by the County Administrator or designee at the joint and several expense of the owner, agent, lessee, or other person having beneficial use of the sign, the sign contractor or, if non-County right-of-way, the owner or lessee of the land upon which the sign is located.

- 1. Illegal signs of negligible or no value; destruction. Any sign placed or erected in a right-of-way or on public property in violation of this section, which has negligible or no value due to its perishable or nondurable composition including, but not limited to, those made out of paper, cardboard, or poster board, shall be deemed abandoned and may be destroyed by the County after removal. No notice or opportunity to reclaim such a sign shall be given by the County.

2. Recovery of impounded signs; abandonment and destruction. Except for those signs described in Subparagraph 1 above, any sign removed and impounded by the County shall be held in storage and the owner, if the owner's identity and whereabouts are known to the County, shall be provided with written notice via certified mail and regular mail of impoundment and fifteen (15) days from the date of notice to reclaim any such sign. Any impounded sign stored by the County may be destroyed if not reclaimed within fifteen (15) days of the written notice date or within fifteen (15) days of the date of removal if the identity and/or whereabouts of the owner are not known to the County.
- D. Removal of signs on private property for immediate peril. The County Administrator or designee may cause, without notice, the immediate removal of any sign which is an immediate peril to persons or property at the joint and several expense of the owner, agent, lessee, or other person having beneficial use of the sign, the sign contractor, or the owner or lessee of the land upon which the sign is located.

Attachment C

## CHAPTER 400. PERMIT TYPES AND APPLICATIONS

### SECTION 406. MISCELLANEOUS PERMITS

#### 406.6. Model Centers

##### A. General

All model center locations shall be designated on the preliminary development plan residential by the developer or successor in interest.

The total number of lots designated for use as a model center shall not exceed ten (10) percent of the total number of lots approved by the preliminary development plan residential and shall be composed of a minimum of two (2) lots, one of which shall be used for parking.

Model centers shall be restricted to one (1) center per development or per phase for phased development and shall be clustered in one (1) area of the development or phase as opposed to scattered throughout the development.

##### B. Submittal Requirements

An applicant shall submit required information in the form as specified by the County Administrator or designee. Model center plans shall, at a minimum, conform to the following requirements:

1. The model center plan shall be drawn at a readable scale and shall show:
  - a. Location map.
  - b. A legend, title, and number of revision; scale of plan; north arrow; and name, address, and telephone number of the developer or builder.
  - c. Lot numbers and their dimensions proposed to be used for the model center.
  - d. A statement as to the use of abutting properties; i.e., lot numbers, retention areas, easements, etc.
  - e. The proposed model home footprint meeting minimum setbacks.
  - f. The buffer to separate the parking area from nonmodel center areas.
  - g. Proposed parking area.
  - h. [If the model center location\(s\) has/have not been designated on the approved preliminary development plan \(PDP\), then an](#)



amendment to the PDP is required, and shall be submitted and approved prior to approval of the model center plan.

C. Technical Requirements

1. The parking area shall be designed in compliance with this Code and meeting the technical standards of the application for development approval. One (1) parking space per 2,500 square feet of model home shall be provided. At least one (1) handicap parking space shall be provided, per parking area. Parking areas shall be graded for proper drainage and be maintained in a dust-free condition. Parking shall be arranged to provide for orderly and safe access. Exiting via backing onto streets shall not be allowed. The access driveway shall be constructed in accordance with this Code and be a minimum of twenty-four (24) feet wide.
2. Buffers between the parking area and nonmodel center areas shall consist of a minimum five (5) foot wide buffer containing four (4) foot high opaque hedge.
3. All sidewalks required by the model center plans shall be installed prior to the issuance of a temporary Certificate of Occupancy (CO) for the first model center home.

D. Standards of Review

The County Administrator or designee shall determine whether the application meets the technical requirements of this Code.

E. Form of Decision

Approval or denial of a model center shall be in writing. The written approval may include conditions as necessary to ensure compliance with this Code.

F. Effect of Approval

Approval of a model center permit authorizes the operation of a model center within a residential neighborhood provided a temporary CO for each model home is obtained. Final site inspection of the parking area, access drive, and buffering by the County is required prior to the issuance of a temporary CO and power release for the first model center home. A temporary CO must be obtained prior to use of each model center home thereafter. Upon the sale of individual model homes, a final CO must be obtained prior to occupancy. Any improvements required pursuant to the preliminary development plan-residential shall be completed prior to the issuance of the final CO. Model centers shall not be used as a construction office, general real estate office, or a resale listing office. Model sites shall not be used for the storage of contractor's trucks, equipment, or materials. However, this provision is not construed to prohibit a subcontractor from visiting the model center for the purpose of picking up plans, work orders, checks, or invoices or the like.

## Attachment D

## **CHAPTER 400. PERMIT TYPES AND APPLICATIONS**

### **SECTION 407. RELIEF APPLICATIONS**

#### **407.5. Alternative Standards**

The intent of an alternative standard is to provide design alternatives that meet or exceed the technical or design requirements of this Code. The County Administrator or designee is authorized to approve alternative standards with conditions.

- A. Requests for alternative standards shall be made in conjunction with the filing of a development application. Prior to filing a request for alternative standards, any applicant should review Section 303.6.C, Modification to Submittal Requirements. Sufficient information must be provided for the administrative official to make a determination.
- B. The County Administrator or designee shall consider the following criteria when reviewing an alternative standards request. 1 or 2 shall be met and all of 3, 4, and 5 shall be met:
  - 1. The alternative standard meets or exceeds the intent and purpose of the Code requirement at issue.
  - 2. No feasible engineering or construction solutions can be applied to satisfy the regulation.
  - 3. The alternative standard does not adversely affect compliance with other Code provisions, development order(s), or permit(s).
  - 4. The alternative standard is not in conflict with other mandatory substantive requirements of local, State, or Federal law.
  - 5. The alternative standard is consistent with the applicable provisions of the Comprehensive Plan.
- C. Where an access management alternative standard is requested, or where Type 1 or above private streets are requested, the Development Review Committee (DRC) shall hear the request and consider the following criteria at a public hearing duly noticed pursuant to this Code, Section 304:
  - 1. No feasible engineering or construction solutions can be applied to satisfy the regulation; or
  - 2. The proposed alternative standard will maintain or improve collector/arterial roadway capacity and travel times without increasing the number of severity of accidents; or
  - 3. Compliance with the regulation will deny reasonable access.

- D. Where an alternative standard is requested to increase the height of a monument sign, or to increase the size of a wall sign, the Development Review Committee (DRC) shall hear the request and shall consider the following criteria at a public hearing duly noticed pursuant to this Code, Section 304:
1. Granting the request reduces the number of signs on the parcel and/or the number of registered billboards in the unincorporated areas of Pasco County. The request must achieve one or more of the following:
    - a. Removal of one or more unconstructed monument signs on the parcel visible from any right-of-way which applicant otherwise would have been permitted to erect on the parcel; or
    - b. Removal of one or more nonconforming signs on the parcel visible from any right-of-way which applicant otherwise would have been permitted to retain on the parcel; or
    - c. One or more registered billboards from any parcel in unincorporated Pasco County; or
    - d. Any combination of the above; and
  2. Granting the request reduces the overall sign structure area visible on the parcel from any right-of-way. The total sign structure area which applicant otherwise would have been permitted to erect or retain on the parcel must be reduced by at least 35%. For the purposes of calculating the allowable sign structure area in this section, the actual size of registered billboards that are proposed to be removed will be used. All other requirements of section 406.1 of this Code, including but not limited to copy/sign structure ratios and required architectural features, must be observed for the proposed sign; and
  3. Granting the request does not result in excessive sign heights. The maximum height for a sign erected pursuant to this alternative standard may not exceed 20 feet, or 30 feet on controlled access roadways, even where a reduction in overall numbers of signs on the property and a reduction in overall sign structure area is achieved; and
  4. Granting the request does not result in the erection of pole signs, or any other prohibited structures identified in this Code; and
  5. Granting the request meets or exceeds the stated intent and purpose of
    - a. Section 406.1 of this Code; and
    - b. This section. The specific intent and purpose of this section is:
      - (1) To allow applicants to combine monument sign height allowances (or to combine wall sign size allowances) in exchange for reducing the overall number and size of monument signs (or wall signs) which are, or may be, erected on the property; and
      - (2) To provide an incentive for property owners to remove nonconforming signs and registered billboards in return



- for increased flexibility in the height of monument signs or increased size of wall signs; and
- (3) To give flexibility in height and size to allow signs that are proportionate for the property, but not to approve signs of excessive heights or heights that will be inharmonious or incompatible with its surroundings. The sign should be compatible with building heights of the existing neighborhood and should not impose a foreign or inharmonious element to an existing skyline; and
  - (4) To ensure no pole signs or other prohibited sign is erected; and
  - (5) To approve signs which are compatible with other nearby signs, other elements of street and site furniture and with adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering; and
  - (6) To ensure the location and placement of the sign will not endanger motorists; and
  - (7) To ensure the sign will not cover or blanket any prominent view of a structure or façade of historical or architectural significance; and
  - (8) To ensure the sign will not obstruct views of users of adjacent buildings to side yards, front yards, or to open space; and
  - (9) To ensure the sign will not negatively impact the visual quality of a public open space as a public recreation facility, square, plaza, courtyard, and the like; and
  - (10) To ensure the sign's lighting will not cause hazardous or unsafe driving conditions for motorists; and

6. Granting the request does not require Pasco County to compensate for any signage or registered billboards proposed to be removed. The owner(s) of any sign or registered billboard, and landowner(s) where such sign or registered billboard was erected, must provide a written acknowledgement in a form approved by the County Attorney's Office that:

- a. The increased height/size of signage obtained through approval of an alternative standard is just compensation, and is the sole compensation owing pursuant to Section 70.20, Fla. Stat. and under any other legal theory available, for any sign and/or registered billboard removed from the property, or any sign which could have been erected but was not; and
- b. The sign/registered billboard owner and the landowner waive any right to additional compensation under Section 70.20, Fla. Stat., or under any other legal theory available, for any sign and/or registered billboard removed from the property, or which could have been erected but was not; and

c. If the sign/registered billboard owner and landowner are not the same entity requesting approval of the alternative standard, the applicant for an alternative standard must agree to defend, indemnify, and hold the County harmless for any claim for compensation by other persons, in a form approved by the County Attorney's Office.

D.E. Denial of Alternative Standards. Any request for an alternative standard which does not meet the criteria above will be denied, and the applicant shall either:

1. Comply with this Code; or
2. Request consideration of the alternative standard by the DRC. The standard of review for the DRC shall be the same as for the County Administrator or designee; or
3. For those alternative standards heard by the DRC pursuant to Section 407.5.C or 407.5.D, a denial may be appealed to the Board of County Commissioners pursuant to this Code, Section 407.1.

Attachment E

## CHAPTER 500. ZONING STANDARDS

### SECTION 501. GENERAL

#### A. PURPOSE AND INTENT-INTENT AND PURPOSE

~~1.~~The intent and purpose of zoning districts and standards are for Guiding and accomplishing coordinated, adjusted, and harmonious development in accordance with existing and future needs; protecting promoting and improving public health, safety, comfort, order, appearance, convenience, morals, and general welfare through permitting, prohibiting, regulating, restricting, encouraging, and determining the uses of land, watercourses and other bodies of water, and the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; and areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as courts, yards and other open spaces and distances to be left unoccupied by uses and structures; and the density of population and intensity of use. Zoning districts and standards and providing for administration.

~~2.~~To prevent one or more of the following:

~~a.~~Overcrowding of land;

~~b.~~Blight;

~~c.~~Danger;

~~d.~~Congestion in travel and transportation;and

~~e.~~Loss of health, life or property from fire, flood, panic and other dangers.

~~3.~~Chapter 500 of this Code is made in accordance with an overall program, and with consideration of the character of the County, its various parts and the suitability of the various parts for particular uses and structures.

#### B. Provisions of zoning regulations declared to be minimum or maximum requirements.

1. In their interpretation and application, the provisions of these zoning regulations shall be held to be minimum or maximum requirements, as the case may be, adopted for the promotion of the public health, safety, morals or general welfare.

2. Wherever the requirements of these zoning regulations are at a variance with the requirements of any governmentally adopted statute, rule, regulation, ordinance, or code, the most restrictive or that imposing the higher standards, shall govern; provided that development and other activities conducted by the County shall be exempt from the provisions of this chapter.



## CHAPTER 500. ZONING STANDARDS

### SECTION 502. DESIGNATION OF DISTRICTS

502.1. General Zoning Districts. For the purposes of this section, the County is hereby divided into zoning districts which shall be designated as follows:

A-C	Agricultural
AC-1	Agricultural
A-R	Agricultural-Residential
AR-1	Agricultural-Residential
AR-5	Agricultural-Residential
AR-5MH	Agricultural Mobile Home
E-R	Estate-Residential
ER-2	Estate-Residential
R-MH	Mobile Home
R-1MH	Single-Family/Mobile Home
R-1	Rural Density Residential
R-2	Low Density Residential
R-3	Medium Density Residential
R-4	High Density Residential
MF-1	Multiple Family Medium Density
MF-2	Multiple Family High Density
MF-3	Multiple Family High Density
PUD	Planned Unit Development
MPUD	Master Planned Unit Development
EC-MPUD	Employment Center Master Planned Unit Development
CS-MPUD	Conservation Subdivision Master Planned Unit Development
PO-1	Professional Office
PO-2	Professional Office
C-1	Neighborhood Commercial
C-2	General Commercial
C-3	Commercial/Light Manufacturing
I-1	Light Industrial Park
I-2	General Industrial Park

~~A-C Agricultural District~~  
~~AC-1 Agricultural District~~  
~~A-R Agricultural-Residential District~~  
~~AR-1 Agricultural-Residential District~~  
~~AR-5 Agricultural-Residential District~~  
~~AR-5MH Agricultural Mobile Home District~~  
~~E-R Estate-Residential District~~  
~~ER-2 Estate-Residential District~~  
~~R-MH Mobile Home District~~  
~~R-1MH Single-Family/Mobile Home District~~

~~R-1 Rural Density Residential District~~  
~~R-2 Low Density Residential District~~  
~~R-3 Medium Density Residential District~~  
~~R-4 High Density Residential District~~  
~~MF-1 Multiple Family Medium Density District~~  
~~MF-2 Multiple Family High Density District~~  
~~MF-3 Multiple Family District~~  
~~PUD Planned Unit Development District~~  
~~MPUD Master Planned Unit Development District~~  
~~EC-MPUD Employment Center Master Planned Unit Development~~  
~~CS-MPUD Conservation Subdivision Master Planned Unit Development~~  
~~PO-1 Professional Office District~~  
~~PO-2 Professional Office District~~  
~~C-1 Neighborhood Commercial District~~  
~~C-2 General Commercial District~~  
~~C-3 Commercial/Light Manufacturing District~~  
~~I-1 Light Industrial Park District~~  
~~I-2 General Industrial District~~

502.2. **Official Zoning Map.** The official boundaries of the said districts shall be shown upon the geographical information system, arc map zoning layer, to be maintained by and kept in the possession of the County Administrator or designee. The zoning layer shall constitute the County official zoning layer. All districts shall be shown on the zoning layer. The said layers and all notations, references, and other data shown thereon are hereby incorporated by reference into this section as if all were fully described herein.

502.3. **District Boundaries.** Where uncertainty exists as to boundaries of any districts as shown on the official zoning~~said~~ map, the following rules shall apply:

- A. District boundary lines are intended to follow or be parallel to the center line of streets, streams, and railroads and lot or property lines as they exist on a recorded deed or plat of record in the Office of the County Clerk and Comptroller's office at the time of the adoption of the this Code~~Land Development Code~~, unless such district boundary lines are fixed by dimensions as shown on the zoning map.
- B. Where a district boundary is not fixed by dimensions and where it approximately follows lot lines, and where it does not scale more than ten (10) feet there from, such lot lines shall be construed to be such boundaries, unless specifically shown otherwise.
- C. Boundaries shown as following or approximately following section lines, half section lines or quarter section lines shall be construed as following such lines.
- D. In subdivided land or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the maps.

502.4. **Interpretation of Boundaries.** In the case of any uncertainty, the County Administrator or designee shall interpret the location of district boundaries based upon zoning application files, official files, and other appropriate information.

- 502.5. **Uncertain Classification.** Whenever there is any uncertainty as to the classification of a use or the zoning district in which the use belongs, the County Administrator or designee shall determine the classification and/or zoning district within, if any, the use falls, according to its similar characteristics.
- A. If a use has characteristics similar to more than one classification, the use shall be construed as belonging to the classification providing for the more intense use of a property.
  - B. If a use is specifically described in another zoning districtcategory, the use shall be construed as belonging to the zoning districtcategory in which it was more specifically identified.
  - C. If a use is arguably both a permitted use and a conditional use, then the use shall be classified as a conditional use.
  - D. If a use is arguably both a permitted use and a special exception use, then the use shall be classified as a special exception use.
  - E. If a use is arguably both a conditional use and a special exception use, then the use shall be classified as a conditional use.
  - F. In the event that a particular use is not allowed, the use is prohibited in Pasco County.

## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 503. A-C AGRICULTURAL DISTRICT**

#### **503.1. Purpose**

The purpose of the A-C Agricultural District is to preserve the rural and open character of various lands within the County. These lands are agricultural lands; sites of vital, natural water resource functions; areas with highly productive, natural plant and animal communities; and areas with valuable topographic and/or subsurface features, all of which are necessary to sustain and enhance the quality of life in the County.

Those uses will be allowed which are compatible with these overall objectives.

#### **503.2. Permitted Uses**

##### **A. Principal Uses**

1. Agriculture, general farming, and horticulture to include animal feedlots; the commercial hatching or raising of poultry; the production of eggs; the raising of hogs; pasturage of animals, such as cattle and horses; citrus groves (as well as other fruits); forestry; plant nurseries; sheds; stables; barns; truck farms; fish hatcheries; fish pools, and other structures devoted to the on-site farm uses.
2. Dwellings. Single-family detached dwellings on individual lots and single-family mobile homes on individual lots, where they are securely anchored as required by the County Building Code.
3. Home occupations.
4. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally-related products.
5. Public and private parks and playgrounds.
6. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
7. Noncommercial recreation facilities including parks, playgrounds, and camps for youths and adults.
8. Public and quasisemi-public buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.
9. Residential treatment and care facilities, subject to a minimum site area of ten (10) acres.



B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an permittedallowed principal use.

503.3. Conditional Uses

- A. Gun and archery range clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- B. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- C. Parachute drops.
- D. Amusement parks.
- E. Automobile race tracks.
- F. Medical waste disposal facilities.
- G. Auction houses.
- H. Flea markets.
- I. Drive-in theaters.
- J. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- K. Sanitary landfills, subject to all local, State, and Federal regulations.
- L. Yard trash disposal facilities.
- M. Mining and/or reclamation including, but not limited to, mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.
- N. Sludge, septage, and other waste disposal sites.
- O. Wastewater treatment plants, except when accessory to a development.

P. Fertilizer manufacturing.

Q. Saw mills.

503.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

503.5. **Special Exception Uses**

A. Bed and breakfast, tourist homes.

B. Country clubs and golf courses.

C. Day-care centers.

D. Public and ~~P~~private ~~U~~utility ~~F~~facilities to ~~i~~include the ~~F~~following:

1. County, State, or Federal structures and uses.
2. Water pumping plants; transmission lines for gas, electric, and telephones or for broadcasting or communication towers and facilities.
3. Other conforming uses which do not cause an undue nuisance or adversely affect existing structures, uses, and residents.

E. Storage and repair facilities for essential public services.

F. Cemeteries, mausoleums, and crematoriums.

G. Animal hospitals or veterinarian clinics and dog kennels.

H. Accessory uses customarily incidental to ~~an~~ permitted/allowed special exception use.

I. **Farm Feed and Supplies Establishments**

The following criteria and requirements shall apply to all farm feed and supplies establishments:

1. Feed—livestock, poultry, and pets.
2. Animal health products.
3. Lawn and garden supplies.
4. Fertilizer, insecticides, and pesticides.
5. Leather goods and tack.

6. Fence posts and supplies to be enclosed in an opaque buffer.
  7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
  8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas, except as incidental to the above uses.
- J. Duplexes.
- K. Private schools.

503.6. **Area, Density, and Lot- Width Requirements**

A. **Single-Family Detached Dwellings and Mobile Homes**

1. Minimum lot area: ~~Five~~ (10) ~~Acres~~.
2. Maximum possible gross density: 0.10 (nonfarm) dwelling units per acre, subject to compliance with the Comprehensive Land Use Map Classification.
3. Minimum lot width: 250 feet.
4. Single-family detached dwellings and mobile homes in the A-C Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot- area requirements and lot- width requirements shall not apply.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum- yard and coverage regulations.

503.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than fifteen (15) percent of the total lot area.

503.8. **Yard Regulations**

~~A.~~ The following minimum building- line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front- yard areas. All other yard areas shall be measured from the property line.

~~1.A.~~ Front: Fifty (50) Feet

2.B. Side: Twenty-five (25) Feet

3.C. Rear: Fifty (50) Feet

4.D. Single-family detached dwellings and mobile homes in the A-C Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, the minimum lot-area requirements and lot-width requirements shall not apply.

503.9. **Height Regulations**

Building height. Thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

503.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

503.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.



## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 504. AC-1 AGRICULTURAL DISTRICT**

#### **504.1. Purpose**

The purpose of the AC-1 Agricultural District is to preserve the rural and open character of various lands within the County and to provide for permanent, residential housing in conjunction with agricultural and open-space uses. These lands are agricultural lands; sites of vital, natural water resource functions; areas with highly productive, natural plant and animal communities; and areas with valuable topographic and/or subsurface features, all of which are necessary to sustain and enhance the quality of life in the County. Those uses will be allowed which are compatible with these overall objectives.

#### **504.2. Permitted Uses**

##### **A. Principal Uses**

1. Agriculture, general farming, and horticulture to include animal feed lots; the commercial hatching or raising of poultry; the production of eggs; the raising of hogs; pasturage of animals, such as cattle and horses; citrus groves (as well as other fruits); forestry; plant nurseries; sheds; stables; barns; truck farms; fish hatcheries; fish pools, and other structures devoted to the on-site farm uses.
2. Dwellings: Single-family detached dwellings on individual lots.
3. Home occupations.
4. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally-related products.
5. Public and private parks and playgrounds.
6. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
7. Noncommercial recreation facilities including parks, playgrounds, and camps for youths and adults.
8. Public and ~~quasisemi~~-public buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.

##### **B. Accessory Uses**

1. Private garages and parking areas.

2. Private swimming pools and cabanas in accordance with ~~Chapter 500~~this Code, Supplemental Regulations.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an ~~permitted~~allowed principal use.

504.3. **Conditional Uses**

- A. Gun and archery clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- B. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- C. Parachute drops.
- D. Amusement parks.
- E. Automobile race tracks.
- F. Medical waste disposal facilities.
- G. Auction houses.
- H. Flea markets.
- I. Drive-in theaters.
- J. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- K. Sanitary landfills, subject to all local, State, and Federal regulations.
- L. Yard trash disposal facilities.
- M. Mining and/or reclamation including, but not limited to, mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.
- N. Sludge, septage, and other waste disposal sites.
- O. Wastewater treatment plants, except when accessory to a development.

P. Fertilizer manufacturing.

Q. Saw mills.

504.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

504.5. **Special Exception Uses**

A. Bed and breakfast, tourist homes.

B. Country clubs and golf courses.

C. Day-care centers.

D. Public and private utility facilities to include the following: County, State, or Federal structures and uses; water pumping plants; transmission lines for gas, electric, and telephones or for broadcasting or communication towers and facilities; and other conforming uses which do not cause an undue nuisance or adversely affect existing structures, uses, and residents.

E. Storage and repair facilities for essential public services.

F. Cemeteries, mausoleums, and crematoriums.

G. Animal hospitals or veterinarian clinics and dog kennels.

H. Accessory uses customarily incidental to an ~~permitted~~ allowed special exception use.

I. **Farm Feed and Supplies Establishments**

The following criteria and requirements shall apply to all farm feed and supplies establishments:

1. Feed—livestock, poultry, and pets.

2. Animal health products.

3. Lawn and garden supplies.

4. Fertilizer, insecticides, and pesticides.

5. Leather goods and tack.

6. Fence posts and supplies to be enclosed in an opaque buffer.

7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
  8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.
- J. Duplexes.
- K. Private schools.

504.6. **Area, Density, and Lot-Width Requirements**

A. **Single-Family Detached Dwellings and Duplexes**

1. Minimum lot area: ten (10) acres.
2. Maximum possible gross density: 0.10 (nonfarm) dwelling units per acre, subject to compliance with the Comprehensive Future Land Use Map classification.
3. Minimum lot width: 250 feet.
4. Single-family detached dwellings in the AC-1 Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot-area requirements and lot-width requirements shall not apply.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

(Ord. No. 08-15, § 9, 2-27-08)

504.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than fifteen (15) percent of the total lot area.

504.8. **Yard Regulations**

The following minimum building-line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front-yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet.

- B. Side: twenty-five (25) feet.
- C. Rear: fifty (50) feet.
- D. Single-family detached dwellings in the AC-1 Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, the minimum lot\_area requirements and lot\_width requirements shall not apply.

504.9. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see Chapter 500, Supplemental Regulations.

504.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

504.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 505. A-R AGRICULTURAL-RESIDENTIAL DISTRICT

#### 505.1. Purpose

The purpose of the A-R Agricultural-Residential District is to allow the development of relatively large tracts of land to accommodate those individuals who desire a rural or estate-type living environment; to curtail urban development in areas which lack facilities, until such time as those facilities are available; and to promote conservation of rural environments through limiting the intensity of development.

#### 505.2. Permitted Uses

##### A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; truck farms; fish pools; animal feedlots; hatching and raising of poultry; production of eggs; raising of livestock (hogs, horses, cattle, sheep, etc.), shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall be required to maintain a 100-foot separation between dwellings existing on adjacent parcels of land at the time the commercial agricultural activity commenced. However, the required separation shall not be less than fifty (50) feet from any property line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings. Single-family detached dwellings on individual lots and single-family mobile homes on individual lots, where they are securely anchored as required by the County Building Code.
4. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
5. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
6. Swine shall be considered, for the purpose of this section, as grazing animals. ~~However, they~~The number of swine shall not exceed one (1) per acre ~~minimum~~, exclusive of area required for other uses.
7. Maintaining small animals and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre.
8. Public and ~~quasi-semi~~public buildings and facilities to include the following: County, State, or Federal ~~Ss~~tructures and ~~Uses~~; ~~Gc~~hurches; ~~Gc~~civic ~~Or~~ganizations; ~~and~~ ~~Ss~~chools.



9. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products shall require a minimum lot area of two (2) acres.

B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an allowed-permitted principal use.

505.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- C. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle-high, or high schools.
- D. Parachute drops.
- E. Amusement parks.
- F. Automobile race tracks.
- G. Medical waste disposal facilities.
- H. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- I. Yard trash disposal facilities.
- J. Mining and/or reclamation including, but not limited to, mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.
- K. Wastewater treatment plants, except when accessory to a development.
- L. Sludge, septage, and other waste disposal sites.

505.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

505.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Duplexes.
- C. Home occupations.
- D. Day-care centers.
- E. Public and private rights-of-way for utilities.
- F. Public and private substations for utilities.
- G. Public or private parks, playgrounds, and recreation areas.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Animal hospitals or veterinarian clinics and dog kennels.
- K. Travel trailer parks and travel trailer or recreational vehicle subdivisions, subject to the requirements set forth in this Code. Park model trailers located on lots within travel trailer and/or recreational vehicle subdivisions or condominiums may be utilized for permanent occupancy.
- L. Accessory uses customarily incidental to an allowed-permitted special exception use.

M. **Farm Feed and Supplies Establishments**

The following criteria and requirements shall apply to all farm feed and supplies establishments:

- 1. Feed—livestock, poultry, and pets.
- 2. Animal health products.
- 3. Lawn and garden supplies.
- 4. Fertilizer, insecticides, and pesticides.
- 5. Leather goods and tack.



6. Fence posts and supplies to be enclosed in an opaque buffer.
7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.

N. Private Schools

505.6. **Area, Density, and Lot- Width Requirements**

A. Single-Family Detached Dwellings and Mobile Homes

1. Minimum lot area: One (1) Acre
2. Maximum possible gross density: One (1) Dwelling Unit Per Acre
3. Minimum lot width: 125 Feet
4. Single-family detached dwellings in the A-R Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision~~ ~~Master Planned Unit Development~~ in accordance with this Code, Section 522.10, the minimum lot-  area requirements and lot-  width requirements shall not apply.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

505.7. **Coverage Regulations.**

All buildings, including accessory buildings, shall not cover more than twenty-five (25) percent of the total lot area.

505.8. **Yard Regulations**

~~A.~~ The following minimum building-  line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front-  yard areas. All other yard areas shall be measured from the property line.

~~1-A.~~   Front: Fifty (50) Feet

~~2-B.~~   Side: Twenty-five (25) Feet

~~3-C.~~   Rear: Fifty (50) Feet

4.D. Single-family detached dwellings in the A-R Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, Section 522.10, the minimum lot-area requirements and lot-width requirements shall not apply.

505.9. **Height Regulations**

Building height. Thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

505.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

505.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 506. AR-1 AGRICULTURAL-RESIDENTIAL

#### 506.1. Purpose

The purpose of the AR-1 Agricultural-Residential District is to allow the development of relatively large tracts of land to accommodate those individuals who desire a rural or estate-type living environment; to curtail urban development in areas which lack facilities, until such time as those facilities are available; and to promote conservation or greenbelting of rural environments through limiting the intensity and types of residential development.

#### 506.2. Permitted Uses

##### A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; truck farms; fish pools; animal feedlots; hatching and raising of poultry; production of eggs; raising of livestock (hogs, horses, cattle, sheep, etc.), shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall be required to maintain a 100-foot separation between dwellings existing on adjacent parcels of land at the time the commercial agricultural activity commenced. However, the required separation shall not be less than fifty (50) feet from any property line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings: Single-family detached dwellings on individual lots.
4. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
5. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
6. Swine shall be considered, for the purpose of this section, as grazing animals. ~~However, they~~The number of swine shall not exceed one (1) per acre ~~minimum~~, exclusive of area required for other uses.
7. Maintaining small animals and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre.
8. Public and ~~quasi-semi~~quasi-semipublic buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.

9. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products shall require a minimum lot area of two (2) acres.

B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an ~~allowed~~permitted principal use.

506.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- C. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle-high, or high schools.
- D. Parachute drops.
- E. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- F. Yard trash disposal facilities.
- G. Sludge, septage, and other waste disposal sites.
- H. Wastewater treatment plants, except when accessory to a development.
- I. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.

506.4. Performance Standards for Conditional and Special Exception Uses

All activities shall be in conformance with standards established by the County, State, and Federal government.

506.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Home occupations.
- C. Day-care centers.
- D. Public and private rights-of-way for utilities.
- E. Public and private substations for utilities.
- F. Duplexes.
- G. Public or private parks, playgrounds, and recreation areas.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Animal hospitals or veterinarian clinics and dog kennels.
- K. Accessory uses customarily incidental to a permitted special exception use.
- L. **Farm Feed and Supplies Establishments**

The following criteria and requirements shall apply to all farm feed and supplies establishments:

- 1. Feed—livestock, poultry, and pets.
- 2. Animal health products.
- 3. Lawn and garden supplies.
- 4. Fertilizer, insecticides, and pesticides.
- 5. Leather goods and tack.
- 6. Fence posts and supplies to be enclosed in an opaque buffer.
- 7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
- 8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.

- M. Private schools

506.6. **Area, Density, and Lot-Width Requirements**

A. **Single-Family Detached Dwellings**

1. Minimum lot area: one (1) acre.
2. Maximum possible gross density: one (1) dwelling unit per acre.
3. Minimum lot width: 125 feet.
4. Single-family detached dwellings in the AR-1 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, the minimum lot-area requirements and lot-width requirements shall not apply.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

506.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than twenty-five (25) percent of the total lot area.

506.8. **Yard Regulations**

~~A.~~ The following minimum building-line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) property lines are required in front-yard areas. All other yard areas shall be measured from the property line.

~~1.A.~~ Front: fifty (50) feet

~~2.B.~~ Side: twenty-five (25) feet

~~3.C.~~ Rear: fifty (50) feet

~~4.D.~~ Single-family detached dwellings in the AR-1 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, Section 522.10, the minimum lot-area requirements and lot-width requirements shall not apply.

| 506.9. **Height Regulations:**

Building height. Thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

| 506.10. **On-Site Parking Regulations:**

| On-site parking shall be provided in accordance with this Code.

| 506.11. **Development Plan:**

| A development plan shall be submitted in accordance with this Code, [Chapter 400](#).



## CHAPTER 500. ZONING STANDARDS

### SECTION 507. AR-5 AGRICULTURAL-RESIDENTIAL DISTRICT

#### 507.1. Purpose

The purpose of the AR-5 Agricultural-Residential District is to provide a rural or farm atmosphere in which single-family home ownership may be permitted and where the growing of supplemental food supplies for families will be encouraged.

It is also intended to permit a reasonable use of the property while protecting prime agricultural or natural areas from urban encroachment and preventing rapid expansion of demands on public facilities.

#### 507.2. Permitted Uses

##### A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; animal feedlots; hatching and raising of poultry; production of eggs; raising of livestock (horses, cattle, sheep, excluding hogs), shall be permitted and shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall not be located within 200 feet of residentially zoned property or within fifty (50) feet from any lot line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings: single-family detached dwellings on individual lots.
4. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
5. Swine shall be considered, for the purpose of this section, as grazing animals. ~~However, they~~The number of swine shall not exceed one (1) per acre.
6. Public schools.
7. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code, Chapter 500, Supplemental Regulations.



3. Public and private rights-of-way for utilities.
4. Other accessory uses customarily incidental to an an allowed-permitted principal use.

507.3. **Conditional Uses**

- A. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- B. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- C. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- D. Yard trash disposal facilities.
- E. Sludge, septage, and other waste disposal sites.
- F. Wastewater treatment plants, except when accessory to a development.
- G. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.

507.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

507.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Home occupations.
- C. Day-care centers.
- D. Public and private rights-of-way for utilities.
- E. Public and private substations for utilities.
- F. Duplexes.
- G. Public or private parks, playgrounds, and recreation areas.

- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Public and ~~quasi-semi~~public buildings and facilities to include the following: County, State, or Federal structures and uses; churches (permanent structures only); and civic organizations.
- K. Accessory uses customarily incidental to an ~~allowed~~ ~~permitted~~ special exception use.
- L. Farm Feed and Supplies Establishments. The following criteria and requirements shall apply to all farm feed and supplies establishments:
  - 1. Feed—livestock, poultry, and pets.
  - 2. Animal health products.
  - 3. Lawn and garden supplies.
  - 4. Fertilizer, insecticides, and pesticides.
  - 5. Leather goods and tack.
  - 6. Fence posts and supplies to be enclosed in an opaque buffer.
  - 7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
  - 8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.
- M. Private schools.

507.6. **Area, Density, and Lot -Width Requirements**

~~A.~~ Single-Family Detached Dwellings

~~1.A.~~ Minimum lot area: five (5) acres.

~~2.B.~~ Maximum possible gross density: one (1) dwelling unit per five (5) acres.

~~3.C.~~ Minimum lot frontage width: 200 feet.

~~4.D.~~ Single-family detached dwellings in the AR-5 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot\_\_-area requirements and lot\_-width requirements shall not apply.

507.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty (30) percent of the total lot area.

507.8. **Yard Regulations**

The following minimum building\_-line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front\_-yard areas. All other yard areas shall be measured from the property line.

A. Front: fifty (50) feet.

B. Side: twenty-five (25) feet.

C. Rear: fifty (50) feet.

D. Single-family detached dwellings in the AR-5 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, the minimum lot\_-area requirements and lot\_-width requirements shall not apply.

507.9. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

507.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

507.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 508. AR-5MH AGRICULTURAL MOBILE HOME DISTRICT

#### 508.1. Purpose

The purpose of the AR-5MH Agricultural Mobile Home District is to provide a rural or farm atmosphere in which single-family mobile home ownership may be allowed on five (5) acre parcels or larger and where the growing of supplemental food supplies for families will be encouraged. It is also intended to permit a reasonable use of the property while protecting prime agricultural or natural areas from urban encroachment and preventing rapid expansion of demands on public facilities.

#### 508.2. Permitted Uses

##### A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; animal feed lots; hatching and raising of poultry; production of eggs; raising of livestock (horses, cattle, sheep, excluding hogs), shall be permitted and shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall not be located within 200 feet of residentially zoned property or within fifty (50) feet from any lot line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings: single-family mobile homes on individual lots where they are securely anchored as required by the County Building Code.
4. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
5. Swine shall be considered, for the purpose of this section, as grazing animals. ~~However, they~~The number of swine shall not exceed one (1) per acre.
6. Public schools.
7. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code.
3. Public and private rights-of-way for utilities.

- C. Other accessory uses customarily incidental to ~~an allowed-permitted~~ principal use.

508.3. **Conditional Uses**

- A. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- B. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- C. Construction and demolition debris ~~disposal facilities dumps~~, subject to all local, State, and Federal regulations.
- D. Yard trash disposal facilities.
- E. Sludge, septage, and other waste disposal sites.
- F. Wastewater treatment plants, except when accessory to a development.
- G. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.

508.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

508.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Home occupations.
- C. Day-care centers.
- D. Public and private rights-of-way for utilities.
- E. Public and private substations for utilities.
- F. Duplexes.
- G. Public or private parks, playgrounds, and recreation areas.

- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Public and ~~quasi-semi~~ public buildings and facilities to include the following: County, State, or Federal structures and uses; churches (permanent structures only); and civic organizations.
- K. Accessory uses customarily incidental to a permitted special exception use.
- L. Farm Feed and Supplies Establishments-

The following criteria and requirements shall apply to all farm feed and supplies establishments:

1. Feed—livestock, poultry, and pets.
2. Animal health products.
3. Lawn and garden supplies.
4. Fertilizer, insecticides, and pesticides.
5. Leather goods and tack.
6. Fence posts and supplies to be enclosed in an opaque buffer.
7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.

- M. Private schools.

#### 508.6. Area, Density, and Lot -Width Requirements

##### A. Single-Family Mobile Homes:

1.A. Minimum lot area: five (5) acres.

2.B. Maximum possible gross density: one (1) dwelling unit per five (5) acres, subject to compliance with the Comprehensive Plan Future Land Use Map classification.

3.C. Minimum lot frontage width: 200 feet.

#### 508.7. Coverage Regulations-



All buildings, including accessory buildings, shall not cover more than thirty (30) percent of the total lot area.

508.8. **Yard Regulations**

~~A.~~ The following minimum building ~~\_~~line setbacks measured from the property lines are required in yard areas listed below unless otherwise specified:

~~1.A.~~ Front: fifty (50) feet.

~~2.B.~~ Side: twenty-five (25) feet.

~~3.C.~~ Rear: fifty (50) feet.

508.9. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see Chapter 500, Supplemental Regulations.

508.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

508.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 509. E-R ESTATE-RESIDENTIAL DISTRICT

#### 509.1. Purpose

The purpose of the E-R Estate-Residential District is to serve as a transitional area between primarily agricultural areas and suburban development. Further, it is the purpose of the E-R Estate-Residential District to allow the establishment of estate-residential areas, including the raising of livestock and agriculture, on limited acreage for the primary use of the resident.

#### 509.2. Permitted Uses

##### A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
4. Swine shall be considered, for the purpose of this section, as grazing animals. ~~However, they~~The number of swine shall not exceed one (1) per acre.
5. Maintaining small animals, birds, and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre.
6. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
7. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code; ~~Supplemental Regulations.~~
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an ~~allowed~~permitted principal use.

#### 509.3. Conditional Use



Wastewater treatment plants, unless accessory to a development.

509.4. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Duplexes.
- C. Home occupations.
- D. Day-care centers.
- E. Public and private rights-of-way for utilities.
- F. Public and private substations for utilities.
- G. Private schools.
- H. Public or private parks, playgrounds, and recreation areas.
- I. Churches ~~and church schools~~.
- J. Sports clubs or activities, such as hunting, fishing, riding, and country clubs, exclusive of outdoor firing ranges. Riding stables shall require a minimum of one (1) acre per three (3) grazing animals.
- K. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- L. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- M. Accessory uses customarily incidental to a permitted special exception use.

509.5. **Performance Standards**

All activities shall be in conformance with standards established by the County, State, and Federal government.

509.6. **Area, Density, and Lot- Width Requirements**

A. **Single-Family Detached Dwellings**

- 1. Minimum lot area: one (1) acre.
- 2. Maximum possible gross density: one (1) dwelling unit acre.
- 3. Minimum lot width: 125 feet.
- 4. Single-family detached dwellings in the E-R Estate-Residential District are required to meet all of the standards above, except when such

units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot\_area requirements and lot\_width requirements shall not apply.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations. Except where animals or fowl are permitted, there shall be a minimum of a 100-foot separation between dwellings on adjacent property and any stables, feed pens, fowl or bird coops, or other animal shelters. However, the required separation shall in no case be less than fifty (50) feet from any property line.

509.7. Coverage Regulations

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

509.8. Yard Regulations

~~A.~~ The following minimum building-line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front\_yard areas. All other yard areas shall be measured from the property line.

~~1.A.~~ Front: fifty (50) feet.

~~2.B.~~ Side: twenty-five (25) feet.

~~3.C.~~ Rear: fifty (50) feet.

~~4.D.~~ Single-family detached dwellings in the E-R Estate-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD ~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, Section 522.10, the minimum lot-area requirements and lot\_width requirements shall not apply.

509.9. Height Regulations

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

509.10. ~~On-site~~ Parking Regulations

On\_site parking shall be provided in accordance with this Code.

509.11. Development Plan

A development plan shall be submitted in accordance with this Code.

## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 510. ER-2 ESTATE-RESIDENTIAL DISTRICT**

#### **510.1. Purpose**

The purpose of the ER-2 Estate-Residential District is to encourage very low density, highly restricted, large lot, estate\_type developments and to serve as a transitional area between primarily agricultural areas and suburban development.

#### **510.2. Permitted Uses**

##### **A. Principal Uses**

1. Dwellings: single-family detached dwellings on individual lots.
2. General farming and agricultural pursuits of such extent as to supply the occupant's personal needs.
3. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
4. Maintaining small animals and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre.
5. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
6. Public schools.

##### **B. Accessory Uses**

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code, [Chapter 500, Supplemental Regulations](#).
3. Signs in accordance with this Code.
4. Public and private rights-of-way for utilities.
5. Other accessory uses customarily incidental to a permitted principal use.

#### **510.3. Conditional Use**

Wastewater treatment plants, unless accessory to a development.

510.4. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Duplexes.
- C. Home occupations.
- D. Day-care centers.
- E. Public and private substations for utilities.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Accessory uses customarily incidental to an allowed permitted special exception use.
- H. Private schools.

510.5. **Performance Standards**

All activities shall be in conformance with standards established by the County, State, and Federal government.

510.6. **Area, Density, and Lot Width Requirements**

A. Single-Family Detached Dwellings

1.A. Minimum lot area: 2.5 acres.

2.B. Maximum possible gross density: one (1) dwelling unit per 2.5 acres.

3.C. Minimum lot frontage width: 200 feet, measured along the front property line or lines contiguous to any street, road, highway, or easement for ingress and egress, however stated.

4.D. Single-family detached dwellings in the ER-2 Estate-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

510.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

510.8. **Yard Regulations**

The following minimum building- line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front- yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet.
- B. Side: twenty-five (25) feet.
- C. Rear: fifty (50) feet.
- D. Single-family detached dwellings in the ER-2 Estate-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD-~~Conservation Subdivision Master Planned Unit Development~~ in accordance with this Code, the minimum lot- area requirements and lot- width requirements shall not apply.

510.9. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

510.10. **On- Site Parking Regulations**

On- site parking shall be provided in accordance with this Code.

510.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 511. R-MH MOBILE HOME DISTRICT**

#### **511.1. Purpose**

The purpose of an R-MH Mobile Home District is to provide for the development of areas with individual mobile homes within planned mobile home projects, including mobile home parks, condominiums, and subdivisions, for persons desiring the unique environments characteristic of mobile home living. It is the further purpose of this district to ensure the provision of adequate infrastructure facilities and community services necessary for such mobile home development.

#### **511.2. Establishment Procedure**

- A. Mobile home projects developed under single ownership or mobile home condominiums not considered to be a subdivision shall be considered mobile home parks.
- B. New or revised mobile home subdivisions or condominium projects, if appropriate, shall be required to comply with all provisions of this Code.
- C. Developers of mobile home parks shall file an application using the appropriate zoning amendment form, supplemented with a legal description of the property to be included, and a conceptual sketch plan showing the intended overall development plan.

#### **511.3. Permitted Uses**

##### **A. Principal Uses**

- 1. Dwellings: mobile homes, single-family detached modular, or factory-built dwellings.
- 2. Noncommercial boat slips, piers, or private, residential docking facilities with the approval of various State and/or local agencies where appropriate.
- 3. Public schools.

##### **B. Accessory Uses**

- 1. Private garages and parking areas.
- 2. Private or community swimming pools and cabanas in accordance with [this Code Chapter 500, Supplemental Regulations](#).
- 3. Signs in accordance with this Code.



4. Management and maintenance offices and private recreational facilities including, but not limited to, golf courses and laundry facilities, provided that:
  - a. Such facilities shall be restricted to the use of the occupants and guests.
  - b. Such facilities shall be accessible only from a street within the development.
5. Other accessory uses customarily incidental to an allowed-permitted principal use.
6. Model mobile homes or mobile home sales offices within a mobile home park or condominium. However, after ninety (90) percent occupancy of the park or condominium, model mobile homes and sales offices shall have one (1) year to convert to residential uses unless extended by the Board of County Commissioners. Rental offices or homes sales offices shall be permitted as an accessory use within a mobile home park.

511.4. **Special Exception Uses**

All structures used for special exception uses must meet the State building construction standards set forth in Chapter 553, Florida Statutes.

- A. Home occupations.
- B. Public or private utilities: electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- C. Private utility substations, provided there is not storage of trucks or materials on site.
- D. Private schools or day-care centers.
- E. Public or private parks, playgrounds, and recreation areas.
- F. Golf courses open to nonresidents, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- G. Governmental buildings or churches.
- H. Professional services, such as medical, dental, legal, and engineering, excluding the parking and storage of commercial vehicles or commercially related equipment.
- I. Accessory uses customarily incidental to an allowed-permitted special exception use.

511.5. **Area and Density Requirements**

~~A.~~ Mobile homes and modular or factory-built dwelling units:

~~1.A.~~ Minimum site area: ten (10) acres, inclusive of right-of-way dedication by deed, grant, or plat.

~~2.B.~~ Minimum lot area: 4,000 square feet.

~~3.C.~~ Maximum gross density: 8.8 dwelling units per acre, subject to compliance with the Comprehensive Plan Future Land Use Map classification.

511.6. **Yard Regulations**

A. The minimum building-line setbacks, measured from the front, side or rear property lines, are required in yard areas listed below within a mobile home subdivision, condominium, or park, unless otherwise specified:

1. Front (within subdivisions): twenty (20) feet from right-of-way.
2. Front (within rental parks or condominiums): A setback of fifteen (15) feet in width from the edge of pavement of all private streets and all property lines of parcels of different uses, except for public streets, shall be provided and maintained. Such setbacks from property lines of parcels of different uses shall not be considered to be part of an abutting mobile home space nor shall the said setback be used as part of the recreation area.
3. A side and rear setback of five (5) feet in width, measured from the property lines of individual lots, shall be provided and maintained.

B. Development of recreational and open-space areas shall be in accordance with the requirements established in this Code; however, in no case shall any part of such recreation and open-space areas be less than 10,000 square feet.

511.7. **Streets and Roads**

Roadways or streets within a mobile home park or condominium shall be private, but the following requirements shall apply:

- A. Internal collector streets shall be thirty (30) feet in width, with a minimum of twenty-four (24) feet of paved surface.
- B. Internal local streets shall be twenty-five (25) feet in width, with a minimum of twenty (20) feet of paved surface. Roadways or streets within a mobile home park subdivision may be private, but shall comply with the requirements of this Code.



511.8. **Existing Parks and Subdivisions**

Those mobile home parks or subdivisions approved at the time of adoption of this Code shall be zoned in accordance with the above criteria as practicable as possible provided; however, that such parks or subdivisions may be completed and operated in accordance with plans for development as previously approved.

| 511.9. **On-Site Parking Regulations**

| On-site parking shall be provided in accordance with this Code.

511.10. **Development Plan**

A development plan that substantially conforms with the conceptual sketch plan shall be submitted in accordance with this Code.

511.11. **Neighborhood Park(s)**

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 512. R-1MH SINGLE-FAMILY/MOBILE HOME DISTRICT

#### 512.1. Purpose

The purpose of the R-1MH Single-Family/Mobile Home District is to ~~provide for~~ permit the continued development of a mixed pattern of conventional residences and mobile homes, situated on individual lots, in established areas.

#### 512.2. Permitted Uses

##### A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots and single-family mobile homes on individual lots where they are securely anchored as required by the County Building Code.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where appropriate.
3. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private or community swimming pools and cabanas in accordance with ~~this Chapter 500 Code, Supplemental Regulations~~.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an ~~allowed~~ permitted principal use.

#### 512.3. Conditional Uses

Residential treatment and care facilities

#### 512.4. Special Exception Uses

All structures used for special exception uses must meet the State building construction standards set forth in Chapter 553, Florida Statutes.

- A. Duplexes.
- B. Home occupations.
- C. Day-care centers.

- D. Public or private rights-of-way for utilities.
- E. Public and private substations for utilities.
- F. Private schools.
- G. Public or private parks, playgrounds, and recreation areas.
- H. Churches ~~and church schools~~.
- I. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- J. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- K. Accessory uses customarily incidental to an ~~allowed~~ ~~permitted~~ special exception use.

512.5. **Area, Density, and Lot -Width Requirements**

A. **Single-Family Detached Dwellings, Mobile Homes, and Duplexes**

- 1. Minimum lot area: 20,000 square feet.
- 2. Maximum possible gross density: 2.2 dwelling units per acre, except duplexes (four (4) dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
- 3. Minimum lot width: 100 feet.
- 4. Minimum lot depth: 150 feet.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

512.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

512.7. **Yard Regulations**

~~A.~~ The following minimum building \_line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

1.A. Front: thirty (30) feet.

2.B. Side: fifteen (15) feet.

3.C. Rear: thirty (30) feet.

512.8. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

512.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

512.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

512.11. **Development Plan**

A development plan that substantially conforms with the conceptual sketch plan shall be submitted in accordance with this Code.

512.12. **Neighborhood Park(s)**

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this Code.

## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 513. R-2MH RURAL DENSITY MOBILE HOME DISTRICT**

#### **513.1. Purpose**

The purpose of the R-2MH Rural Density Mobile Home District is to serve as a transitional area between primarily agricultural areas and suburban development. Further, it is the purpose of the R-2MH Rural Density Mobile Home District to allow for the development of low density planned unit developments of sufficient size to function as neighborhood units, with all services and facilities necessary to this development form being supplied.

#### **513.2. Permitted Uses**

##### **A. Principal Uses**

1. Dwellings: single-family mobile homes on individual lots where they are securely anchored as required by the County Building Code.
2. Noncommercial boat slips, piers, or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.

##### **B. Accessory Uses**

1. Private garages and parking areas.
2. Private or community swimming pools and cabanas in accordance with ~~Chapter 500, this~~ Code, ~~Supplemental Regulations~~.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to a permitted principal use.

#### **513.3. Conditional Uses**

Residential treatment and care facilities.

#### **513.4. Special Exception Uses**

All structures used for special exception uses must meet the State building construction standards set forth in Chapter 553, Florida Statutes.

- A. Home occupations.
- B. Day-care centers.
- C. Public or private rights-of-way for utilities.

- D. Public and private substations for utilities.
- E. Private schools.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Churches ~~and church schools~~.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to ~~an permitted~~ allowed special exception use.

513.5. **Area, Density, and Lot- Width Requirements**

A. Mobile Homes

- 1. Minimum lot area: 20,000 square feet.
- 2. Maximum possible gross density: 2.2 dwelling units per acre, subject to compliance with the Comprehensive Plan Future Land Use Map designation.
- 3. Minimum lot width: 100 feet.
- 4. Minimum lot depth: 150 feet.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

513.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

513.7. **Yard Regulations**

The following minimum building- ~~line~~ setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

- A. Front: thirty (30) feet.
- B. Side: fifteen (15) feet.

C. Rear: thirty (30) feet.

513.8. **Height Regulations**

Building height: sixteen (16) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

513.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

513.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

513.11. **Development Plan**

A development plan that substantially conforms with the conceptual sketch plan shall be submitted in accordance with this Code.

513.12. **Neighborhood Park(s)**

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this Code.



## CHAPTER 500. ZONING STANDARDS

### SECTION 514. R-1 RURAL DENSITY RESIDENTIAL DISTRICT

#### 514.1. Purpose

The purpose of the R-1 Rural Density Residential District is to serve as a transitional area between primarily agricultural areas and suburban development. Further, it is the purpose of the R-1 Rural Density Residential District to allow for the development of low density planned unit developments of sufficient size to function as neighborhood units, with all services and facilities necessary to this development form being supplied.

#### 514.2. Permitted Uses

##### A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private or community swimming pools and cabanas in accordance with this Code, ~~Supplemental Regulations~~.
3. Signs in accordance with this ~~LDC~~Code.
4. Other accessory uses customarily incidental to an ~~allowed~~permitted principal use.

#### 514.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Wastewater treatment plants, except when accessory to a development.

#### 514.4. Special Exception Uses

- A. Duplexes.
- B. Home occupations.
- C. Public or private rights-of-way for utilities.



- D. Public and private substations for utilities.
- E. Private schools and day-care centers.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Churches ~~and church schools~~.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to ~~an~~ ~~permitted~~allowed special exception use.

514.5. **Area, Density, and Lot- Width Requirements**

A. Single-Family Detached Dwellings and Duplexes

- 1. Minimum lot area: 20,000 square feet.
- 2. Maximum possible gross density: 2.2 dwelling units per acre, except duplexes (4.4 dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
- 3. Minimum lot width: 100 feet.
- 4. Minimum lot depth: 150 feet.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

514.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

514.7. **Yard Regulations**

~~A.~~ The following minimum building-line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

~~1.A.~~ Front: thirty (30) feet.

~~2.B.~~ Side: fifteen (15) feet.

~~3.C.~~ Rear: twenty-five (25) feet.

514.8. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, [Chapter 500](#), Supplemental Regulations.

514.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

514.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

514.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 515. R-2 LOW DENSITY RESIDENTIAL DISTRICT**

#### **515.1. Purpose**

The purpose of the R-2 Low Density Residential District is to provide for the orderly expansion of low density residential development in those areas where public services are most readily available and to exclude uses not compatible with such low density residential development.

Further, it is the purpose of the R-2 Low Density Residential District to provide areas for planned unit developments at densities and in a manner compatible with the low density residential development.

#### **515.2. Permitted Uses**

##### **A. Principal Uses**

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.

##### **B. Accessory Uses**

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code, ~~Chapter 500, Supplemental Regulations.~~
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to ~~an allowed-permitted~~ principal use.

#### **515.3. Conditional Uses**

- A. Residential treatment and care facilities.
- B. Wastewater treatment plants, except when accessory to a development.

#### **515.4. Special Exception Uses**

~~The following uses are permitted as special exceptions after compliance with all applicable requirements and approval of the planning commission:~~

- A. Duplexes.

- B. Home occupations.
- C. Public and private utilities, electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- D. Public and private utility substations, provided there will be no storage of trucks or materials on the site.
- E. Private schools and day-care centers.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Churches, ~~and church schools.~~
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to an allowed-permitted special exception use.

515.5. **Area, Density, and Lot -Width Requirements**

A. Single-Family Detached Dwellings and Duplexes

- 1. Minimum lot area: 9,500 square feet.
- 2. Maximum possible gross density, 4.6 dwelling units per acre, except duplexes (9.2 dwelling units per acre), subject to compliance with the Comprehensive Future Land Use Map classification.
- 3. Minimum lot width: 80 feet.
- 4. Minimum lot depth: 100 feet.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

515.6. **Coverage Regulations**

Principal structures shall not cover more than forty-five (45) percent of the total lot area. Accessory structures may cover up to an additional twenty (20) percent of the total lot area beyond that allowed for the principal structure.

515.7. **Yard Regulations**

A. The following minimum building-line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

1.A. Front: twenty-five (25) feet.

2.B. Side: ten (10) feet.

3.C. Rear: twenty-five (25) feet.

515.8. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

515.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

515.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

515.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 516. R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

#### 516.1. Purpose

The purpose of the R-3 Medium Density Residential District is to provide for the orderly development of existing and proposed medium density residential areas, where adequate public service and transportation facilities are or will be available, and to exclude those uses not compatible with such development.

Further, it is the purpose of the R-3 Medium Density Residential District to provide areas for planned unit development at densities and in a manner compatible with the medium density residential development.

#### 516.2. Permitted Uses

##### A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with [this Chapter 500, Code, Supplemental Regulations](#).
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to [an allowed-permitted](#) principal use.

#### 516.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Wastewater treatment plants, except when accessory to a development.

#### 516.4. Special Exception Uses

~~The following uses are permitted as special exceptions after compliance with all applicable requirements:~~

- A. Duplexes.
- B. Home occupations.
- C. Public and private utilities: electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- D. Public or private substations for utilities, provided there will be no storage of trucks or materials on the site.
- E. Private schools and day-care centers.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Churches ~~and church schools~~.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to an ~~allowed~~ ~~permitted~~ special exception use.

516.5. **Area, Density, and Lot Width Requirements**

A. Single-Family Detached Dwellings and Duplexes

- 1. Minimum lot area: 7,500 square feet.
- 2. Maximum possible gross density, 5.8 dwelling units per acre, except duplexes (11.6 dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
- 3. Minimum lot width: seventy-five (75) feet.
- 4. Minimum lot depth: 100 feet.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

516.6. **Coverage Regulations**

Principal structures shall not cover more than forty-five (45) percent of the total lot area. Accessory structures may cover up to an additional twenty (20) percent of the total lot area beyond that allowed for the principal structure.



516.7. **Yard Regulations**

~~A.~~ The following minimum building-line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

~~1.A.~~ Front: twenty (20) feet.

~~2.B.~~ Side: 8.5 feet, each side, for single-family.

~~3.C.~~ Rear: fifteen (15) feet.

516.8. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, [Chapter 500](#), Supplemental Regulations.

516.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

516.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

516.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.



## CHAPTER 500. ZONING STANDARDS

### SECTION 517. R-4 HIGH DENSITY RESIDENTIAL DISTRICT

#### 517.1. Purpose

The purpose of the R-4 High Density Residential District is to encourage the orderly development and preservation of higher density residential environments and to provide areas in which economies of high density residential development may be achieved without sacrificing the individualized nature of the single-family residence.

#### 517.2. Permitted Uses

##### A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code, ~~Chapter 500,~~ Supplemental Regulations.
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to a permitted principal use.

#### 517.3. Conditional Uses

##### A. Parking areas to serve the neighborhood such as, but not limited to:

1. Additional parking for civic clubs.
2. Parking for parks, playgrounds, and recreation areas.

##### B. Residential treatment and care facilities.

##### C. Wastewater treatment plants, except when accessory to a development.

517.4. **Special Exception Uses**

~~The following uses are permitted as special exceptions after compliance with all applicable requirements:~~

- A. Duplexes.
- B. Home occupations.
- C. Public and private utilities: electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- D. Public or private utility substations, provided there will be no storage of trucks or materials on site.
- E. Private schools and day-care centers.
- F. Churches ~~and church schools.~~
- G. Public or private parks, playgrounds, recreation centers, and structures used for civic and homeowners' associations.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Cemeteries ~~of at least~~ twenty (20) acres or more in size, provided graves are over fifty (50) feet from an abutting lot or parcel.
- J. Governmental buildings.
- K. Accessory uses customarily incidental to a permitted special exception use.
- L. Mortuaries and funeral homes, excluding crematoriums.
- M. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.

517.5. **Area, Density, and Lot- Width Requirements**

- A. Single-Family Detached Dwellings and Duplexes
  - 1. Minimum lot area: 6,000 square feet.
  - 2. Maximum possible gross density, 7.3 dwelling units per acre, except duplexes (14.6 dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
  - 3. Minimum lot width: sixty (60) feet.
  - 4. Minimum lot depth: 100 feet.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

517.6. Coverage Regulations

Principal structures shall not cover more than forty-five (45) percent of the total lot area. Accessory structures may cover up to an additional twenty (20) percent of the total lot area beyond that allowed for the principal structure.

517.7. Yard Regulations

A. The following minimum building-line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

1. Front: twenty (20) feet.
2. Side: 7.5 feet, each side.
3. Rear: fifteen (15) feet.

B. Front setbacks shall be subject to this Code, if applicable.

517.8. Height Regulations

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

517.9. On-Site Parking Regulations

On-site parking shall be provided in accordance with this Code.

517.10. Performance Standards for Conditional Uses and Special Exceptions

All activities shall be in conformance with standards established by the County, State, and Federal government.

517.11. Development Plan

A development plan shall be submitted in accordance with this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 518. MF-1 MULTIPLE-FAMILY MEDIUM DENSITY DISTRICT

#### 518.1. Purpose

The purpose of the MF-1 Multiple-Family Medium Density District is to provide for medium density family residential areas with adequate open areas where it is desirable to encourage such type of development.

Because of the higher than average concentrations of persons and vehicles, this district is situated where it can properly be served by public and commercial services and have convenient access to thoroughfares and collector streets. Site-area requirements reflect the relative need for open space of the various types of residences based on expected density of use.

#### 518.2. Permitted Uses

##### A. Principal Uses

1. Multiple-family dwellings.
2. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code, ~~Chapter 500, Supplemental Regulations.~~
3. Signs in accordance with this Code.
4. Other accessory uses customarily incidental to an ~~allowed~~permitted principal use.

#### 518.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Helicopter landing pads, provided that no such landing pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.

#### 518.4. Special Exception Uses

~~The following uses are permitted as special exceptions after compliance with all applicable requirements:~~

- A. Public and private utility rights-of-way.

- B. Public or private utility substations.
- C. Private schools and day-care centers.
- D. Marinas, subject to siting criteria set forth in the County Comprehensive Plan.
- E. Public and private parks, playgrounds, and recreation centers.
- F. Churches.
- G. Golf courses.
- H. Cemeteries.
- I. Hospitals, clinics, governmental buildings, and private clubhouses.
- J. Professional services, such as medical, dental, legal, and engineering, excluding the storage and parking of heavy equipment.
- K. Hotels, motels, condos, bed and breakfasts, and tourist homes.
- L. Accessory uses customarily incidental to an ~~allowed~~ ~~permitted~~ special exception use.

#### 518.5. Area, Density, and Lot ~~Width~~ Requirements

##### A. Two-Family or Duplex Dwellings

- 1. Minimum lot area: 9,000 square feet per two ~~unit~~ structure.
- 2. Minimum lot width: eighty (80) feet.
- 3. Minimum lot depth: 100 feet.

##### B. Other Multiple-Family

- 1. Minimum lot area: 15,000 square feet.
- 2. Minimum lot width: 100 feet.
- 3. Minimum lot depth: 100 feet.

##### C. All Other Uses Including Townhouses

No minimum lot areas are required, subject to meeting minimum yard, coverage, and ~~on-site~~ ~~street~~ parking regulations.

D. Maximum Possible Gross Density

Twelve (12) dwelling units per acre, subject to compliance with the Comprehensive Plan Future Land Use Map classification.

518.6. Coverage Regulations

All buildings, including accessory buildings, shall not cover more than forty (40) percent of the total lot area.

518.7. Yard Regulations

A. Two-family, triplex, quadruplex, multiple-family, townhouses, and all nonresidential uses:

1. The following minimum building-line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

- a. Front: twenty (20) feet.
- b. Side: ten (10) feet.
- c. Rear: fifteen (15) feet.

B. All structures shall be separated by not less than fifteen (15) feet.

518.8. Height Regulations

Building height: forty-five (45) feet maximum. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

518.9. On-Site Parking Regulations

On-site parking shall be provided in accordance with this Code.

518.10. Performance Standards for Conditional Uses and Special Exceptions

All activities shall be in conformance with standards established by the County, State, and Federal government.

518.11. Development Plan

A development plan shall be submitted in accordance with this [LDCode](#).

518.12. Neighborhood Park(s)

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this [LDCode](#).



## CHAPTER 500. ZONING STANDARDS

### SECTION 519. MF-2 MULTIPLE-FAMILY HIGH DENSITY DISTRICT

#### 519.1. Purpose

The purpose of the MF-2 Multiple-Family High Density District is to provide for high density multiple-family residential areas with adequate open areas where it is desirable to encourage such type of development.

Because of the higher than average concentrations of persons and vehicles, this district is situated where it can properly be served by public and commercial services and have convenient access to thoroughfares and collector streets. Site-area requirements reflect the relative need for open space of the various types of residences based on expected density of use.

#### 519.2. Permitted Uses

##### A. Principal Uses

1. Multiple-family dwellings.
2. Retail and commercial services to serve primarily the needs of the occupants which are permitted uses under the C-1 Neighborhood Commercial District.
3. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this CodeLand Development Code (LDC), Chapter 500, Supplemental Regulations.
3. Signs in accordance with this LDCode.
4. Other accessory uses customarily incidental to an allowed-permitted principal use.

#### 519.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Helicopter landing pads, provided that no such landing pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.



519.4. **Special Exception Uses** ~~The following uses are permitted as special exceptions after compliance with all applicable requirements:~~

- A. Public and private utility rights-of-way.
- B. Public or private utility substations.
- C. Private schools and day-care centers.
- D. Public and private parks, playgrounds, and recreation centers.
- E. Churches.
- F. Golf courses.
- G. Cemeteries.
- H. Hospitals, clinics, governmental buildings, and private clubhouses.
- I. Professional services.
- J. Accessory uses customarily incidental to ~~an allowed-permitted~~ special exception use.
- K. Marinas, in conjunction with multiple-family use and subject to siting criteria set forth in the ~~County~~ Comprehensive Plan.
- L. Hotels, motels, condos, bed and breakfasts, and tourist homes.

519.5. **Area, Density, and Lot Width Requirements**

- A. **Multiple-Family Structures**
  - 1. Minimum lot area: 20,000 square feet.
  - 2. Minimum lot width: 125 feet.
  - 3. Minimum lot depth: 125 feet.
- B. **All Other Uses**. No minimum lot areas are required, subject to meeting minimum yard, coverage, and ~~off-street on-site~~ parking regulations.
- C. **Maximum Possible Gross Density**: Eighteen (18) dwelling units per acre, subject to compliance with the Comprehensive Plan Future Land Use Map classification.

519.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than fifty-five (55) percent of the total lot area.

519.7. **Yard Regulations**

~~A.~~ The following minimum building ~~line~~ setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

~~1.A.~~ Front: twenty (20) feet.

~~2.B.~~ Side: fifteen (15) feet, each side, plus five (5) feet for each additional story above three (3) stories.

~~3.C.~~ Rear: fifteen (15) feet, plus five (5) feet for each additional story above three (3) stories.

~~B.~~

519.8. **Building Height Regulations**

The maximum building height shall not exceed forty-five (45) feet, except where a special exception has been granted. However, in no case shall the maximum height exceed 120 feet. For exceptions, see this ~~LDC~~Code, Chapter 500, Supplemental Regulations.

519.9. **On-Site Parking Regulations**

On-site parking spaces shall be provided in accordance with this ~~LDC~~Code.

519.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

519.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

519.12. **Neighborhood Park(s)**

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 520. MF-3 MULTIPLE-FAMILY HIGH DENSITY DISTRICT

#### 520.1. Purpose

The purpose of the MF-3 Multiple-Family High Density District is to provide for high density multiple-family residential areas with adequate open areas where it is desirable to encourage such type of development.

Because of the higher than average concentrations of persons and vehicles, this district is situated where it can properly be served by public and commercial services and have convenient access to thoroughfares and collector streets. Site \_area requirements reflect the relative need for open space of the various types of residences based on expected density of use.

#### 520.2. Permitted Uses

##### A. Principal Uses

1. Multiple-family dwellings.
2. Public schools.

##### B. Accessory Uses

1. Private garages and parking areas.
2. Private swimming pools and cabanas in accordance with this Code, ~~Chapter 500, Supplemental Regulations.~~
3. Retail and commercial services commercial to serve primarily the needs of the occupants which are permitted uses under the C-1 Neighborhood Commercial District.
4. Signs in accordance with this Code.
5. Other accessory uses customarily incidental to an ~~allowed-permitted~~ principal use.

#### 520.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Helicopter landing pads, provided that no such landing pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.

520.4. **Special Exception Uses**

~~The following uses are permitted as special exceptions after compliance with all applicable requirements:~~

- A. Public and private utility rights-of-way.
- B. Public or private utility substations.
- C. Private schools and day-care centers.
- D. Public and private parks, playgrounds, and recreation centers.
- E. Churches.
- F. Golf courses.
- G. Cemeteries.
- H. Hospitals, clinics, restoriums, governmental buildings, and private clubhouses.
- I. Professional services.
- J. Accessory uses customarily incidental to a permitted special exception use.
- K. Marinas, in conjunction with multiple-family use and subject to marina siting criteria set forth in the ~~County~~ Comprehensive Plan.
- L. Hotels, motels, condos, bed and breakfasts, and tourist homes.

520.5. **Area, Density, and Lot Width Requirements**

A. Multiple-Family Structures

- 1. Minimum lot area: 20,000 square feet.
- 2. Minimum lot width: 125 feet.
- 3. Minimum lot depth: 125 feet.

B. All Other Uses:

No minimum lot areas are required, subject to meeting minimum yard, coverage, and ~~off-street-on-site~~ parking regulations.

C. Maximum Possible Gross Density:

Twenty-four (24) dwelling units per acre, subject to compliance with the Comprehensive Plan Future Land Use Map classification.

520.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than fifty-five (55) percent of the total lot area.

520.7. **Yard Regulations**

~~A.~~ The following minimum building ~~\_~~line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

~~1.A.~~ Front: twenty (20) feet.

~~2.B.~~ Side: fifteen (15) feet, each side, plus five (5) feet for each additional story above three (3) stories.

~~3.C.~~ Rear: fifteen (15) feet, plus five (5) feet for each additional story above three (3) stories.

~~B.~~  
520.8. **Building Height Regulations**

The maximum building height shall not exceed sixty-five (65) feet, except where a special exception has been granted. However, in no case shall the maximum height exceed 120 feet. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

520.9. **On-Site Parking Regulations**

On-site parking spaces shall be provided in accordance with this Code.

520.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

520.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

520.12. **Neighborhood Park(s)**

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this Code.

## CHAPTER 500. ZONING STANDARDS

### SECTION 521. PUD PLANNED UNIT DEVELOPMENT DISTRICT

521.1. The ~~PUD~~Planned Unit Development District was repealed on August 9, 2005 (Ordinance No. 05-32). All ~~planned unit developments~~PUDs existing as of August 9, 2005, and any amendments to ~~those planned unit developments~~PUDs shall be governed by this Code. A ~~planned unit development~~PUD plan that expires shall cause the property to revert to the zoning district that existed prior to the rezoning of the ~~planned unit development~~PUD.

## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 522. MPUD MASTER PLANNED UNIT DEVELOPMENT DISTRICT**

#### **522.1. Purpose**

The purposes of the MPUD districts are:

- A. To encourage innovations in residential and nonresidential development and redevelopment so that the growing demand for housing in the County may be met by greater variety in type, design, and layout of dwellings to encourage the thoughtful consideration and inclusion of supporting nonresidential uses where appropriate, and to encourage the effective use of open space and recreational areas.
- B. To provide greater opportunities for better housing and recreation for all who are or will be residents of the County by encouraging a more efficient use of land and public services and to reflect changes in the technology of land development so that the economies so secured may inure to the benefit of those who need homes.
- C. To provide for residential cluster options and incentives that are designed to protect the rural character of the County's rural areas.
- D. To encourage more flexible land development which will respect and conserve natural resources such as streams, lakes, floodplains, groundwater, wooded areas, steeply sloped areas, and areas of unusual beauty or importance to the natural ecosystem.
- E. To encourage more efficient, flexible, and controlled employment centers, industrial, commercial, and other development under the MPUD concept.

#### **522.2. General Requirements for MPUDs**

##### **A. Calculation of Density or Intensity**

- 1. The general, allowable gross density or intensity for an MPUD, a CS-MPUD Conservation Subdivision Master Planned Unit Development, an EC-MPUD Employment Center Master Planned Unit Development, or a Commercial MPUD cannot exceed that determined by the land use classification of the Pasco County Comprehensive Plan.
  - a. For an MPUD or EC-MPUD, the computation of maximum gross density shall be the maximum density allowed by the land use classification applicable to the subject property, multiplied by the proposed developable residential acreage of the project, plus any density incentives as provided in the adopted Comprehensive Plan. Proposed developable residential acreage means that portion of the total site area which will be developed for residential use, inclusive of street rights-of-way, utility rights-of-way, public and private parks, community facilities, etc. Proposed developable residential acreage does not include any lands within the project which are classified as wetlands, CON (Conservation Lands), or water bodies. The computation for the CS-MPUD is addressed in Section 522.7.



- b. The computation for nonresidential projects, or portions thereof, maximum gross building square footage shall be the sum of the developable nonresidential project acreage multiplied by the maximum floor-area ratio permitted in the applicable land use classification. Proposed nonresidential acreage means the upland portion of the site exclusive of nonmitigated wetlands and natural water bodies. No nonresidential intensity may be transferred from one (1) parcel of land to another when the parcels are physically separated from each other, except by roadways, streams, rivers, or lakes. Along coastal areas, only land above mean high tide may be used in determining acreage size.

## 2. Blending of Densities

- a. For proposals in which project boundaries encompass more than one residential land use classification (RES-1 [Residential - 1 du/ga], RES-3 [Residential - 3 du/ga], RES-6 [Residential - 6 du/ga], RES-9 [Residential - 9 du/ga], RES-12 [Residential - 12 du/ga], RES-24 [Residential - 24 du/ga]), the County shall consider the blending of densities where an applicant can demonstrate by site plan within residential land use classifications; an equivalency of development rights; improvement in the overall master plan; and consistency with the Goals, Objectives, and Policies in the Comprehensive Plan.
- b. For proposals in which project boundaries encompass more than one (1) rural land use classification (AG [Agricultural], AG/R [Agricultural/Rural], RES-1 [Residential - 1 du/ga] for lots one [1] acre or greater), the County may consider the blending of densities where an applicant can demonstrate by site plan; an equivalency of development rights; improvement in the overall master plan; and consistency with the Goals, Objectives, and Policies in the Comprehensive Plan. In addition, the location of residential development lots shall be arranged in a context-sensitive manner such that they preserve the integrity of the rural community by buffering, setbacks, or a combination thereof to protect and preserve the rural appearance of land when viewed from public roads and from abutting properties.
- c. Size Requirements. MPUDs that contain only residential uses must be a minimum of five (5) acres, except where located in the coastal high hazard area where there is no minimum size.

### 522.3. **Permitted Uses**

When identified and approved on the master plan, the following uses shall be permitted individually or in combination in an MPUD District:

- A. All Residential Uses
- B. Recreational Vehicles and/or Travel Trailers

- C. Parks; playgrounds; schools; day-care centers; churches; government uses; and other, related community facilities.
- D. Professional offices, local convenience, neighborhood, community, and regional shopping facilities in planned centers that are permitted in accordance with the master plan are subject to the following standards:
  - 1. The area, siting, intensity, and nature of such uses shall be governed by the following criteria:
    - a. The MPUD shall include at least ten (10) acres if both residential and nonresidential uses are to be located in the MPUD.
    - b. Size/Use Limitations Table:

	<b>Convenience</b>	<b>Local Neighborhood</b>	<b>Community</b>	<b>Regional</b>
<b>Floor Area (Sq. Ft.)</b>	2,500-30,000	30,001-100,000	100,001-399,999	400,000 or Greater
<b>Acres in Site (Min.)</b>	0.5	3	10	40
<b>Typical Uses (Not Limited to Examples)</b>	Sale of Convenience Goods, Personal Services, and Day-Care Centers	Sale of Shoppers Goods, Banking Facilities, Business Services, Offices, All Uses in Convenience Commercial, and Professional Service	Junior and Discount Department Stores, Amusement Facilities, Automotive Sales and Service, Automobile Service Stations and Car Wash, Hotels/Motels, and All Uses In Neighborhood Commercial	Major Department Stores, Sale of General Merchandise, and All Uses in Community Commercial

- 2. Setback, height, and buffering requirements for convenience and neighborhood commercial shall be set forth in the C-1 Neighborhood Commercial Zoning District, unless otherwise approved.
- 3. Setback, height, and buffering requirements for neighborhood community and regional commercial shall be equivalent to the requirements in the C-2 General Commercial Zoning District, unless otherwise approved.
- 4. Commercial Uses
  - a. Commercial uses allowed within local convenience and neighborhood centers shall be equivalent to specific C-1 Neighborhood Commercial Zoning District permitted uses, conditional uses, and special exception uses approved at the time of rezoning. Changes in local convenience and neighborhood center uses after rezoning approval shall be approved by the Board of County Commissioners (BCC) upon recommendation by the Development Review Committee (DRC).
  - b. Commercial uses allowed in community and regional centers shall be equivalent to C-1 Neighborhood Commercial and C-2 General Commercial Zoning Districts permitted uses, conditional uses, and special exception uses approved at the time of rezoning. Changes in community and regional-center conditional or special exception uses

after rezoning approval shall be approved by the BCC upon recommendation by the DRC.

E. Bed and Breakfast

A bed and breakfast that is permitted in accordance with the master plan is subject to the following standards:

1. The building shall maintain a residential character, style, and appearance.
2. The property shall meet the parking requirements in accordance with this Code, Section 907.1.
3. Use of the property for a bed and breakfast shall meet all applicable building and fire codes.

F. Recreational facilities and structures, including clubhouses, tennis courts, country clubs, pools, and similar uses, when used and designed primarily to serve the residents of the development.

G. Golf courses, which may be calculated as open space as is hereinafter required, provided the clubhouse and other structures are located over 150 feet from any dwelling structure, and

1. All golf courses must be managed using Pasco County's Best Management Practices for golf courses when adopted and shall provide industry-standard practices for review during the interim.
2. A golf course is subject to the specialized location and buffer requirements of the MPUD.

H. Marinas, subject to marina siting criteria set forth in the Pasco County Comprehensive Plan.

I. Industrial

J. Colleges, Universities, and Schools

K. Residential-Treatment and Care Facilities

L. Hospitals, including helipads when located no closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.

M. Public or private utilities and utility substation, lift station, and other accessory uses, provided there is no open storage of trucks or materials on the site.

N. Major Utilities

Major utilities that are permitted in accordance with the master plan shall be subject to the following standards:

1. All new water or sewer-plant structures shall be set back a minimum of 150 feet from any residential structure and be in compliance with State and local regulations and the Master Utility Plan. For purposes of this section, mobile and manufactured homes shall be considered residential structures.
2. The reuse of reclaimed water and land application of effluent shall meet the requirements of the Rule 62-610, Florida Administrative Code (FAC), which in addition to other criteria, defines setback distances and minimum system-size requirements.
3. All major utility plant sites (where the actual site is located) and polishing ponds shall be enclosed with a minimum six (6) foot-high fence, wall, or other screening approved by the BCC.
4. The landscaped buffer, in accordance with a minimum opacity of 0.75, shall be provided on all nonstreet property lines.
5. Vertical storage structures are expressly prohibited within the open space, with the exception of water tanks that have a rural design in keeping with the rural character of the area and that are necessary to serve a public purpose.

- O. Aircraft landing fields and helicopter pads, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad shall be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools. This use must be requested in the original approval; otherwise, a conditional use will be required.

P. Accessory Uses

Q. Conditional Use

Resort condominiums may be allowed subject to the criteria and standards for review for rezoning and conditional uses in this Code, Section 401, and subject to compliance with the notification and requirements for operation criteria in the short-term rental provisions of Section 401.5.B.

522.4. **Development Standards**

A. **Site Design**

Design shall accomplish the following primary objectives through site design:

1. **Compatibility of Use.** Land uses near the periphery of the MPUD, the EC-MPUD, or the Commercial MPUD shall be planned so as to be compatible with neighboring areas. Compatibility may be achieved through

design that respects the context of the adjacent uses. Applicants must demonstrate through lot sizes, buffers between uses, or other information as identified by the County Administrator or designee, that the project, as designed, transitions appropriately to adjacent uses or effectively shields adjacent uses in the absence of lot/use compatibility. The County Administrator or designee reserves the right to require additional information for projects where compatibility is not clearly demonstrated.

2. Residential Setbacks. The land-use standards as enumerated in this Code, Chapter 500, shall be used as the baseline setback for each single-family detached residential housing type. Variations in setbacks from those standards enumerated in this Code, Chapter 500, may be allowed for housing types other than single-family detached where permitted on the master plan. The County may impose standards that are greater than ordinance requirements where deemed necessary to mitigate a compatibility issue. Proposed urban-design standards of Section 601, Traditional Neighborhood Design, for single-family detached uses, where allowed, shall only be permitted when the project is developed consistent with Section 601.
3. Streets
  - a. Streets should be designed to maximize connectivity within an MPUD or EC-MPUD and surrounding areas.
  - b. Roadways shall comply with the standard roadway typical sections for collectors and arterial roadway facilities as adopted by this Code, unless otherwise approved by the DRC.
  - c. Streets shall be designed in accordance with this Code.
4. Parking. All parking shall be landscaped and designed in accordance with this Code.
5. Signage. A master signage plan may be filed and approved with the master plan in accordance with this Code, Section 406.1. ~~Any deviations from Section 406.1 shall require relief pursuant to Section 407.~~
6. Utilities. Utilities shall be located underground to the maximum extent possible.
7. Design for Refuse-Disposal Stations. Refuse stations shall be designed to maximize screening and shall be located away from residential areas, including residential areas that are adjacent to the subject site. Refuse-disposal stations shall not front streets within the proposed MPUD or EC-MPUD to the maximum extent possible, and in the event that it is unavoidable, must provide a shielding plan that identifies the landscape proposed or wall treatment chosen.
8. Open-Space Requirement. There shall be provisions which insure that the open space shall continue as such and be properly maintained. The owner/developer shall indicate ownership and provide for the responsibility for maintenance of such open-space land or provide for and establish one



(1) or more organizations for the ownership and maintenance of all common open space. In the case of multiple organizations for ownership and maintenance, each organization shall be a nonprofit homeowners' corporation or Community Development District formed pursuant to Chapter 190, Florida Statutes. Where practical, it shall be designed as a contiguous area easily accessible to the residents and preserving natural features.

| 522.5. **E-C-MPUD Standards**

A. **Purpose and Intent**

Within its Comprehensive Plan, Pasco County provides for a variety of mechanisms to encourage economic development, including the creation of employment-generating uses within the following Future Land Use (FLU) Classifications:

1. EC (Employment Center)
2. IH (Industrial - Heavy)
3. IL (Industrial - Light)
4. OF (Office)
5. PD (Planned Development)

The purpose of the EC-MPUD Zoning District is to implement the EC (Employment Center) Land Use Classification of the Pasco County Comprehensive Plan.

The EC (Employment Center) FLU Classification within the Pasco County Comprehensive Plan serves a special purpose within the menu of employment-generating land use classifications inasmuch as the Comprehensive Plan identifies eight (8) distinct areas that include an EC (Employment Center) Land Use Classification. These distinct areas may include a variety of different parcels and landowners, may also include other land use classifications other than the EC (Employment Center) Land Use Classification, and are referred to hereinafter as "employment center areas" (see Exhibit 1: Employment Center Areas). These areas have been specifically identified to support and reinforce the County's growth management vision and economic development goals by focusing on development that provides an economic benefit in terms of employment opportunities and increased tax base within compact and specified employment centers. These employment centers have been designated in an effort to ensure that the lands within the County that have the greatest access to publicly funded infrastructure investments are developed consistent with the growth management vision of the County. Development within these areas is required to contain a certain percentage of one (1) or a combination of the following preferred uses:

1. Target Primary Business
2. Corporate Business Park
3. Industrial Use

A target primary business is defined as a business that is identified by Enterprise Florida as a qualified target industry for the tax refund program or a business that is identified by the Pasco Economic Development Council (PEDC) in the economic development target industry list. A corporate business park may include target primary businesses and/or some industrial uses, but is identified as a separate preferred use in recognition of the desire for the County to permit general (nontarget) "office" uses within employment centers if they are in the form of a corporate business park.

The uses that are described and permitted within the EC-MPUD are regulated to conform to the requirements for the Emergency Communications Division FLU Classification of the Comprehensive Plan. These uses are also permitted within a variety of other zoning districts as provided in these regulations and are not strictly limited to the EC-MPUD.

#### B. Mix of Uses

1. Mix-of-Use Requirement. Properties developed under the EC-MPUD that are within the EC (Employment Center) FLU Classification of the Pasco County Comprehensive Plan are required to comply with the mix-of-use requirements of the EC (Employment Center) FLU Classification. The method for determining the mix-of-use requirements/limitations for an individual application/project site provides some flexibility and is described in this Code, Section 522.5.B.2. The Comprehensive Plan requires that employment center areas shall be designed to accommodate an areawide composite land-use mix as described below:

<b>General Use</b>	<b>Minimum</b>	<b>Maximum</b>
Corporate Business Park or Target Primary Businesses or Industrial Uses	55 Percent	75 Percent
Multiple-Family Uses	20 Percent	40 Percent
Support Commercial/Office Uses <sup>1</sup>	5 Percent	20 Percent

<sup>1</sup>Support uses within an employment center are limited to only those uses that support the primary businesses and residences located within the employment center and may generally include services, such as restaurants, banks, professional services, dry cleaners, grocery stores (including neighborhood-scale markets), service stations, hotels, etc. The size of the support uses are limited by the percentage mix described herein and the scope of the local neighborhood size thresholds and use as described in this Code, Chapter 500, Section 522.2.D.1, or as otherwise determined by this Code during the development review process. Commercial and/or retail uses that are designed to serve a regional purpose, such as theaters, malls, car sales, home-improvement centers, and department stores are expressly prohibited within an EC-MPUD. The uses permitted within the land-use mix table designation above may be developed in any sequence.



2. De Minimis Size Parcels. For de minimis sized projects or parcels, the County Administrator or designee may allow an exemption from the mix-of-use requirements as follows:
  - a. Any parcel of record as of January 26, 2007, with an EC (Employment Center) FLU Classification that is ten (10) acres or less in size may be developed with any of the allowable uses in the EC-MPUD.
  - b. Any parcel of record as of January 26, 2007, with an EC (Employment Center) FLU Classification that is twenty (20) acres or less in size may be developed with up to ninety-five (95) percent industrial, target industry, and/or corporate business park uses. The applicant will not be required to comply with the minimum multiple-family component in the composite mix-of-uses provided hereinabove.

To the extent that either de minimis option causes a deviation from the composite land-use mix when the land-use mix distributions are considered for the entire employment center area, then a revision within the Comprehensive Plan to the composite land-use mix will be required.

3. Determination of the Mix. If an areawide master plan has not been prepared for the employment center located at the I-75/U.S. 41 intersection, the specific method for determining the land-use mix distributions shall not be implemented as a composite land-use mix, but shall be implemented as a specific land-use mix on a parcel-by-parcel basis using the mix standards as described hereinabove. Except for the employment center located at the I-75/U.S. 41 intersection, the Pasco County Comprehensive Plan requires an areawide composite land-use mix for the EC (Employment Center) FLU Classification, which represents the range of uses that are required to be achieved within each employment center area as designated on the FLU map. An applicant within an EC-MPUD has four (4) options to demonstrate that an individual parcel, site, or project meets the mix-of-use requirement and must demonstrate one of the following:
  - a. That the specific parcel, site, or project provides the mix of uses, as specified in Section 522.5.B.1, based upon the uses proposed in the MPUD Master Plan.
  - b. That the specific parcel, site, or project is consistent with an areawide employment center plan that has been accepted by the BCC and adopted by a special area policy into the Comprehensive Plan consistent with the mix-of-uses in Section 522.5.B.1.
  - c. The applicant may prepare an areawide employment center plan consistent with the community planning process of Section 522.6 and the mix-of-uses in Section 522.5.B.1, and submit a project master plan consistent with the results of this process.
  - d. The applicant may request that the mix be determined on a first-come, first-served basis by submitting a plan for a single site within a designated employment center area. The site master plan shall be mailed to all affected property owners within forty-five (45) days of the

date that the rezoning application is deemed complete. If there are objections by landowners within the employment center area to the site master plan and the applicant has not resolved those objections prior to the DRC hearing date, the applicant will need to pursue an alternative option as listed in this section. If there are no objections, then at the time the matter is set for public hearing, the site master plan shall be sent to all affected property owners in addition to the requirements specified in Chapter 300. If there are any objections in writing or at a public hearing that cannot be resolved by the adoption date, the applicant will be required to pursue an alternative option as outlined in Section 522.5.B.2.

4. Mixed-Use Buildings. Mixed uses and mixed-use buildings are also permitted within the EC-MPUD. Where mixed-use buildings are proposed, the land-use mix for that land area shall be determined based upon the percentage of square footage of each use as a percentage of the total land area for that mixed-use structure. The corporate business park "use" by definition is a collection of buildings that meet certain requirements as provided in Section 522.5.D.1.a. All buildings within a corporate business park as defined herein shall be recognized as a corporate business park use and shall not be separated into various uses for the purpose of this section.

C. Compatibility

The EC-MPUD Master Plan may provide a mix of land uses as provided in Section 522.5.B.1. The specific location of different uses within the EC-MPUD District shall be established on the approved master plan.

1. Internal Compatibility. If applicable (when not under the de minimis size exemption set forth hereinabove, in which case no range of uses is required), the master plan shall demonstrate compliance with the following characteristics:
  - a. That the land uses within the master plan are arranged and designed in a complementary and compatible manner;
  - b. That different uses within the proposed parcel, site, or project are effectively buffered to encourage full use and enjoyment of all property within the district;
  - c. That the vehicular-circulation system throughout the master plan directs traffic in an efficient and safe manner; and
  - d. That the individual land-use components of the master plan are interconnected by safe and convenient pedestrian linkages.
2. External Compatibility. The master plan shall include appropriate development order ~~(DO)~~ conditions that accomplish "stepping down" building heights and transitioning land uses; e.g., gradual reduction of intensities and uses to minimize visual and noise impacts on either adjacent residential developments or the Northeast Pasco rural area, where applicable. Such standards that address external compatibility may include adjacent buffers

and screening such that the arrangement of uses on site do not unreasonably impair the long-term use of properties adjoining the EC-MPUD District as established by the master plan. The County may require additional buffering, landscape, and screening following the evaluation of compatibility, including special standards to minimize visual and noise impacts when an EC-MPUD is adjacent to the Northeast Pasco rural area.

a. **Setback.** When a nonresidential or multiple-family use is abutting any property with a residential FLU classification, there shall be an additional building setback required for that use when contiguous to the residential property as follows:

- (1) When any side of a structure equal to or less than thirty-five (35) feet in height abuts the residential property, that portion of the structure(s) shall be set back a minimum of twenty (20) feet from the property line adjacent to such residential land.
- (2) The specific minimum setbacks and other compatibility requirements for structures greater than thirty-five (35) feet in height shall be determined during the rezoning process and shall become a condition of the rezoning action. At a minimum, structures that are greater than thirty-five (35) feet in height shall comply with the following building height, transition zone requirements:

<b>Building Height</b>	<b>Minimum Setback when Adjacent to a Property with a Residential FLU Classification</b>
≤35 Feet	20 Feet
36-45 Feet	50 Feet
46-55 Feet	80 Feet
55-65 Feet	110 Feet
>65 Feet	110 Feet, plus an additional 10 feet for each additional story over 65 feet, plus additional buffering and screening as deemed appropriate to transition from the edge of the EC-MPUD development.

b. **Building Design.** The side of the building that is facing or backing up to any residential development or residentially zoned property must be treated with the same architectural design standards as the front of the building. Metal buildings shall be located so that they are not visible from residential development, residentially zoned property, and collector/arterial roadways.

D. Description of Uses

1. Preferred Uses. The preferred uses permitted within the EC-MPUD include any one (1) or a combination of the following: corporate business park, industrial, or target primary business.

- a. Corporate Business Park. An office park that provides a collection of office buildings in a campus-like setting that permits uses and activities conducted in an office setting generally focusing on business, government, professional, medical, or financial services, but excludes personal-services uses. To qualify as a "corporate business park" for the purposes of meeting the mix-of-use requirement for an employment center, the park must be consistent with the requirements of this section and consist of one of the following:

- (1) A minimum of at least three (3) multistory office buildings, where the minimum height shall be two (2) stories and the minimum total stories shall be nine (9) stories;
- (2) Two (2) or more buildings with a minimum of four (4) floors each, excluding garage parking; or
- (3) Building(s) of such a size and character as otherwise approved by the BCC which would create a desired corporate business park setting.

A corporate business park may include target primary businesses, but is identified as a separate primary use in recognition of the desire of the County to promote general (nontarget business) "office" uses within employment centers if they are in the form of a corporate business park.

- (4) Accessory uses may occur within the multistory office building and generally have limited-external access or signs. Ancillary uses may generally be permitted as a part of a corporate business park and may count as a part of a corporate business park for the purposes of determining various economic-development incentives; however, when these uses are permitted within an EC (Employment Center) FLU Classification, the land area identified for such ancillary uses shall be recognized as "support commercial/office use" for the purposes of determining the required mix-of-uses under the Comprehensive Plan. Principle uses: administrative and professional offices, including medical clinics, but excluding hospitals; corporate headquarters, including related supporting services and storage; sales and marketing offices; sales and service offices related to electronic equipment, computers, and similar office equipment, including repair incidental to sales and service; data and communication centers, including information-processing facilities; research and development facilities, including target business medical research, testing, and pharmaceuticals; business services, such as office



supplies, copy/print centers, medical supplies, pharmacies; and travel agencies.

- (5) Accessory Uses (for a Multistory Corporate Business Park): Ancillary storage; cafeteria; restaurant; bank; health facility; meeting room; off-street parking; on-site day care or facility where children are cared for while parents or guardians are occupied on the premises; other neighborhood, convenience-type amenities for the use of on-site employees; and technical library.
  - (6) Ancillary Uses: college, university, vocational, trade, or business schools; transient accommodations (hotel with on-site conference and catering facilities only); and other support commercial/office uses.
  - (7) Uses not Included. Building, heating, plumbing, landscaping, or electrical contractor and others who perform services off site, but store equipment and materials for perform fabrication or similar work on site; bulk-mailing services; mail-order house; and urgent-care or emergency medical office.
- b. Industrial. In addition to the target primary businesses identified in Section 522.8.D.1.c., an EC-MPUD may also include the specific industrial uses listed below that are also permitted within the County's I-1 Light Industrial Park Zoning District:
- (1) Businesses with related offices and showroom, which manufacture, assemble, process, package, and/or distribute small unit products, such as optical devices, tool and die manufactures, electronic equipment, precision instruments, and toys.
  - (2) Wholesale distribution centers, including related offices and showrooms, rail or highway freight transportation, distribution, and associated warehousing, but not to include highway freight transportation and warehousing or the retail sale of gasoline or propane.
  - (3) Printing, publishing, engraving, and related reproductive process.
  - (4) Ornamental iron manufacturing.
  - (5) Building-material manufacturing and associated storage.
  - (6) Boat manufacturing.
  - (7) Distribution plants, beverage bottling, and/or distribution.
  - (8) Dairy-products manufacturing.

- (9) Furniture, decorating materials, and upholstery manufacturing.
- (10) Garment assembly.
- (11) Laboratories devoted to research, design, experimentation, testing of products or materials, processing, and fabrication incidental thereto.
- (12) Manufacture or assembly of equipment and appliances, electronic instruments, and devices.
- (13) Manufacture of ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas and the manufacturing of glass products.
- (14) Manufacture, compounding, assembling, or treatment of merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feather, felt, fiber, fur, glass, horn, leather, paper, plastics, metals, stone, shell, textiles, tobacco, wax, wood, yarn, and paints.
- (15) Manufacture, compounding, processing, packaging, treatment, and distribution of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food, and kindred products.
- (16) Manufacture of musical instruments, novelties, rubberstamps or metal stamps, and other small molded-rubber products.
- (17) Photographic manufacturing and processing.
- (18) Sign manufacturing, including poles.
- (19) Testing of materials and equipment.
- (20) Light-Industrial Flex Space. Flex-type or user space that lends itself to a variety of industrial uses as specifically set forth above, including target industries. The single-story building is designed for multiple users, divided in spaces running from front to rear. The proportion of office versus light-industrial space in each user space is not determined until the user occupies the space. The space may subsequently be proportioned to accommodate the current occupant or a new occupant's changing needs, provided that an accessory use is not converted to a principle use. The space may include uses, such as manufacturing, light-industrial, and scientific-research functions. Accessory uses could include offices, warehousing, and wholesale stores. The square footage identified for such uses shall not be considered as "support commercial/offices use" for the purposes of determining the required mix-of-uses under the Comprehensive Plan.

- c. **Target Primary Business.** A "target primary business" is defined as a business that is identified by Enterprise Florida as a qualified target industry for the tax refund program or a business that is identified by the PEDC in their economic development target industry list, as may be amended from time-to-time. The qualified target industry list may be obtained from the PEDC. The PEDC target industry list includes, but is not limited to, the following:

(1) **Manufacturing**

- (a) **Biological Products.** Establishments primarily engaged in the production of bacterial and virus vaccines; toxoids; and analogous products, such as allergenic extracts, serums, plasmas, and other blood derivatives for human or veterinary use, other than in vitro and in vivo diagnostic substances.
- (b) **Diagnostic Substances.** Establishments primarily engaged in manufacturing in vitro and in vivo diagnostic substances, whether or not packaged for retail sale.
- (c) **Electromedical Equipment.** Establishments primarily engaged in manufacturing electromedical and electrotherapeutic apparatus.
- (d) **Electronic Connectors.** Establishments primarily engaged in manufacturing electronic connectors.
- (e) **General Industrial Machinery.** Establishments primarily engaged in manufacturing machinery, equipment, and components for general industrial use, and for which no special classification is provided, may also include the manufacturing of amusement-park equipment and flexible metal hose and tubing. This industry also includes establishments primarily engaged in producing or repairing machinery and equipment parts, not elsewhere classified, on a job or order basis for others.
- (f) **Laboratory Analytical Instruments.** Establishments primarily engaged in manufacturing laboratory instruments and instrumentation systems for chemical or physical analysis of the composition or concentration of samples of solid, fluid, gaseous, or composite material.
- (g) **Laboratory Apparatus and Furniture.** Establishments primarily engaged in manufacturing laboratory apparatus and furniture.



- (h) Optical Instruments and Lenses. Establishments primarily engaged in manufacturing instruments and apparatus that measure an optical property and optically project, measure, or magnify an image, such as binoculars, microscopes, prisms, and lenses.
- (i) Packaging Machinery. Establishments primarily engaged in manufacturing packaging machinery, including wrapping and bottling machinery.
- (j) Process-Control devices. Establishments primarily engaged in manufacturing industrial instruments and related products for measuring, displaying (indicating and/or recording), transmitting, and controlling process variables in manufacturing, energy conversion, and public-service utilities.
- (k) Power-Transmission Equipment. Establishments primarily engaged in manufacturing mechanical-power transmission equipment and parts for industrial machinery.
- (l) Publishing - Books. Establishments primarily engaged in publishing or in publishing and printing books and pamphlets. Establishments primarily engaged in printing or in printing and binding, but not publishing, books and pamphlets that are classified in Industry 2732.
- (m) Publishing - Periodicals. Establishments primarily engaged in publishing periodicals or in publishing and printing periodicals. These establishments carry on the various operations necessary for issuing periodicals, but may or may not perform their own printing.
- (n) Publishing - Miscellaneous. Establishments primarily engaged in miscellaneous publishing activities, not elsewhere classified, whether or not engaged in printing.
- (o) Pumps and Pumping Equipment. Establishments primarily engaged in manufacturing pumps and pumping equipment for general industrial, commercial, or household use, except fluid-power pumps and motors.
- (p) Semiconductors and Related Devices. Establishments primarily engaged in manufacturing semiconductors and related solid-state devices.
- (q) Speed Changers, Drives, and Gears. Establishments primarily engaged in manufacturing speed changers;

industrial high-speed drives, except hydrostatic drives; and gears.

- (r) Surgical and Medical Instruments. Establishments primarily engaged in manufacturing medical, surgical, ophthalmic, and veterinary instruments and apparatus.
- (s) X-Ray Apparatus and Tubes. Establishments primarily engaged in manufacturing radiographic X-ray, fluoroscopic X-ray, and therapeutic X-ray apparatus and tubes for medical, industrial, research, and control applications or in manufacturing other irradiation equipment, including gamma and beta-ray equipment.

(2) Medical Research, Testing, and Pharmaceuticals

- (a) Commercial Nonphysical Research. Establishments primarily engaged in performing commercial business; marketing; opinion; and other economic, sociological, and educational research on a contract or fee basis.
- (b) Commercial Physical Research. Establishments primarily engaged in commercial physical and biological research and development on a contract or fee basis.
- (c) Medical Laboratories. Establishments primarily engaged in providing professional analytic or diagnostic services to the medical profession or to the patient on prescription of a physician.
- (d) Medicinals and Botanicals. Establishments primarily engaged in:
  - (i) Manufacturing bulk organic and inorganic medicinal chemicals and their derivatives; and
  - (ii) Processing (grading, grinding, and milling) bulk botanical drugs and herbs.
- (e) Pharmaceutical Preparations. Establishments primarily engaged in manufacturing, fabricating, or processing drugs in pharmaceutical preparations for human or veterinary use.
- (f) Testing Laboratories. Establishments primarily engaged in providing testing services, including facilities housing laboratory animals for clinical testing.

(3) Office (General)

- (a) Computer-Integrated Systems Design. Establishments primarily engaged in developing or modifying computer software and packaging or bundling the software with purchased computer hardware (computers and computer peripheral equipment) to create and market an integrated system for specific application.
- (b) Computer-Programming Services. Establishments primarily engaged in providing computer-programming services on a contract or fee basis.
- (c) Data Processing and Preparation. Establishments primarily engaged in providing computer processing and data-preparation services.
- (d) Information-Retrieval Services. Establishments primarily engaged in providing on-line, information-retrieval services on a contract or fee basis.
- (e) Insurance - Accident and Health Insurance (Nonretail). Establishments primarily engaged in underwriting accident and health insurance.
- (f) Insurance - Fire, Marine, and Casualty Insurance (Nonretail). Establishments primarily engaged in underwriting fire, marine, and casualty insurance.
- (g) Insurance - Hospital and Medical Service Plans (Nonretail). Establishments primarily engaged in providing hospital, medical, and other health services to subscribers or members in accordance with prearranged agreements or service plans.
- (h) Insurance - Life Insurance (Nonretail). Establishments primarily engaged in underwriting life insurance.
- (i) Pension, Health and Welfare Funds. Establishments primarily engaged in managing pension, retirement, health, and welfare funds.
- (j) Prepackaged Software. Establishments primarily engaged in the design, development, and production of prepackaged computer software. Important products of this industry include operating, utility, and applications programs.

2. Multiple-Family Residential Uses. Multiple-family residential uses are allowed in an EC-MPUD consistent with the percentage requirements of this section. The purpose of this requirement is to allow for the creation of multiple-family

residential use (excluding duplexes) consistent with this Code, Chapter 500, Section 520.

3. Support Commercial/Office Uses. The intent of the support uses within an EC-MPUD is to provide local and neighborhood-scale retail and office uses in support of the principal target industry uses and not to provide for regional-scale uses, such as malls, theaters, car sales, home-improvement centers, and department stores that would potentially serve an even larger area, detracting from the purpose of target industry employment. The support uses proposed as part of the EC-MPUD should be designed to support the needs of the employment-generating uses and residents either living or working in the employment center. Support uses shall be permitted consistent with the provisions of this Code, Section 525, C-1 Neighborhood Commercial District. Uses proposed as support uses within an EC-MPUD that are consistent with this Code, Section 526, C-2 General Commercial District, shall be specifically listed and subject to approval by the BCC.

E. Light Industrial Flex Space— Supplemental Design Standards

1. Landscaping and Setback Requirements
  - a. Setbacks adjacent to interior or rear property lines shall be not less than thirty-five (35) feet in depth. The first ten (10) feet from the property lines shall be landscaped.
  - b. All required setbacks shall be kept clear of loading areas for supplies, services, and buildings.
  - c. Landscaping required by this subsection shall include, but not necessarily be limited to, the planting of grass, ground cover, flower beds, shrubs, hedges, or trees as provided for in this Code, Section 603. All landscaping shall be maintained in a healthy, growing condition; neat and orderly in appearance; and free of refuse and debris. All planting shall be arranged and maintained so as not to obscure the vision of traffic. Unless otherwise approved by County staff, there shall be no parking of vehicles in the landscaped area.
  - d. All trucks in excess of one (1) ton carrying capacity shall be parked in rear or side yards and screened from view from adjacent properties or any public rights-of-way. No trucks in excess of one (1) ton carrying capacity may be parked in any street yard regardless of screening.
2. Storage. Outside storage of any materials, supplies, or products shall not be permitted in the front of any structure and shall be properly screened to a height of at least ten (10) feet on all sides. Outside storage shall be limited to the maximum extent possible.
3. Loading. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions should be reasonably incorporated into the overall design of the primary building using screening walls of compatible material, style, color, texture, pattern, trim, or other details and landscaping determined acceptable to the

County. The wall shall be one (1) foot higher than the largest object being screened. An opaque gate with the same height as the wall shall be included where access is needed.

522.6. **Areawide Employment Center Planning Process**

A. Intent

The areawide employment center planning process is one method for determining the required mix for an individual application/project site as provided in Section 522.5.B.2. The intent of the areawide employment center planning process is to provide an opportunity for public participation of affected property owners, stakeholders, and adjacent property owners to plan for the mix of uses within an employment center area. The areawide employment center planning process is limited to only those areas designated in the Pasco County Comprehensive Plan as employment centers. Only landowners within the specific employment center area under consideration or the County may be an "applicant" pursuing an areawide employment center plan under this section.

B. Applicability

The areawide employment center planning process shall serve as one (1) option for reviewing and approving the required mix-of-uses within an EC-MPUD. The purpose of this process is to help facilitate an expedited process to create and/or amend a conceptual plan for an employment center area and to provide an opportunity for the concurrent approval of a proposed development within an EC-MPUD. The County shall process an amendment to the Comprehensive Plan during the next available plan amendment cycle to include the conceptual plan, which will guide the location and mix-of-uses within an employment center area.

C. General Elements

1. Provide an executive summary which outlines the vision and design of the entire employment center at that location.
2. Describe the objectives of the study.
3. Provide a recommended land use plan, and if appropriate, any conditions for development approval, which shall be met by, or imposed upon, development within the study area.

D. Specific Elements

1. The applicant shall provide a map, or series of maps, which illustrate the location of the proposed study area within the County, including political boundaries; e.g., County and municipal boundaries, current ownership patterns, parcel sizes, existing boundaries of the study area and impact area(s), and a legible, recent, full-section aerial photograph (the most recent County Property Appraiser or Planning and Growth Management Department aerial photograph or equivalent) with the boundaries of the study area marked.



2. When a new land use plan is developed for a geographic area for which an areawide employment center plan has previously been adopted, the County shall ensure that the following requirements are met:
  - a. The previously adopted plan shall be fully considered in developing the new plan;
  - b. All persons involved in preparing the adopted plan will be invited to participate in the citizen participation program for preparing the new plan;
  - c. Any conflicts between a proposed new plan and the previously adopted plan will be identified and fully explained during the public participation process and during deliberations of the BCC;
  - d. When a new plan is adopted, the BCC shall take required actions, if any, to amend or replace the previously adopted plan; and
  - e. The BCC shall hold a public hearing to take final action on the application upon review of the application and supporting documentation.
3. An applicant shall include the following information in their submittal:
  - a. Information concerning the surrounding area to demonstrate the relationship of the EC-MPUD District to adjoining, existing and planned uses. The plan must demonstrate compliance with the provisions in Section 522.5.C relating to compatibility; and
  - b. Any plan which requires more than five (5) years to complete shall include a phasing plan as a part of the submittal.

4. Review Process

The applicant shall conduct a minimum of two (2) neighborhood meetings to solicit comment, feedback, and input on the proposed areawide employment center plan. The applicant shall be required to notify all property owners within the employment center area under review in writing pursuant to the applicable notice provisions provided in this Code, Chapter 300, as well as place one (1) advertisement in a newspaper with local circulation. The following is a list of items from the neighborhood workshop that must be submitted to the County prior to the DRC:

- a. Identification of where and when the neighborhood workshop was held.
- b. A copy of the advertisement with the Notice of Publication.
- c. A copy of the Letter of Notification sent to affected property owners.
- d. A copy of the sign-in sheet from the neighborhood workshop.

- e. The questions or concerns asked by the audience and the applicant's response to those issues.
- 5. During its review, County staff shall distribute copies of the proposal to the DRC for study and comment. In considering the plan, County staff shall seek to determine that:
  - a. Resulting development will be consistent with the Comprehensive Plan and zoning objectives for the area;
  - b. The parcel is suitable for the proposed uses considering its size, shape, location, topography, existence of improvements, and natural features; and
  - c. The proposed uses will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying district.

522.7. **CS-MPUD Standards**

The purpose of the CS-MPUD is to implement the provisions of the Pasco County Comprehensive Plan and create a method of reviewing and approving requests for density bonuses that are permitted under three (3) FLU Classifications, including AG (Agricultural) AG/R (Agricultural/Rural), and RES-1 (Residential - 1 du/ga) for applicants who develop their rural subdivisions as a CS-MPUD.

A. **CS-MPUD Permitted Uses**

The intent of the CS-MPUD is to provide an alternative residential development pattern to large, agricultural lot uses by providing landowners with density incentives in order to encourage the preservation of large amounts of open space and the clustering of residential lots. Unless otherwise approved as part of the MPUD process, permitted uses shall be consistent with those set forth in this Code, Section 505, with the exception that grazing animals shall be limited to one (1) per acre minimum, exclusive of the area required for other uses. Transient accommodations in the form of attached housing may be considered outside of the CS-MPUD open space, provided that the size and design proposed is demonstrated to support recreational uses only and not to serve as large-scale, permanent housing.



B. CS-MPUD Open Space Uses

1. Permitted Uses

Except as limited by Subsection 2 below, permitted uses within CS-MPUD open space may include, but are not limited to, the following when identified and approved on the master plan, none of which shall be considered active recreation, except as set forth in Subsection a, hereof:

- a. Active recreation areas, including neighborhood parks, which do not exceed ten (10) percent of the required minimum CS-MPUD open space or five (5) acres, whichever is less.
- b. Bike paths and trails.
- c. Equestrian uses and trails.
- d. Public and private natural areas and wildlife-management areas if proposed by the applicant.
- e. Restoration and maintenance activities to sustain or enhance the functions of native habitats, where applicable.
- f. Agricultural uses and accessory uses and structures, such as stables, barns, corrals, storage sheds, fences, gates, waterlines, and cattle troughs.
- g. Private hunting or fishing.
- h. Structures shall be limited in CS-MPUD open space to include only uses and structures that support the other permitted uses in the CS-MPUD open space including, but not limited to, accessory agricultural structures and uses set forth above and one (1) caretaker dwelling unit (with permitted accessory structures) for the residence of the owner, operator, or resident caretaker of agricultural or conservation activity on agricultural open space of forty (40) acres or more.
- i. Minor utilities (nonregional in nature, except those facilities permitted by Subsection 1.(4), below).
- j. Golf courses, provided that:
  - (1) They are in compliance with the *Best Management Practices for the Golf Course Maintenance Departments*, published by the Florida Department of Environmental Protection; and *Environmental Principles for Golf Courses in the United States*, published by the Golf Course Superintendents Association of America, with respect to the golf course's design, operation, and maintenance.

- (2) Only that portion of the golf course that has pervious surfaces in a natural, vegetative state (this does not include fairways, greens, tee boxes, clubhouse, equipment shed or areas, golf-cart barns, and parking areas) may qualify as up to one-third of the CS-MPUD open-space uplands required below. Any ponds, lakes, or wetlands shall be counted against the nonupland, open-space requirement below.

k. Landscape and other buffers and setbacks (excluding any setbacks associated with residential lots) as required in this Code, Section 522.7.D.2, or otherwise required by this Code or the County as part of the approval of the CS-MPUD.

l. A minimum of fifty (50) percent of the total area of the CS-MPUD open space must be uplands. No more than fifty (50) percent of the CS-MPUD open space may include the following, either singularly or in any combination:

- (1) Category I, II, or III wetlands.
- (2) Natural water bodies.
- (3) Manmade lakes that are designed to function year-round as recreational amenities for the development.
- (4) Stormwater-management systems serving the CS-MPUD or designed to accommodate needs beyond those of the proposed subdivision (regional stormwater facilities) may be located within the CS-MPUD open space, provided that the stormwater systems are unfenced and are surrounded by or adjoin areas that are improved for use as a recreation area for use by the subdivision residents.

## 2. Prohibited Uses

The following uses are prohibited within the CS-MPUD open space:

- a. Internal subdivision streets, except this prohibition does not limit the ability for an internal subdivision street to traverse through the CS-MPUD open space where necessary.
- b. Individual residential lots, except for caretaker residence as permitted herein.

## 3. Lands Ineligible to be Counted as CS-MPUD Open Space

Lands that are encumbered by a previously approved conservation easement or any other previous development condition that preserves the site as open space in perpetuity where those encumbrances were not created through the CS-MPUD rezoning process, are not eligible to be counted as CS-MPUD open space unless the BCC, at its sole discretion, determines that the land will be provided a greater level of protection through the CS-MPUD

regulations including, but not limited to, the required CS-MPUD open-space land management plan, and that such protection justifies the inclusion of some or all of the land as CS-MPUD open space.

C. Density Incentives - CS-MPUD

The density incentives to which an applicant is entitled as a matter of right and not subject to County approval or condition for clustering as a CS-MPUD are set forth in the Future Land Use Element aAppendix to the Comprehensive Plan and are as follows:

Open Space Ratio	Density		
	AG (Agricultural) DU/Gross Acre	AG/R (Agricultural/Rural) DU/Gross Acre	RES-1 (Residential - 1 du/ga) Developable Residential Acre
50 or More	N/A	1 du/2.5 Acres	1 du/1 Acres
50%-60%	1 du/4.5 Acres		
61%-70%	1 du/3.9 Acres		
71%-80%	1 du/3.6 Acres		
More than 80%	1 du/3.3 Acres		

The density incentives contained herein are subject to demonstrated compliance prior to the issuance of each site plan with Section 381.0065, Florida Statutes, and Rule 64E-6.005, FAC, both as amended from time-to-time, concerning the location and design of well and septic systems as well as public water and sewerage systems, and applicable sections of this Code. Rule 64E-6.005(7), FAC, and Section 381.0065, Florida Statutes, presently permit on-site sewage treatment and disposal systems; e.g., septic tanks, where (a) a sewerage system is not available and (b) certain statutory conditions under Sections 381.0065(4)(a)-(g), Florida Statutes, are met. The minimum area of each lot under Rule 64E-6.005(7), FAC, is "of at least one (1) half acre (21,780 square feet), exclusive of all paved areas and prepared road beds within public rights-of-way or easements and exclusive surface water bodies." Subject to the limitations above concerning density incentive entitlements, nothing contained herein shall limit the authority of the BCC to otherwise lawfully approve, deny, or condition a CS-MPUD.

D. CS-MPUD - Design Standards

1. General

The purpose of the Pasco County CS-MPUD design guidelines is to preserve the rural character and the viability of agricultural land by creating greater flexibility in the design of residential developments and to provide opportunities for the planning and design of CS-MPUDs to achieve the following objectives:

- a. Create and preserve connected and contiguous open space.
- b. Use site-specific natural features to create a viable residential development design that minimizes the disturbance to the rural landscape, preserves scenic views and existing vistas, and preserves the character of the surrounding area.

- c. Encourage the viability of agricultural land.
- d. Create a network of protected open spaces within an individual subdivision and minimize the total amount of disturbance on a site.
- e. Supplement existing off-site, protected, open space where possible to create a contiguous network of protected open space.
- f. Minimize disturbance to environmentally sensitive areas, protect biological diversity, and maintain environmental corridors.
- g. Facilitate the construction and maintenance of housing, streets, and other infrastructure in a more efficient manner.

## 2. Master Plan

A master plan shall be submitted in accordance with this Code, Section 401.2. Greater flexibility and creativity in the design of residential developments to preserve on-site environmental resources and preservation areas is permitted through the conservation-subdivision development approval process and as established through the design criteria and guidelines provided herein. CS-MPUDs and the development plan for CS-MPUDs shall be organized into two components: (1) residential development and (2) CS-MPUD open space.

### a. Residential Development

The location of residential development lots shall be configured to meet the following standards in all material respects:

- (1) Residential lots shall be arranged in a contiguous pattern(s), except as necessary to incorporate roads, drainage, and retention to preserve the function, purpose, and integrity of the on-site natural resources and environmental systems to the maximum extent practicable. The purpose of this standard is to insure that residential lots are clustered on the site consistent with the goals of creating a CS-MPUD by providing contiguous open-space areas and clustered development in a manner that is not indicative of suburban development.
- (2) Minimize disturbance to native habitats and other natural features.
- (3) Protect and preserve the rural character and appearance of land when viewed from public roads and from abutting properties.

### b. Residential Development Setback and Buffer Requirements

- (1) The residential development shall be set back a minimum of 100 feet from all CS-MPUD property boundary lines (unless

contiguous to existing and/or approved urban development) and external road rights-of-way (outside of the subject development). The BCC may approve a setback of less than 100 feet under special circumstances where the applicant demonstrates that the adjacent land-use condition of the property does not warrant that setback to protect the rural landscape.

- (2) A CS-MPUD shall insure and/or provide a landscape buffer and/or setback buffer that is designed to protect and maintain the rural and agricultural character of the surrounding area. It is the intent of CS-MPUD design to utilize the existing landscape and vegetation to the maximum extent practical to protect the natural aesthetic and existing rural views of the area as viewed from adjacent roadways and properties. In cases where existing vegetation and landscaping do not exist or are not sufficient to protect the views of adjacent properties and roadways, staff reserves the right to require a detailed buffering plan to protect and preserve the view shed. Such requirements are in lieu of the landscape ordinance.

c. CS-MPUD Open Space

- (1) Required Minimum Open Space

A minimum of fifty (50) percent of the gross acreage of the parcel shall be designated as CS-MPUD open space, exclusive of individual lots (excluding any permitted caretaker residence).

- (2) Perpetual Easement

CS-MPUD open space shall be preserved in perpetuity through the use of an irrevocable open space or conservation easement or other mechanism that transfers all development rights to the residential development portion of the CS-MPUD and extinguishes all development rights on the CS-MPUD open space. The easement or other mechanism shall be in such form as is deemed acceptable by the County Attorney and shall be recorded at the time of platting for each phase which is subject to development, including both the residential lots and the remaining open space. Each phase shall be in compliance with density and open-space provisions as provided herein. Such perpetually restricted open space may be in agricultural uses subject to the limitations within this section.

- (3) External Connectedness

Except as otherwise prioritized by Subsection (5) below and when contiguous off-site open space exists, CS-MPUD open space shall be reasonably configured to create or add to a



larger, contiguous, off-site network of interconnected open space, particularly ones with existing native wildlife habitats, and opportunities that arise for providing open space that may assist in restoring native wildlife habitats. Whenever opportunities exist to create connections with existing or potential off-site open space, greenways, riverine systems, flow ways, or conservation systems on adjoining parcels, such connections shall be provided. Opportunities for connections will be determined based upon the natural features of the subject property and adjacent properties, the existence of connected natural systems, or the existence of critical linkages as defined in the Comprehensive Plan.

(4) Internal Connectedness

CS-MPUD open space shall be configured to create connected and integrated open space within the subdivision parcel to the maximum extent practicable and shall be based upon the context-sensitive site design standards and priorities that are provided in Subsection (5) below. CS-MPUD open space shall still be considered connected if it is separated by a roadway or accessory amenity. The configuration of the CS-MPUD open space shall be determined on a case-by-case basis. Nothing herein shall be construed to require a property owner to designate more than the minimum required CS-MPUD open space/open space in the fulfillment of this provision.

(5) Context-Sensitive Site Design

Each CS-MPUD shall be designed to address the natural features of the site. In addition to the protection of natural features, each site shall be designed and shall encourage the use of CS-MPUD open space to provide:

- (a) View shed protection of existing and public, rural roadways.
- (b) Continuation of agriculture uses.
- (c) Recreation.

(6) Permitted Uses

Permitted uses within the CS-MPUD open space are described in Section 522.7.B.

(7) CS-MPUD Open Space Land Management Plan

- (8) Unless the CS-MPUD open space is maintained as part of an existing, bona fide agricultural use, an open space land management plan for the use and maintenance of the open

space shall be submitted and approved as a part of the master development plan approval process. Compliance with said plan shall become a condition of the ~~DO~~development order for the rezoning, where applicable, a condition of the subdivision approval, and a condition of the perpetual open space or perpetual conservation easement. Any amendments to the open space land management plan must be reviewed by County staff and approved by the County biologist. When the CS-MPUD open space includes a portion of an existing, bona fide agricultural use, that portion of the CS-MPUD open space that is agricultural shall not be required to comply with the CS-MPUD open space land management plan. The open space land management plan shall address the following:

- (a) Ownership.
- (b) Baseline environmental assessment of the CS-MPUD open space as required in the CS-MPUD application requirements.
- (c) Detailed action plan addressing the following:
  - (i) Compatibility with the County's study entitled *Assessment of Measures to Protect Wildlife Habitat in Pasco County* and the Pasco County Comprehensive Plan Conservation Element, as amended from time-to-time, provided that the study remains in effect.
  - (ii) Specific responsibilities for the regular and periodic operation and maintenance of open spaces by private entities.
  - (iii) If applicable, plans for restoration of native habitats.
  - (iv) The necessity, purpose, and location of an on-site caretaker, if a caretaker residence is proposed as a permitted use.
  - (v) Performance measures that would include conditions and methods of enforcement of obligations.
- (d) Annual monitoring report shall be submitted to the County to ensure compliance with the open space land management plan.
- (e) Such other requirements as required by the BCC at the time of approval.



d. CS-MPUD - Street Standards

(1) Minimum Street Design Specifications

Street design shall support the rural character of the CS-MPUD. The number of necessary travel lanes is limited to two (2). All streets and multiuse trails shall be designed in accordance with the minimum design specifications for minor rural subdivisions in this Code, Section 901.6, or in accordance with the following minimum specifications, as depicted in Table 1 and Figures 1-4, unless otherwise approved by the BCC.

<b>Table 1: Characteristics of Conservation Subdivision Street Types</b>				
	<b>Road-Open Drainage (Figure 1)</b>	<b>Lane-Open Drainage (Figure 2)</b>	<b>Lane-Closed Drainage (Figure 3)</b>	<b>Multiuse Trail Pavement Not Required (Figure 4)</b>
<b>Function</b>	Collector	Local	Local	N/A
<b>Traffic Lanes</b>	One Travel Lane in Each Direction, 11'	One Dual- Direction Lane, 20'	One Travel Lane in each Direction, 11'	
<b>Parking Lanes</b>	None	None	None	N/A
<b>Multiuse Path</b>	10', One Side	10', One Side	10', One Side	N/A
<b>ROW Width</b>	73'	69'	50'	22'
<b>Pavement Width</b>	22' Plus 6' Stabilized Shoulders	18' Plus 6' Stabilized Shoulders	20' Plus Curb and Gutter	12'-15' (1)
<b>Vehicular Design Speed</b>	30 MPH	20 MPH	20 MPH	N/A
<b>Landscaping Width</b>	Varies (Optional)	Varies (Optional)	7'	N/A
<b>Road Edge Treatment</b>	Open Drainage	Open Drainage	Type F 2' Curb and Gutter	N/A
<b>Planting</b>	Multiple Trees and Shrubs Species Composed in Naturalistic Clusters			N/A

(2) Additional Standards

Design and construction of the street network is limited by the following:

- (a) Only road-open drainage and multiuse trails shall be permitted within the open space.
- (b) Only lane-open drainage and multiuse trails shall be permitted within the residential development.

(3) Regarding street design elements not specified in the CS-MPUD street standards, final street design and location for all streets shall encourage open-space conservation, pedestrian/bicycle safety, and comfort through the application

of minimum standards for vehicles; e.g., roadway widths will be kept to the minimum necessary for vehicular movement in order to achieve this goal).

- (4) Continuation of Street Pattern Between Phases and Developments. The street layout of subsequent phases shall be coordinated with the street system of previous phases and developments.
- (5) Public Safety. The network shall be designed to accommodate all applicable codes pertaining to emergency response, coordinating the design with the intent to maintain the rural character.
- (6) Traffic Calming. Unless otherwise approved by the County, all streets within CS-MPUDs shall be constructed and designed to the vehicular design-speed standards provided in Table 1 and shall promote the safety of pedestrians and bicyclists. Traffic-calming measures, such as meandering streets, that modify vehicle speeds and support the rural character may be used to promote the pedestrian orientation within CS MPUDs and are encouraged as an alternative to traditional traffic calming methods.

## CHAPTER 500. ZONING STANDARDS

### SECTION 523. PO-1 PROFESSIONAL OFFICE DISTRICT

#### 523.1. Purpose

The provisions of this district are to minimize the effects generally associated with strip-commercial development along roadways, reduce pedestrian and vehicular traffic, and minimize frequent ingress and egress to the highway or major road from abutting uses. The PO-1 Professional Office District is designed to be compatible with residentially developed districts and enhance land-use development along the County's major highways and roads.

#### ~~523.2.~~ Reserved

#### ~~523.3.~~ 523.2. Permitted Uses

##### A. Permitted Uses

1. Professional offices or services.
2. Business services, such as advertising agencies, travel agencies, secretarial and telephone answering services, publishing (business office only), data processing, and court-reporter services.
3. Financial services, such as insurance, accountants, economic consultants, and stock brokerage and investments firms, but excluding banks and savings and loans.

##### B. Accessory Uses

Accessory uses and structures customarily incidental to an allowed principal use associated with uses permitted in this district.

#### ~~523.4.~~ 523.3. Areas, Density, and Lot Width Requirements

- A. Minimum Lot Area: 10,000 Square Feet
- B. Minimum Lot Width: Eighty (80) Feet

#### ~~523.5.~~ 523.4. Coverage Regulations

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

#### ~~523.6.~~ 523.5. Yard Regulations

The following, minimum building-line setbacks measured from the property lines are required in yard areas listed below, unless otherwise specified:

- A. Front: Thirty-Five (35) Feet

- B. Side: 7.5 Feet
- C. Rear: Fifteen (15) Feet

**523.7.523.6. Height Regulations**

Building height: thirty-five (35) foot maximum. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

**523.8.523.7. On-Siteff-Street Parking**

~~On-siteff-street~~ parking shall be supplied in accordance with this Code, Section 907.1. ~~Off-Street Parking Regulations.~~

**523.9.523.8. Development Plan**

Development plans shall be submitted in accordance with this Code, Chapter 400.

## CHAPTER 500. ZONING STANDARDS

### SECTION 524. PO-2 PROFESSIONAL OFFICE

#### 524.1. Purpose

The provisions of this district are to minimize the effects generally associated with strip-commercial development along roadways, reduce pedestrian and vehicular traffic, and minimize frequent ingress and egress to the highway or major road from abutting uses. The PO-2 Professional Office District is designed to be compatible with residentially developed districts and enhance land-use development along the County's major highways and roads.

#### ~~524.2.~~ Reserved

#### ~~524.3-524.2.~~ Permitted Uses

##### A. Principal Uses

1. Professional offices or services.
2. Business services, such as advertising agencies, travel agencies, secretarial and telephone answering services, publishing (business office only), data processing, and court-reporter services.
3. Financial services, such as insurance, accountants, economic consultants, and stock brokerage and investments firms, but excluding banks and savings and loans.
4. Public and ~~quasi-semi~~public buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and public schools.
5. Post office, police and fire stations, hospitals, libraries, and museums.
6. Personal services, such as beauty and barber shops, tailor shops, laundries, shoe repair, dry cleaners, and florists.
7. Photographic studios.

##### B. Accessory Uses

Accessory uses and structures customarily ~~incidental to an allowed principal use associated with uses permitted in this district and in accordance with this Code.~~

#### ~~524.4-524.3.~~ Areas, Density, and Lot -Width Requirements

- A. Minimum Lot Area: 15,000 Square Feet
- B. Minimum Lot Width: 100 Feet

**524.5-524.4. Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

**524.6-524.5. Yard Regulations**

The following, minimum building-line setbacks measured from the property lines are required in yard areas listed below, unless otherwise specified:

- A. Front: Thirty-Five (35) Feet
- B. Side: 7.5 Feet
- C. Rear: Fifteen (15) Feet

**524.7-524.6. Height Regulations**

Building height: thirty-five (35) foot maximum. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

**524.8-524.7. On-Siteff-Street Parking**

~~On-siteff-street~~ parking shall be in accordance with this Code, ~~ChapterSection 907.1, Off-Street Parking Regulations.~~

**524.9-524.8. Development Plan**

Development plans shall be submitted in accordance with this Code, Chapter 400.



## CHAPTER 500. ZONING STANDARDS

### SECTION 525. C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

#### 525.1. Purpose

The purpose of the C-1 Neighborhood Commercial District is to provide and require a unified and organized arrangement of buildings, service, and parking areas together with adequate circulation and open space in a manner so as to provide and constitute an efficient, safe, convenient, and attractive shopping area to serve neighborhood shopping needs.

#### 525.2. Permitted Uses

##### A. Principal Uses

1. Retail sales for local or neighborhood needs, to the following limited extent, and when such business is conducted entirely within a building:
  - a. The sale of baked goods and pastries, candy and confectioneries, dairy and ice cream, groceries and meats, fruit and vegetables.
  - b. The sale of books, magazines, newspapers, tobacco, drugs, gifts, and stationery.
  - c. Eating places, lunchrooms, restaurants, cafeterias, and places for the sale and consumption of soft drinks, juices, and ice cream, but excluding places providing dancing or entertainment.
  - d. Service establishments, including barber and beauty shops, custom tailor shops, laundry agencies, self-service laundries, shoe repair, dry cleaning, pressing or tailoring shops, and florist retail outlets in which only nonexplosive and nonflammable solvents and materials are used and where no work is done on the premises for retail outlets elsewhere.
2. Day-care centers.
3. Financial institutions and professional offices.
4. Public service facilities, such as police and fire stations.
5. Essential service installations (~~as defined in this Code, Chapter 200~~) that are essential to the adequate distribution of service, provided it shall not include a business facility, repair facility, storage of materials outside a structure, storage of a vehicle, or housing or quarters for an installation or repair crew. The installation shall be subject to approval with respect to use, design, yard area, setback, and height.

6. Parking lots and parking garages.
7. Medical, dental, photographic, or similar laboratories and clinics or hospitals.
8. Radio and television broadcasting studios.
9. Other uses which are similar or compatible to the permitted uses.
10. Residential treatment and care facilities.
11. One (1) single-family unit which is accessory to a permitted commercial use and located on the same lot.
12. Public buildings and public utility facilities to include the following: government structures and uses, churches, civic organizations, day nurseries, and public schools. However, any public school located within 1,000 feet of a pre-existing, alcoholic beverage business establishment shall ~~hereby waive its rights to not~~ object to the proximity of such business to the school.

B. Accessory Uses

1. Accessory uses customarily incidental to an ~~permitted~~ allowed principal use.
2. Signs in accordance with this Code.

525.3. Conditional Uses

- A. The sale or consumption of alcoholic beverages within alcoholic beverage business establishments as defined in this Code and as permitted under County, State, and Federal regulations provided:
  1. No such sale or consumption of alcoholic beverages may occur or be conducted within 1,000 feet of any school, church, place of worship, or ~~public~~ park as measured from the structure used as a proprietor's place of business to the nearest property line of the school, church, place of worship, or ~~public~~ park.
  2. The sale or consumption of alcoholic beverages complies with conditional use standards set forth in this Code and has been approved by the Board of County Commissioners in accordance with this section.
  3. The premises or building in which the alcoholic beverage sales or consumption are to be conducted or occur shall not be used as an adult entertainment establishment.

- B. Medical\_waste disposal facilities subject to the following performance standards: all activities shall be in conformance with standards established by the County, State, and Federal government. Activities shall emit no obnoxious, toxic, or corrosive dust, dirt, fly ash, fumes, vapors, or gases which can cause any damage to human health, to animals or vegetation, or to other forms of property, or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission; discharge no smoke of a consistency which will restrict the passage of sunlight beyond the property line; emit any obnoxious odor perceptible beyond the lot boundaries; produce no heat or glare perceptible beyond the lot boundary; produce no electromagnetic radiation or radioactive emission injurious to human beings, animals, or vegetation (electromagnetic radiation or radioactive emissions shall not be of any intensity that interferes with the use of any other property); discharge of any untreated potentially dangerous effluent from operations into local surface or subsurface drainage courses.
- C. Helicopter landing pads, provided that no such landing pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.

525.4. **Special Exception Uses**

- A. Vehicle\_service station, repair garages, and washing uses provided:
  - 1. No principal structure ~~principal~~ or accessory structure is located closer than thirty (30) feet to a residential district.
  - 2. No street entrance or exit for vehicles and no portion or equipment of such service station or other drive-in uses shall be located:
    - a. Within 200 feet of a street entrance or exit of any school, park, or playground conducted for and attended by children.
    - b. Within 100 feet of any hospital, church, or library.
    - c. Within seventy-five (75) feet of a lot in a residential district as established in this chapter.
  - 3. No canopy shall be closer than fifteen (15) feet of the right-of-way of any road or street subject to this Code, ~~Chapter 600~~.
  - 4. No pump island shall be closer than twenty-five (25) feet of the right-of-way of any road or street subject to this Code, ~~Chapter 600~~.
- B. Establishments providing dancing or entertainment.
- C. Animal hospital or veterinary clinic provided that any such use shall be conducted wholly within a completely enclosed building, except for fenced kennel areas, and further provided that no such fenced kennel area shall be located closer than 1,500 feet to a residential district.

D. Public- and private-utility facilities, to include the following: County, State, or Federal structures and uses; water pumping plants; transmission lines for gas, electric, and telephones, or broadcasting or communication towers and facilities; and other conforming uses which do not cause an undue nuisance or adversely affect existing structures, uses, and residents.

E. Miniwarehousing and storage units:

1. The development shall be limited to dead storage only and excludes sales and offices.
2. A landscaped strip, twenty (20) feet in width, shall be provided along all street frontages and along borders where subject property abuts any residential zoning district.
3. Fencing shall be required around the perimeter of the project, ~~at~~ a minimum six (6) feet in height, either decorative concrete block or chain-link fence with slats or similar material.
4. All outdoor storage yards shall be screened from view of surrounding properties.

~~F-5.~~ One (1) office space and living quarters for a manager shall be permitted.

525.5. **Area and Lot Width Regulations**

~~A.~~ Neighborhood commercial stores:

~~1.A.~~ Minimum Lot Area: 10,000 square feet.

~~2.B.~~ Minimum Lot Width: Eighty (80) feet.

525.6. **Coverage Regulations**

Lot Coverage: All buildings, including accessory buildings, shall not cover more than fifty (50) percent of the lot.

525.7. **Yard Regulations**

~~A.~~ The following minimum building line setbacks measured from the property lines are required in yard areas listed below unless otherwise specified:

~~1.A.~~ Front: Twenty-five (25) feet.

~~2.B.~~ Side: a side depth of thirty (30) feet per side from residential districts; no side yard shall be required where two or more commercial districts or an industrial and commercial district adjoin side by side; however, in no case shall common walls be permitted between properties of separate ownership. In the case of such a series of adjoining structures on lots of single and



separate ownership abutting and paralleling a public right-of-way, a passage of at least twenty (20) feet in width shall be provided at grade levels at intervals not more than 400 feet apart where required for public access from adjacent residential areas or for the safety of the public.

3.C. Rear: thirty (30) feet, when adjacent to residential districts; adjacent to commercial or industrial districts, no rear yard shall be required.

525.8. **Height Regulations**

The maximum building height for commercial uses shall be thirty-five (35) feet. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

525.9. **On-Siteff-Street Parking**

On-siteff-street parking shall be supplied in accordance with this Code, Section 907.1, the Off-Street Parking Regulations.

525.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

525.11. **Development Plan**

Development plans shall be submitted in accordance with this Code, Chapter 6400.

## CHAPTER 500. ZONING

### SECTION 526. C-2 GENERAL COMMERCIAL

#### 526.1. Purpose

The purpose of the C-2 General Commercial District is to provide for the orderly development of those uses necessary to meet the community and regional needs for general goods and services, as well as those of a social, cultural, and civic nature, and to exclude uses not compatible with such activities.

#### 526.2. Permitted Uses

##### A. Principal Uses

1. Unless otherwise provided in this Code, all permitted and special exception uses in the C-1 Neighborhood Commercial District, ~~except adult entertainment activities and conditional uses.~~
2. Automobile parts. New or secondhand, from enclosed buildings only, and provided there is no outside display of parts or tires.
3. New or preowned passenger and commercial vehicle, truck, trailer, motorcycle, boat, and recreational vehicle sales and leasing, and incidental displays and/or storage and/or service departments where such service work is carried on altogether within the building, shall be Permitted Uses within the C-2 General Commercial District only if the property is designated as mixed use or retail/office/residential on the County Comprehensive Plan Future Land Use Map and the standards of this Code, Section 613.2, are met.
4. Automobile washing, body, and painting, including steam cleaning in enclosed buildings only.
5. Bakery stores, retail only. Baking ~~allowed~~permitted on the premises.
6. Barbecue stands and pits.
7. Bicycle stores and repair shops. All repairs, storage, and displays ~~to~~shall be ~~done~~inside the building.
8. Amusement facilities.
9. Bowling alleys within a building shall not be located closer than 1,500 feet to any residential district unless such building is so constructed as to prevent the emission of odors, sounds, and/or vibrations.
10. Cabinet and carpentry shops. All storage and work ~~to~~shall be ~~done~~inside the building.



11. Dancing halls or dancing academies, provided no alcoholic beverages of any type are served. Shall not be located within 500 feet of any residential district unless such building is so constructed as to prevent the emission of odors, sound, and/or vibrations.
12. Dressed poultry and seafood stores. Retail sales ~~to~~shall be done inside the building.
13. Dry cleaning.
14. Electrical appliances and fixture stores and repair shops. All repairs, storage, and displays to be done inside the building.
15. Exterminating products. Where the materials or ingredients are stored, mixed, or packaged, but not manufactured.
16. Food distribution, wholesale, provided no outside storage.
17. Garage or mechanical service. All work ~~shall be performed to be done~~ inside the building.
18. Hat cleaning and blocking.
19. Hotels, motels, and condotels.
20. Kennels.
21. Laundries, hand and self-service.
22. Lawn mowers, rental, sales, and service. All repairs, storage, and displays to be done inside the building.
23. Lumber yards.
24. Model home centers.
25. Mortuaries or funeral homes, including crematoriums.
26. Music, radio, and television stores and repair shops. All repairs, storage, and displays ~~to~~shall be ~~done~~ inside the building.
27. Nurseries, plant.
28. Pawn shops.
29. Pet shops.
30. Plumber shops. Materials to be stored in properly sight-screened areas.
31. Pottery and statues. Designed for yard ornaments, retail sales only.

32. Propane sales. Retail only, not exceeding 20,000-gallon storage.
33. Secondhand stores. All sales and displays ~~teshall~~ be ~~done~~ inside the building.
34. Septic tank sales and installation business.
35. Shooting and archery ranges, indoors only.
36. Single-family unit which is accessory to a permitted commercial use and located on the same lot.
37. Sign-painting shops. All work ~~teshall~~ be ~~done~~ inside ~~of the~~ building.
38. Sod sales.
39. Warehousing and general storage, including sales and office.
40. Printing shops and publishing plants. Newspapers, periodicals, books, and related uses.
41. Residential treatment and care facilities.
42. Other uses which are similar or compatible to the Permitted Uprincipal uses.

**B. Accessory Uses**

1. Accessory uses customarily incidental to an allowed principal Permitted Use.
2. Signs in accordance with this Code.

~~Note: The amendment to Section 526 contained in Ordinance No. 05-12 shall not apply to any said use that has received site plan approval prior to January 25, 2005, and the said approval has not expired; or any said use that has submitted a complete application for site plan approval prior to January 25, 2005, that is not either withdrawn, denied, or expired in accordance with this Code, Section 306.~~

**526.3. Conditional Uses**

- A. The sale or consumption of alcoholic beverages within alcoholic-beverage business establishments are defined in this Code and as permitted under County, State, and Federal regulations provided:
  1. No such sale or consumption of alcoholic beverages may occur or be conducted within 1,000 feet of any school, church, place of worship, or public park as measured from the structure uses as a proprietor's place of business to the nearest property line of the school, church, place of worship, or public park.

2. The sale or consumption of alcoholic beverages complies with conditional use standards set forth in this Code and has been approved by the Board of County Commissioners (BCC) in accordance with the said section.
  3. The premises or building in which the alcoholic beverage sales or consumption are to be conducted or occur shall not be used as an adult entertainment establishment.
- B. Automobile towing services and connected storage of vehicles. All storage shall be located to the rear of the building and must be adequately buffered or fenced from adjoining properties and the street or right-of-way, pursuant to this Code. There shall be no outside display or sale of parts or tires.
- C. Transfer stations and recycling operations as defined in this Code, Chapter 200, provided:
1. Transfer of petroleum products or similar materials is specifically prohibited.
  2. Cardboard may be compressed, cans and glass may be crushed, and aluminum and copper may be cut. Batteries; however, shall be kept intact.
  3. All machines, except hydraulic balers, shall be enclosed within a building.
  4. All operations shall comply with requirements of this Code regarding buffering of commercial and industrial districts. Any materials stored on the property must be baled, or in a container, and shall not exceed the required buffer height.
- D. Pain management clinics as defined in Chapter 50, County Code of Ordinances, provided that:
1. The hours of operation are limited to 8:00 a.m. to 5:00 p.m., Monday through Saturday.
  2. No pain management clinic shall be located within 1,000 feet from a day care, church, place of worship, park, university, alcohol or drug abuse treatment facility, or school ~~(public or private)~~. This distance requirement shall be measured from the structure where a pain management clinic would be located to the nearest property line of the uses referenced above.
  3. There shall be a one-quarter mile separation between each pain management clinic, and a pain management clinic may not be located within one-quarter mile where a conditional use for the same has been previously denied.

4. A security plan must be submitted with the application illustrating what security devices are to be utilized, including at a minimum unobstructed windows and lighting, and information reflecting the management of patients or clients to ensure the public safety of individuals patronizing or working at any adjacent businesses or individuals residing in the area.
5. No pain management clinic shall be located closer than 500 feet from the boundary of any residentially zoned property and in no event shall said use abut residential property or be across the street or alley from a lot which is zoned for residential use.
6. Clinics shall provide sufficient waiting and seating areas for all patients and business invitees expected to be in the clinic at the same time. Outdoor seating, queues, or waiting areas are prohibited. The use shall be entirely within a completely enclosed building. The clinic shall post conspicuous signs that no loitering is allowed on the property.
7. No pain management clinic shall be collocated in the same office or building with a pharmacy or be located within 500 feet of a pharmacy.
8. Parking shall be at a ratio of one (1) space per 300 square feet of the clinic. The County Administrator or designee may require the applicant to submit a parking analysis if the County has concerns as to safety, sufficiency, or configuration of available vehicle parking based on the unique circumstances of the site.
9. The pain management clinic complies with Chapter 50 of the Code of Ordinances, as amended.
10. The BCC may apply more stringent standards than those hereinabove based upon the location and unique characteristics of the subject site.
11. A minimum distance of three (3) miles shall be required from any off or on ramp to I-75.

E. Amusement parks.

F. Automobile racetracks.

G. Medical\_waste disposal facilities.

H. Auction houses.

I. Flea markets.

J. Drive-in theaters.

K. Construction and demolition debris disposal facilities ~~dumps~~ subject to all local, State, and Federal regulations.

- L. Yard trash disposal facilities.
- M. Wastewater treatment plants, except when accessory to a development.
- N. Helipad, provided that no such helipad is located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- O. Commercial marinas subject to the marina-siting criteria set forth in the County Comprehensive Plan.
- P. Multiple-family dwellings.
- Q. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils subject to all local, State, and Federal regulations.

526.4. **Special Exception Uses**

- A. Travel-trailer parks subject to the requirements set forth in the Supplemental Regulations in this Code, Chapter 500.
- B. Public and Private Utility Facilities to Include the Following:  
  
County, State, or Federal structures and uses; water pumping plants; transmission lines for gas, electric, and telephones, or broadcasting or communication towers and facilities; and other conforming uses, which do not cause an undue nuisance or adversely affect existing structures, uses, and residents.

526.5. **Performance Standards**

All activities shall be in conformance with standards established by the County, State, and Federal government.

526.6. **Area and Lot Width Regulations**

A. General Commercial Stores

1.A. Minimum Lot Area: 15,000 square feet.

2.B. Minimum Lot Width: Ninety (90) feet.

526.7. **Coverage Regulations**

Lot Coverage: All buildings, including accessory buildings, shall not cover more than fifty (50) percent of the lot.

526.8. **Yard Regulations**



A. The following minimum building line setbacks measured from property lines are required in yard areas listed below unless otherwise specified:

1.A. Front: Twenty-five (25) feet.

2.B. Side: A side yard depth of thirty (30) feet per side from residential districts, no side yard shall be required where two (2) or more commercial districts or an industrial and commercial district adjoin side to side; however, in no case shall common walls be permitted between properties of separate ownership. In the case of such a series of adjoining structures on lots of single and separate ownership abutting and paralleling a public right-of-way, a passage of at least twenty (20) feet in width shall be provided at grade level at intervals not more than 400 feet apart where required for public access from adjacent residential areas or for the safety of the public.

3.C. Rear: Thirty (30) feet, when adjacent to residential districts. Adjacent to commercial or industrial districts, no rear yard shall be required.

526.9. **Height Regulations**

The maximum building height for commercial uses shall be sixty (60) feet. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

526.10. **On-siteff-Street Parking Regulations**

On-siteff-street parking shall be provided in accordance with the Off-Street Parking Regulations, in this Code, ChapterSection 907.1.

526.11. **Development Plan**

Development plans shall be submitted in accordance with this Code, Chapter 400.



## **CHAPTER 500. ZONING STANDARDS**

### **SECTION 527. C-3 COMMERCIAL/LIGHT MANUFACTURING DISTRICT**

#### **527.1. Purpose**

The purpose of the C-3 Commercial/Light Manufacturing District is to provide for the development of business uses on suitable lands, recognize that certain commercial and manufacturing uses are compatible and can be intermingled with each other and surrounding dissimilar uses, and to provide standards and guidelines for the selection of qualified businesses. The district is primarily intended for business characterized by low land coverage, absence of objectionable external effects with adequate setbacks, attractive building design, and properly landscaped sites and parking areas.

#### **527.2. Applicability**

The zoning of C-3 Commercial/Light Manufacturing districts may be permitted, subject to the requirements of the Comprehensive Plan, only on land designated as IL (Industrial - Light) or IH (Industrial - Heavy) on the ~~County's~~ Comprehensive Future Land Use Plan Map, ROR (Retail/Office/Residential) where C-3 Commercial/Light Manufacturing Specific Uses only are proposed, or MU (Mixed Use) where C-3 Commercial/Light Manufacturing Specific Uses only are proposed.

#### **527.3. Permitted Uses**

##### **A. Principal Uses**

1. Businesses with related offices and showrooms, which manufacture, assemble, process, package, store, and/or distribute small unit products, such as optical devices, tool and die manufactures, electronic equipment, precision instruments, and toys.
2. Warehouses and wholesale distribution centers, including related offices and showrooms, but not to include highway freight transportation and warehousing and wholesale or retail of gasoline or liquefied petroleum gases (propane).
3. Professional and administrative offices.
4. Printing, publishing, engraving, and related reproductive processes.
5. Cabinet and carpentry shops.
6. Research laboratories.
7. Schools for business or industrial training.
8. Shooting and archery ranges, indoors only.
9. Restaurants, except drive-in restaurants.

10. Radio or television station, including studios, offices, and broadcasting towers.
11. Businesses for retail sales conducted entirely within an enclosed structure, such as:
  - a. The sale of baked goods and pastries, candy and confectioneries, dairy and ice cream, groceries and meats, fruit and vegetables.
  - b. The sale of books, magazines, newspapers, tobacco, drugs, gifts, and stationery.
  - c. Eating places, lunchrooms, restaurants and cafeterias, and places for the sale and consumption of soft drinks, juices, and ice cream, but excluding places providing dancing or entertainment.
  - d. Service establishments, including barber and beauty shops, custom tailor shops, laundry agencies, self-service laundries, shoe repair, dry cleaning, pressing or tailoring shops, and florist retail outlets in which only nonexplosive and nonflammable solvents and materials are used and where no work is done on the premises for retail outlets elsewhere.
12. Financial institutions, banks, etc.
13. Public-service facilities, such as police, fire stations, and post office.
14. Garment assembly and sewing.
15. Medical, dental, photographic, or similar laboratories, clinics or hospitals, and fitness centers.
16. Ornamental iron manufacturing.
17. Parking lots and parking garages.
18. Welding shops.
19. Machine shops.
20. Sheet metal shops.
21. Data processing services.
22. Other uses which are similar or compatible to the permitted uses.
23. Contractor's office and storage.

24. Pest control office and storage.
25. Residential treatment and care facilities.
26. Hotels, motels, and condotels.
27. Single-family unit which is accessory to a principally permitted use and located on the same lot.
28. Telephone exchange and transformer stations. Television facilities and operations, including studios, offices, and broadcasting towers.

B. Accessory Uses

1. Accessory uses customarily incidental to an allowed principally permitted use.
2. Signs in accordance with this Code.

527.4. Conditional Uses

- A. The sale or consumption of alcoholic beverages within alcoholic beverage business establishments as defined in this Code and as permitted under County, State, and Federal regulations, provided:
  1. No such sale or consumption of alcoholic beverages may occur or be conducted within 1,000 feet of any school, church, place of worship, or public park as measured from the structure used as a proprietor's place of business to the nearest property line of the school, church, place of worship, or public park.
  2. The sale or consumption of alcoholic beverages complies with conditional use standards set forth in this Code and has been approved by the Board of County Commissioners in accordance with the said section.
  3. The premises or building in which the alcoholic beverage sales or consumption are to be conducted or occur shall not be used as an adult entertainment establishment.
- B. Public utility substations and relay facilities and other conforming uses within the confines of an enclosed building which do not cause an undue nuisance or adversely affect existing structures, uses, or residents.
- C. Aircraft landing fields and helicopter pads subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no such aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.

- D. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils subject to all local, State, and Federal regulations.
- E. Medical waste disposal facilities.
- F. Auction houses.
- G. Construction and demolition debris disposal facilities ~~dumps~~ subject to all local, State, and Federal regulations.
- H. Yard-trash disposal facilities.
- I. Wastewater treatment plants, except when accessory to a development.

527.5. **Area and Lot-Width Regulations**

- A. Minimum Lot Size: 20,000 Square Feet
- B. Minimum Lot Width: 100 Feet

527.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than fifty (50) percent of the lot.

527.7. **Yard Regulations**

The following minimum building line setback shall be:

- A. Front: twenty (20) feet.
- B. Seventy-five (75) feet from any adjoining property not zoned commercial or industrial, side or rear.
- C. Side: Where two (2) or more commercial and/or industrial districts adjoin side-to-side, no side setback shall be required.
- D. Rear setback requirements shall be fifteen (15) feet from the rear lot line, except as prescribed in B above.

527.8. **Height Regulations**

The maximum building height in this classification shall be sixty (60) feet. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

527.9. **Performance Standards**

All activities shall be in conformance with standards established by the County, State, and Federal government. Activities shall emit no obnoxious, toxic, or corrosive dust, dirt, fly ash, fumes, vapors, or gases which can cause any damage to

human health, animals, vegetation, or to other forms of property, or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission; discharge no smoke of a consistency which will restrict the passage of sun light beyond the property line; emit any obnoxious odor perceptible beyond the lot boundaries; produce no heat or glare perceptible beyond the lot boundary; produce no electromagnetic radiation or radioactive emission injuries to human beings, animals, or vegetation (electromagnetic radiation or radioactive emissions shall not be of any intensity that interferes with the use of any property); or discharge of any untreated, potentially dangerous effluent from operations and to local surface or subsurface drainage courses. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.

527.10. **On-Siteff-Street Parking Regulations**

On-siteff-street parking shall be provided in accordance with the off-street parking regulations in this Code, Section 907.1.

527.11. **Development Plan**

Development plans shall be submitted in accordance with this Code, Chapter 400.



## CHAPTER 500. ZONING

### SECTION 528. I-1 LIGHT INDUSTRIAL PARK DISTRICT

#### 528.1. Purpose

The purpose of the I-1 Light Industrial Park District is to provide areas for the establishment of uses necessary for the development of a sound and diversified economic base and to encourage the development of these uses in a manner which will be compatible with the overall area in which located while prohibiting such uses which would interfere with the development of industrial uses or which would adversely affect the surrounding area.

#### 528.2.Reserved

#### 528.3-528.2. Permitted Uses

##### A. Principal Uses

Only those industrial, manufacturing, compounding, processing, packaging, or treatment uses and processes from the following listing are permitted when and if they do not represent a health or safety hazard to the community through air, water, and noise pollution, including the production or emission of dust, smoke, refuse matter, toxic or noxious odors, explosives, gas and fumes, excessive noise or vibration, or similar substances and conditions based on determination by the zoning official.

1. Unless otherwise provided in this chapter, all Permitted Uses in the C-3 Commercial/Light Manufacturing District.
2. Building material supplies, storage, and manufacturing.
3. Banks.
4. Boat manufacturing.
5. Carpenter, electrical, plumbing, welding, heating or sheet metal shop, furniture upholstering shop, laundry and clothes cleaning or dyeing establishments, printing shop, or publishing plant.
6. Cold storage and frozen food lockers.
7. Crematory.
8. Dairy products manufacturing.
9. Data processing services.
10. Distributing plants, beverage bottling, and/or distribution.
11. Furniture, decorating materials, and upholstery manufacturing.



12. Rail and highway freight transportation, distribution, and warehousing.
13. Hospitals.
14. Laboratories devoted to research, design, experimentation, processing, and fabrication incidental thereto.
15. Lumber yards.
16. Machine shops.
17. Manufacture or assembly of electrical equipment and appliances, electronic instruments, and devices.
18. Manufacturing of ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas, and the manufacturing of glass products.
19. Manufacturing, compounding, assembling, or treatment of merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, metals, stone, shell, textiles, tobacco, wax, wood, yarn, and paints.
20. Manufacturing, compounding, processing, packaging, treatment, and distribution of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food, and kindred products.
21. Manufacture of musical instruments, toys, novelties, rubber or metal stamps, and other small molded rubber products.
22. Parking lots and parking garages.
23. Photographic equipment and supplied manufacturing and processing.
24. Police and fire stations, including helicopter landing facilities.
25. Post office.
26. Professional offices.
27. Radio and television facilities and operations, telephone exchange and transformer stations, and broadcasting or communication towers and facilities.
28. Recycling operations.
29. Restaurants.
30. Shooting ranges - indoors only.

31. Sign manufacturing, including poles.
32. Technical and trade schools.
33. Testing of materials, equipment, and products.
34. Transfer stations.
35. Public transportation terminals.
36. Utility operations (electric and gas company operators; sewer and water authorities).
37. Wholesale, warehousing, and storage.
38. Other uses which are similar or compatible to the permitted uses.
39. Hotels, motels, and condotels.

B. Accessory Uses

1. Accessory uses ~~on the same lot with and~~ customarily incidental to an allowed the principal uses permitted.
2. Living quarters for guards, custodians, and caretakers when such facilities are accessory uses to the primary occupancy of the premises.
3. Parking lots and parking garages.
4. Restaurant, cafeteria, or recreational facilities for employees and other customary accessory uses for industrial uses.
5. Signs in accordance with this Code.

528.4.528.3. Conditional Uses

- A. Aircraft and helicopter landing fields subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no such aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- B. Automobile race tracks.
- C. Medical waste disposal facilities.
- D. Auction houses.

- E. Construction and demolition debris disposal facilities dumps subject to all local, State, and Federal regulations.
- F. Yard trash disposal facilities.
- G. Wholesale storage of chemicals, gasoline, or liquefied petroleum gas.
- H. Wastewater treatment plants, except when accessory to a development.
- I. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone; clay; sand; natural gas; oil; and organic soils to all local, State, and Federal regulations.

#### 528.5-528.4. Performance Standards

Industrial activities shall be in conformance with standards established by the County. Industrial activities shall emit no obnoxious, toxic, or corrosive dust, dirt, fly ash, fumes, vapors, or gases which can cause any damage to human health, to animals or vegetation, or to other forms of property, or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission; discharge no smoke of a consistency which will restrict the passage of sunlight beyond the property line; emit any obnoxious odor perceptible beyond the lot boundaries; produce no heat or glare perceptible beyond the lot boundaries; produce no electromagnetic radiation or radioactive emission injurious to human beings, animals, or vegetation (electromagnetic radiation or radioactive emissions shall not be of an intensity that interferes with the use of any other property); discharge of any untreated potentially dangerous effluent from plant operations into local surface or subsurface drainage courses. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above, generated by the ongoing agricultural use.

#### 528.6-528.5. Storage and Waste Disposal

- A. All outdoor facilities for fuel, raw materials, and products and all fuel, raw material, and products stored outdoors shall be enclosed by an approved safety fence and visual screen and shall conform to all yard and fencing requirements imposed upon the main building in this district.
- B. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse.
- C. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

**528.7-528.6. Area and Lot Width Regulations**

A. Lot Area:

1. If within a platted industrial park, 15,000 square feet.
2. If not within a platted industrial park, 20,000 square feet.

B. Lot width: 100 feet.

**528.8-528.7. Coverage Regulations**

Lot coverage. All buildings, including accessory buildings, shall not cover more than fifty (50) percent of the lot.

**528.9-528.8. Yard Regulations**

A. The following minimum building line setbacks measured from the property lines are required in yard areas listed below unless otherwise specified:

1.A. Front: Twenty-five (25) feet.

2.B. Side: Fifteen (15) feet each side.

3.C. Rear: Minimum of twenty-five (25) feet in depth. Rear yards may be reduced to zero when the rear property line coincides with a railroad siding; however, no trackage shall be located nearer than 400 feet from any residential district.

4.D. An open yard of not less than 150 feet in width shall be provided along each I-1 Light Industrial Park District boundary which abuts any district other than agricultural, commercial, or industrial districts. Such open yards shall be in lieu of front, side, or rear yards on that portion of lots which abut district boundaries. The seventy-five (75) feet of such yard nearest the district boundary shall not be used for any processing activity, building, parking, or structure other than fences, walls, drainage facilities, or signs and shall be improved and maintained with a landscaped buffer strip in accordance with this Code. The remaining seventy-five (75) feet of the said open yard shall not be used for processing activities, buildings, or structures other than off-street parking lots for passenger vehicles, fences, or walls.

5.E. For internal lots within a platted industrial park:

a.1. Front: Twenty (20) feet.

b.2. Side: Five (5) feet each side.

c.3. Rear: Ten (10) feet.

~~528.10-528.9.~~ **Height Regulations**

The maximum building height shall be four (4) stories or sixty (60) feet. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

~~528.11-528.10.~~ **On-Siteff-Street Parking Regulations**

On-siteff-street parking shall be provided in accordance with this Code, Section 907.1. On-Site Parking.

~~528.12-528.11.~~ **Development Plan**

Development plans shall be submitted in accordance with this Code, Chapter 400.

## CHAPTER 500. ZONING STANDARDS

### SECTION 529. I-2 GENERAL INDUSTRIAL PARK DISTRICT

#### 529.1. Purpose

The purpose of the I-2 General Industrial Park District is to provide areas for the establishment of general industrial uses necessary for the development of a sound and diversified economic base and to encourage the development of these uses in a manner which will be compatible with and protect the overall area in which it is located, while prohibiting such uses which would interfere with the development of industrial uses or which would adversely affect the surrounding area.

#### ~~529.2.~~ Reserved

#### ~~529.3.~~ 529.2. Permitted Uses

Only those industrial, manufacturing, compounding, processing, packaging, or treatment uses and processes from the following listing are ~~allowed~~permitted when and only if they do not represent a health or safety hazard to the community through air, water, and noise pollution, including the production or emission of dust, smoke, refuse matter, toxic or noxious odors, explosives, gas and fumes, excessive noise or vibration, similar substances, and conditions based on the determination by the County Administrator or designee zoning official.

- A. Unless otherwise provided in this chapter, all permitted and special exception uses in the I-1 Light Industrial Park District.
- B. Automobile wrecking, junkyards, iron, or rag storage.
- C. Cement, lime, or gypsum mixing or manufacturing of plaster of Paris or other similar products.
- D. Distillation of bones.
- E. Fat rendering: soap, tallow, grease, or lard manufacturing.
- F. Fertilizer manufacturing.
- G. Garbage, offal, or dead animal reduction or dumping.
- H. Glue, size, or gelatin manufacturing.
- I. Paper or pulp manufacturing.
- J. Recycling operations.
- K. Refining or mixing of petroleum or its products, such as asphalt.
- L. Rubber or gutta-percha manufacturing or treatment.



- M. Smelting of aluminum, tin, copper, zinc, or iron ores.
- N. Stockyards or slaughter of animals.
- O. Tanning, curing, or storage of raw hides.
- P. Transfer stations.
- Q. Any other use that is determined to be of the same general character as those uses allowed under permitted uses.

#### 529.4.529.3. Conditional Uses

- A. Aircraft landing fields and helicopter pads subject to the approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no such aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- B. Automobile racetracks.
- C. Medical\_waste disposal facilities.
- D. Explosive and fireworks manufacturing or wholesale distribution and warehousing.
- E. Construction and demolition-debris dumps, subject to all local, State, and Federal regulations.
- F. Yard\_trash disposal facilities.
- G. Wastewater treatment plants; all districts unless accessory to a development.
- H. Hazardous\_waste storage and transfer sites.
- I. Gas manufacturing.
- J. Fertilizer manufacturing.
- K. Acid manufacturing.
- L. Wholesale storage of chemicals, gasoline, or liquefied petroleum gas.
- M. Chemical manufacturing plants.
- N. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils subject to all local, State, and Federal regulations.

#### 529.5-529.4. Performance Standards

Industrial activities shall be in conformance with standards established by the County. Industrial activities shall emit no obnoxious, toxic, or corrosive dust, dirt, fly ash, fumes, vapors, or gases which can cause any damage to human health, animals or vegetation, or to other forms of property, or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission; discharge no smoke of a consistency which will restrict the passage of sunlight beyond the property line; emit any obnoxious odor perceptible beyond the lot boundaries; produce no heat or glare perceptible beyond the lot boundaries; produce no electromagnetic radiation or radioactive emission injurious to human beings, animals, or vegetation (electromagnetic radiation or radioactive emissions shall not be of any intensity that interferes with the use of any other property); discharge of any untreated, potentially dangerous effluent from plant operations into local surface or subsurface drainage courses. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.

#### 529.6-529.5. Storage and Waste Disposal

- A. All outdoor facilities for fuel, raw materials, and products; and all fuel, raw material, and products stored outdoors, shall be enclosed by an approved safety fence and visual screen and shall conform to all yard and fencing requirements imposed upon the main building in this district.
- B. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal, natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation or which will destroy aquatic life, be allowed to enter any stream or watercourse.
- C. All materials or wastes which might cause fumes or dust, which constitute a fire hazard, or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

#### 529.7-529.6. Area and Lot -Width Regulations

- A. Minimum Lot Area: 40,000 Square Feet
- B. Minimum Lot Width: 200 Feet
- C. Minimum Lot Depth: 200 Feet

#### 529.8-529.7. Coverage Regulations

Lot Coverage: All buildings, including accessory buildings, shall not cover more than fifty (50) percent of the lot.

#### ~~529.9-529.8.~~ Yard Regulations

The following minimum building-line setbacks measured from the property lines are required in yard areas listed below, unless otherwise specified:

- A. Front: Twenty (25) feet.
- B. Side: Fifteen (15) feet each side.
- C. Rear: Minimum of twenty-five (25) feet in depth. Rear yards may be reduced to zero (0) when the rear property coincides with a railroad siding; however, no trackage shall be located nearer than 400 feet from any residential district.
- D. An open yard of no less than 200 feet in width shall be provided along each I-2 General Industrial Park District boundary which abuts any district other than agricultural, commercial, or industrial ~~districts~~.

Such open yards shall be in lieu of front, side, or rear yards on that portion of lots which abut district boundaries. The 150 feet of such yard nearest to the district boundary shall not be used for any processing activity, building, parking, or structure other than fences, walls, drainage facilities, or signs and shall be improved and maintained with a landscaped buffer strip in accordance with this Code. The remaining fifty (50) feet of the said open yard shall not be used for processing activities, buildings, or structures other than on-siteff-street parking lots for passenger vehicles, fences, or walls.

#### ~~529.10-529.9.~~ Height Regulations

The maximum building height shall be four (4) stories or sixty (60) feet. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

#### ~~529.11-529.10.~~ ~~On-Siteff-Street~~ Parking Regulations.

~~On-siteff-street~~ parking shall be provided in accordance with ~~the off-street parking regulations in~~ this Code, Section 907.1.

#### ~~529.12-529.11.~~ Development Plan

Development plans shall be submitted in accordance with this Code, Chapter 400.

## CHAPTER 500. ZONING STANDARDS

### SECTION 530. SUPPLEMENTAL REGULATIONS

The provisions of this chapter shall be subject to such exceptions, additions, or modifications as ~~herein~~ provided by the following supplemental regulations.

#### 530.1. Height Regulations Exceptions

- A. Public, semipublic, or public ~~\_~~services buildings; hospitals; public institutions; or schools ~~when permitted in a district~~, may ~~be erected to a height~~ not exceeding sixty (60) feet ~~in height, and~~ churches or temples may ~~be erected to a height~~ not exceeding seventy-five (75) feet ~~in height, and if the building is~~ shall be set back from each yard line at least one (1) foot for each additional two (2) feet of building height above the height limit otherwise provided in the district in which the building is located. Spires, flagpoles, chimneys, residential antennas and belfries are exempt from the height regulations.
- B. Special industrial and commercial structures, such as cooling towers, elevator bulkheads, fire towers, tanks, water towers, and broadcasting towers ~~primary antenna support structures~~ which require a greater height than provided in the district ~~in which the structure is located~~ may be erected to a greater height than permitted provided:
1. The structure shall not occupy more than twenty-five (25) percent of the lot area; and
  2. The setbacks of the district in which the structure is erected shall be increased by one (1) foot for each three (3) feet of height over the maximum height permitted. However, in no case shall setbacks be less than one-third of the total height of the ~~primary antenna support structure~~ broadcasting tower, including antennas.

~~C. The height limitations of this section shall not apply to flagpoles, church spires, belfries, chimneys, and residential antennas or the first story of mobile homes which are in compliance with the County building codes.~~

#### 530.2. Yard Requirements

All yards required ~~by this Code~~ to be provided ~~under this article~~ shall be open to the sky and unobstructed by any ~~building or~~ structure, except for accessory ~~buildings and~~ structures and fences. Accessory ~~buildings or~~ structures, however, shall not be constructed within five (5) feet of any rear or side lot line.

- A. The following may project into the required yards ~~as established in this chapter~~:
1. Steps, porches, decks, balconies, and stoops may project to within three (3) feet of the side or rear property line, but may not project more than four (4) feet into the required front ~~\_~~yard area.
  2. Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies, and the ordinary projection of chimneys and flues not exceeding 3.5 feet in width and placed so as not to obstruct light or ventilation.



3. Sills; eaves; belt courses, cornices; bay windows and ornamental features, such as wing walls; or wall-mounted air conditioning or heating units not exceeding three (3) feet in width.

~~4. Air conditioning or heating units or other similar structures/fixtures located in a side yard, when mounted or constructed on a cement slab or other permanent base not exceeding three (3) feet in width.~~

- B. The yard requirements ~~heretofore established~~ shall be adjusted in the following cases:

1. Front-Yard Modifications Adjustments:

- a. Front-Yard Modifications Adjustments for Existing Building Alignment. When appropriate, the County Administrator or designee may increase or decrease the depth of the required front yard in any district so that such front yard will approximate the average depth of the existing front yards of the existing structures on adjoining lots on each side, or if there are no such adjoining structures, shall approximate the average depth of the front yards of the nearest structures on the same side of the street within 200 feet. However, no front-yard setback shall be less than fifteen (15) feet from the property line.
- b. Front-Yard Modifications Adjustments Through Lots. In the case of through lots, front yards shall be provided on both frontages, except where one (1) of the front yards of a through lot abuts a collector or arterial roadway, then that yard shall be ~~treated as~~ a rear yard with a minimum setback of twenty (20) feet for principal structures. Swimming pools and accessory structures may be erected to within five (5) feet of the property line ~~or clear zone line as established in this Code, Chapter 600, whichever is more restrictive,~~ adjoining such collector or arterial roadway.
- c. Front-Yard Modifications Adjustments for corner lots. In the case of corner lots with more than two (2) frontages, ~~At least two (2) front yards shall be~~ at least two (2) front yards shall be provided ~~having the full depth required generally in the district, and No other front yard on such lot shall have less than half of the full depth required generally in the district, the County Administrator or designee shall determine the front yard requirements subject to the following limitations:~~

2. Side and Rear-Yard Modifications Adjustments

- a. Side-yard and rear-yard width may be varied where the wall of a building is not parallel with the side or rear lot line, is broken or otherwise irregular. In such case, the average width of the yard will

be no less than the generally required minimum width, provided that such yard will not be narrower at any point than one-half the normally required setback.

- b. When the side lines of a lot converge so as to form a rear lot line of less than ten (10) feet or a point in the rear, the rear lot line is that line parallel to the front lot line and measuring ten (10) feet in length between the two (2) side lot lines. The depth of the rear yard is measured from such ten (10) foot line to the nearest part of the principal building.
- c. In the case of corner lots, there shall be two (2) front yards and two (2) side yards.
- d. Where an existing side, rear, or front yard setback line has been established by an existing primary building on a parcel, any additions or alterations to the primary building or other accessory uses shall be allowed to use the existing setback line, except that no new additions, alterations, or accessory buildings shall be closer to the side property line than three (3) feet, the rear property line by five (5) feet, and the front property line by fifteen (15) feet ~~subject to this Code, Chapter 600.~~

#### 530.3. **Construction of Accessory Buildings and Structures**

No accessory building ~~or structure, except fencing,~~ shall be constructed upon a lot until the construction of the principal building has been actually commenced, ~~and except as provided elsewhere in this Chapter 500, n~~No accessory building shall be used for residential purposes, ~~except as provided elsewhere in this Chapter 500.~~ Provided, however, that one (1) residential unit for a caretaker may be permitted in conjunction with any industrial establishment. Accessory buildings or structures shall not be constructed within five (5) feet of any rear or side lot line.

The principle use shall be established prior to or concurrently with any accessory use.

#### 530.4. **Private Swimming Pools**

Private swimming pools, ~~in districts where permitted,~~ shall comply with the following ~~conditions and requirements:~~

- A. The pool is intended and ~~is to~~shall be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- B. ~~It may~~Shall be located ~~only~~ in the rear yard or side yard of the property, ~~except that pools may be located on which it is an accessory use or~~ in the front yard of parcels if the parcel is more than five (5) acres in size.
- C. ~~It may~~Shall not be located, including any walls or appurtenant accessory structures ~~adjacent thereto,~~ closer than five (5) feet to any property line ~~of the property on which it is located.~~



- D. The swimming pool ~~area or the entire property on which it is located~~ shall be walled, fenced, or enclosed, ~~or otherwise protected~~ so as to ~~prevent~~ prevent uncontrolled access ~~from the street or adjacent property by children from the street or from adjacent properties~~. The said barrier shall ~~not be less than at least~~ four (4) feet in height, ~~and shall be maintained in good condition, and meet the following conditions. When a fence is used, the requirements are:~~

~~1. All residentially zoned or used property.~~

~~a.1.~~ No openings shall be greater than four (4) inches in width, except for necessary gates.

~~b.2.~~ Metal or wire, if allowed to be used as fencing material in the zoning district, shall ~~not be less than at least~~ 11.5 gauge.

~~c.3.~~ Barbed-wire fences are permitted to serve as a barrier only in agricultural districts on properties over one (1) acre, and provided that the minimum height is four (4) feet and ~~providing that~~ the said fence consists of a minimum of six (6) strands separated by a minimum of eight (8) inches.

~~E.4.~~ Screen mesh enclosures around ~~Swimming pools enclosed by a screen mesh shall be set back maintain~~ a minimum five (5) ~~feet~~ feet ~~from~~ side and rear ~~setback from the property lines and cannot be torn or in disrepair at any location up to four (4) feet from grade.~~

~~F.5.~~ Aboveground pools with ~~a side wall(s)~~ more than four (4) feet in height need not be fenced or enclosed, provided that ~~the~~ access to the interior of the pool is ~~so~~ constructed or installed as to prevent access thereto the interior of the pool by persons other than the ~~owners or legal~~ occupants of the property.

~~G.6.~~ Split-rail or picket fences used as barriers shall be a minimum of four (4) feet in height with a maximum spacing of four (4) inches between rails or posts.

530.5. Trailers, Recreational Vehicles, and Recreational Equipment ~~Parking or Storing of Recreational Vehicles~~

~~Trailers as defined in this Code, including travel trailers, recreational vehicles (RVs), motorized homes, pickup coaches, boats, boat trailers, and noncommercial utility trailers may be parked or stored in any residential zoning district subject to the following requirements:~~

A. Recreational vehicles (RVs) may be parked or stored anywhere on residentially zoned property that is one (1) acre or more in size, provided they are not parked or stored within a twenty-five (25) foot setback from the front property line, and provided they are parked or stored at least five (5) feet from a side or rear property line. Vehicles parked in an E-R Estate-Residential Zoning District are subject to the regulations in Subsection B., below, regardless of the size of the property. At no time shall parked or stored trailers be occupied or used for living, sleeping, or housekeeping, except as provided herein.

B. On residentially zoned property less than one (1) acre in size, or on E-R Estate-Residential zoned property of any size, RVs are subject to the following



~~regulations: Trailers may be temporarily parked and occupied on existing, residentially zoned and used property in accordance with C below, for a period of seven (7) days without a permit. However, a Temporary Trailer Parking Permit shall be required after seven (7) days and shall be limited to a maximum of thirty (30) days out of any six (6) month period in each case as issued.~~

~~1. RVs may be parked or stored in the side yard or rear yard provided that:~~

- ~~a. No more than one (1) side yard on any property is used for such purpose.~~
- ~~b. No part of the RV may be parked or stored in front of the principal building line of the primary residential structure or between any structure, accessory structure, or part of such structure, and the front yard. This section is intended to restrict such parking in front yards and front driveways as commonly construed.~~
- ~~c. RVs may not be parked in any location less than five (5) feet from any rear or side property line.~~
- ~~d. RVs shall be screened from view from all abutting property by an opaque six (6) foot fence or by vegetation which is at least seventy-five (75) percent opaque and at least six (6) feet high.~~
- ~~e. For double frontage or "corner" residential properties, no RVs shall be parked or stored on the side of a home bordered by a roadway.~~
- ~~f. For residential properties that have a garage or carport that protrudes past the principal building line of the residence where the front door is located (an "L-shaped" or "U-shaped" structure), the "principal building line of the primary residential structure" is that building line parallel to the front door and not to the front protruding edge of the garage or carport. Under no circumstances shall RVs be parked or stored in a location where the distance from the front door to the front property line is greater than the distance from the front protruding portion of the RV to the front property line. Any person may seek a written determination from the County Administrator or designee identifying the "front door" and/or "principal building line of the primary residential structure" for residential property owned or leased by that person.~~

~~C. The following provisions apply to all RVs parked or stored on residentially zoned parcels. Parking and storage of trailers shall be limited to the interior of automobile garages, other available on-lot accessory building, or to that portion of the lot to the rear of the principal building. Additionally, trailers may be parked on the side yard, provided that the following conditions are met:~~

- ~~1. RVs may not be parked or stored on any residentially zoned property where there is no primary residential structure. A minimum side yard, as determined from the regulations of the applicable zoning district, still exists after the trailer has been parked in the side yard.~~



2. RVs may be temporarily parked in the driveway on a residentially zoned lot for loading, unloading, and cleanup during the times a person is in fact physically engaged in the act of loading, unloading, or cleaning the vehicle. Campers and motor homes of all types may be temporarily parked in the driveway for trip preparation, loading, unloading, and cleanup for up to seventy-two (72) hours in any seven (7) day period, up to four (4) times per calendar year. The trailer is parked behind the front building line of the principal building.
3. RVs may not be repaired on residentially zoned property unless parked in accordance with this section and unless owned by the owner-occupant or occupant-lessee of the property. No more than one (1) RV on the property may be in need of repair or under repair. This is intended to limit large-scale or continuous repair or restoration of RVs on residentially zoned property, whether for commercial or noncommercial purposes. In the case of double frontage or corner lots, the trailer is parked on the side which does not front on a street.
4. RVs shall not be connected to water, sewer, or electric lines, except that properly parked or stored RVs may be connected to battery chargers. It shall be unlawful, at any time, to use RVs parked or stored on residentially zoned property for residential purposes, except that (1) park trailers may be occupied temporarily for residential purposes within properly zoned campgrounds, RV parks, and RV subdivisions, and (2) houseguests may temporarily occupy an RV in accordance with 530.1.C.8. below. Otherwise, the use of RVs for activities, such as sleeping, housekeeping, living quarters, bathing, dressing, watching television, working, reading, writing, working on hobbies, or other similar activities is considered use of the RV for "residential purposes," and is prohibited, even if such activities are confined to the daytime hours and the RV is not occupied overnight. Utility, water, electric, sewage, generator, or cable connections to an RV create a presumption that the RV is being used for residential purposes. This presumption may be rebutted only with clear and convincing evidence. On double frontage or corner lots, the front of the building will be that side of the building which has the main entrance into the building. The County Administrator or designee may determine the location of the main entrance administratively upon request of the property owner.
5. No RV parked or stored on a residentially zoned property shall be used for commercial purposes. The following shall not be considered trailers for purposes of this section: motorcycles, dune buggies, pickup trucks, and vans (even if outfitted for camping).
6. No RV shall be parked or stored on the right-of-way. No portion of an RV shall extend over, or interfere with, the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic.
7. An unlimited number of RVs may be parked or stored within a completely enclosed, permanent structure on any lot in a residentially zoned district, provided the enclosed permanent structure meets all applicable construction codes and a valid Building Permit exists for the structure.



8. Parking or storage of RVs on any residentially zoned lot shall be limited to RVs owned or leased by the occupant-owner or occupant-lessee of the lot.

a. A vehicle owned or leased by a person who is not a resident of Pasco County and who is a houseguest of the occupant-owner or occupant-lessee of the lot may be parked or stored on the lot for a period not to exceed ten (10) days, four (4) times per calendar year, provided that it is parked in accordance with the other regulations in this section.

(1) Guest RV parking shall be in accordance with all other provisions of this section, including set backs, except that it may be temporarily used for residential purposes.

(2) A Guest RV Parking Permit must be obtained prior to parking the vehicle on the property and must be prominently displayed.

(3) At least thirty (30) days must lapse before guest parking will be permitted on the same property.

b. RVs may be parked in areas zoned for multiple-family residential use, provided that such areas are approved for such use by the owner of the property and included in the approved site plan for such property.

9. Applicability. This section does not apply to trailers that are used or designed for commercial purposes, which bear commercial markings or advertisements, or which contain "commercial equipment" as defined by this Code. Such trailers must be parked or stored in accordance with the regulations in Section 530.19 concerning the parking or storage of commercial vehicles on residential property.

D.Trailers may be temporarily parked in the front yard for loading, unloading, and cleaning only.

#### 530.6.Reserved

#### 530.7-530.6. Clear-Sight Triangle Requirements

In order to prevent the creation of a traffic hazards by from limiteding visibility at a street intersection or intersection of a street and railroad crossing, no structure, building, earthen bank, or vegetation exceeding 3.5 feet in height above the finished paved area at the center of the roadway shall be allowed within the clear-sight triangle on corner lots if it exceeds 3.5 feet in height, measured from grade at the finished, paved area a the center of the roadway.

#### 530.8-530.7. Essential Services

Essential services, as defined in this Code, shall be permitted in all districts, subject to restrictions recommended by the County Administrator or designee with respect to use, design, yard area, setback, and height.

#### 530.9.Group Housing and Labor Camps

~~In cases of existing group housing, two (2) or more buildings constructed on a plot of ground not subdivided into the customary lots and streets and which will not be subdivided or where the existing or contemplated streets and lot layout make it impractical to apply the requirements of this chapter to the individual building units in such group housing, the application of the terms of this chapter may be varied by the Development Review Committee (DRC) in a manner which will be in harmony with the character of the immediate area.~~

#### 530.10-530.8. Accumulation of Debris; Property Maintenance

A. It shall be unlawful for any owner, occupant, tenant, lessee, or other person responsible for the condition of the property to permit, maintain, or cause an accumulation of ~~rubbish, waste, trash, or debris;~~ decaying vegetative matter; ~~exposed salvageable material;~~ or other manmade materials upon any lot, tract, or parcel of land where the effect of such accumulation is to cause or create:

1. A visual nuisance or other unsightly condition visible from adjoining public or private property;
2. An actual or potential haven or breeding place for snakes, rats, rodents, or other vermin of like or similar character;
3. An actual or potential breeding place for mosquitoes;
4. A fire hazard to adjacent properties; or

~~5. An adverse effect on or impairment of the economic welfare of adjacent properties;~~

~~6.5. A hazard to traffic at road intersections or rights-of-way within the County;~~ or

~~7. A nuisance as defined by law or other unsanitary condition.~~

~~For purposes of this section, "rubbish, waste, trash, or debris, decaying vegetative matter, exposed salvageable material, or other manmade materials" shall mean~~ and includes without limitation garbage; rubbish; refuse from residential, commercial, or industrial activities; animal waste; scattered recyclable material; scattered personal items, including clothing and household goods; kitchen and table food waste or other waste that is attendant with or results from the storage, preparation, cooking, or handling of food material; paper; wood scraps; yard waste; tree or landscape debris and rotting fruit; cardboard; cloth; glass; rubber; plastic; carpet; discarded vehicle tires or other vehicle or watercraft fixtures or parts; household goods and appliances; tools and equipment that are broken, derelict, or otherwise in disrepair; and similar materials. Proof of adverse effect, impact, or impairment to economic welfare shall not require expert opinion testimony or a showing of any specific decrease in property value and may be given by fact-based opinion of affected property owners, occupants, or any other person generally knowledgeable concerning property in the area.

#### B. Exemptions

This section shall not apply to generally accepted horticultural, agricultural, or environmental enhancement practices including, but not limited to, use of decaying vegetative matter for composting, mulching, or habitat creation.



**530.11-530.9. Temporary Uses**

- A. The following uses may be permitted temporarily, for a period of up to four (4) weeks in any six (6) month period, after issuance of a Zoning Permit and necessary Building Permits by the County Administrator or designee:
  - 1. Christmas tree and tent sales.
  - 2. Facilities for the transshipment, processing, fabrication, or manufacture of materials for public works projects may be permitted as temporary uses during the construction periods of specific public works projects so long as such temporary uses do not cause adverse effects on adjacent lands or uses.
  - 3. Carnival, circus, music festivals, and street fairs.
  - 4. Mobile amusements, banners, and lighting equipment for promotion, advertisement, and grand openings.
  - 5. Tent revival meetings.
  - 6. Other uses that are deemed appropriate by the County Administrator or designee.
- B. Before issuing a permit, the County Administrator or designee shall determine that the site is adequate for its intended temporary use according to the following:
  - 1. The proposed activity is in compliance with all safety, health, and environmental standards, and is not detrimental to the surrounding area.
  - 2. The site is of a sufficient size to accommodate the intended temporary use.
  - 3. Safe and orderly flow of traffic can be ensured.

**530.12-530.10. Junkyards**

All junkyards existing at the effective date of this Code, within one (1) year thereafter, and all new junkyards, where permitted, shall comply with the following provisions:

- A. From and after January 1, 1964, no person, firm, or corporation shall operate or maintain in the County any junkyard, motor-vehicle wrecking yard, or used-car parts business, unless and until the same shall be enclosed by a fence, the construction of which will obscure the view thereof by the passing public. The said fence shall be of a height not less than eight (8) feet and all of the operations of such business shall be carried on and conducted within the enclosure of such fence.
- B. All junk shall be stored or arranged so as to permit access by fire-fighting equipment and to prevent the accumulation of water, and no junk pile shall reach a height of more than eight (8) feet, unless it is 200 feet from any property line.
- C. No oil, grease, tires, gasoline, or other similar material shall be burned at any time and all other burning shall be in accordance with applicable State and local regulations.



- D. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance; nor to cause any offensive or noxious sounds or odors; and not to cause the breeding or harboring of rats, flies, or other vectors.

530.13.530.11. Travel-Trailer/Recreational Parks and Campgrounds

All commercial travel-trailer parks shall be subject to the following minimum regulations:

- A. A minimum of one (1) dump station for sewage or sanitary-waste disposal for every fifty (50) trailer pads or spaces shall be provided, except for those spaces which have approved sanitary-sewer connections.
- B. Sewage or sanitary-waste facilities shall be in accordance with the requirements of County and State codes and ordinances.
- C. A buffer area of a minimum of twenty-five (25) feet with appropriate screening in accordance with this Code shall be maintained around all property boundaries of travel-trailer parks adjacent to residential districts. Parks adjacent to other districts and public rights-of-way shall require a minimum fifteen (15) foot buffer area and screening in accordance with this Code. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.
- D. The development of recreational areas shall be in accordance with the requirements established in this Code; however, in no case shall a recreation area be less than 10,000 square feet. The said recreation area shall be in addition to the buffer area requirements of the section.
- E. A minimum space of thirty (30) feet by fifty (50) feet shall be provided for each travel trailer. Park trailers over 400 square feet shall have a minimum space of forty (40) feet by sixty-five (65) feet.
- F. Setback Requirements
1. RV units containing 320 square feet or less shall be located a minimum of ten (10) feet from any other RV or permanent building within or adjacent to the travel-trailer park. The following accessory structures shall be located to within three (3) feet of a recreational unit (320 square feet or less) or permanent structure:
    - a. Open aluminum carports.
    - b. Aluminum storage sheds.
    - c. Aluminum screened or glass porches.
    - d. Open aluminum or metal decks or porches.

All other accessory structures shall be located a minimum of ten (10) feet from any recreational unit (320 square feet or less) or permanent building.

2. RV units over 320 square feet shall be located a minimum of ten (10) feet side-to-side, eight (8) feet end-to-side, and six (6) feet end-to-end horizontally from any other RV. The following accessory structures may be located to within three (3) feet of an RV unit (over 320 square feet) or permanent structure:
  - a. Open aluminum carports.
  - b. Aluminum storage sheds.
  - c. Aluminum screened or glass porches.
  - d. Open aluminum or metal decks or porches.

All other accessory structures shall be located a minimum of five (5) feet from any recreational unit (over 320 square feet) or permanent building.

~~3. Front setbacks shall be subject to this Code, Chapter 600, if applicable.~~

- G. Provision of commercial and service facilities intended to directly serve the needs of park users are permitted, encouraged, and should be centrally located within the park.
- H. No travel-trailer park shall be divided into three (3) parcels or more or individual lots for the purpose of sales or leasing without complying with all of the requirements of Section 530.14, Travel-Trailer/RV Subdivisions.
- I. The total number of units shall be limited according to the density limitations established by the Comprehensive Plan Future Land Use ~~(FLU)~~ Map ~~(FLUM)~~ Designation Classification.
- J. A development plan shall be submitted in accordance with this Code, Chapter ~~34~~00.

#### 530.14.530.12. Travel Trailer/RV Subdivisions

In addition to complying with the requirements of this Code, all travel-trailer or RV subdivisions shall be subject to the following minimum regulations:

- A. Minimum site area: ten (10) acres.
- B. Minimum lot area: 2,600 square feet.
- C. Minimum lot width: forty (40) feet.
- D. Minimum lot depth: sixty-five (65) feet.
- E. Maximum possible gross density of 11.5 dwelling units per acre, subject to compliance with the density limitations established by the Comprehensive Plan-FLU Map Designation Classification.
- F. Minimum front-yard setback of twenty (20) feet.

- G. Minimum side-yard setback of 7.5 feet.
- H. Minimum rear-yard setback of ten (10) feet.
- I. A buffer area of a minimum of twenty-five (25) feet in depth and consisting of open space with appropriate screening in accordance with this Code shall be maintained around all perimeter property boundaries of travel-trailer subdivisions adjacent to residential districts. Travel-trailer or RV subdivisions adjacent to other districts shall maintain a minimum fifteen (15) foot buffer area and screening in accordance with this Code. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.
- J. Recreational areas shall be provided in accordance with the requirements established in this Code; however, in no case shall any part of such recreation area be less than 10,000 square feet. The said recreation areas shall be in addition to the buffer requirements set forth in J above.
- K. Adequate central water and sewer systems shall be provided.
- L. A development plan shall be submitted in accordance with this Code, Chapter ~~34~~400.

#### ~~530.15-530.13.~~ Waterfront Property

All waterfront property which, for the purposes of this section shall be defined as those properties which abut navigable water ~~bodies of water~~, shall be subject to the following minimum requirements:

- A. No ~~building or~~ structure shall be located within fifteen (15) feet of the mean high-water line. This applies to dwelling structures, accessory ~~buildings~~structures, enclosed swimming pools, walls, and any other type of construction that presents a visually solid-type wall.
- B. ~~All fences which are~~may be constructed along the rear property line or within fifteen (15) feet of the mean high-water line ~~and or along~~ side property lines, ~~shall be a maximum height of provided they do not exceed~~ four (4) feet in height and shall be ~~so~~ constructed so as to not obstruct vision within fifteen (15) feet of the rear property line or within fifteen (15) feet of the mean high-water line.

#### ~~530.16-Reserved~~

#### ~~530.17-530.14.~~ Applicability of this Code to the Sale of Alcoholic Beverages

- A. Off-premises sales of beer, as defined in Section 563, Florida Statutes, shall be exempt from the provisions of this Code. Additionally, the sale of beer, wine, and other liquor in supermarkets for off-premises consumption shall be exempt from the provisions of this Code. For the purposes of this section, the term "supermarket" shall mean a retail store employing at the location of sale a minimum of eight (8) full-time employees on the longest working shift and whose primary business is the retail sale of food products, apart from alcoholic beverages, where such business is located in a building, or portion thereof, of greater than 20,000 square feet in size.



Nothing in this subsection shall be construed as exempting any operation, whether a supermarket or any other operation, which permits the sale of beer, wine, or other liquor for on-premises consumption. It is expressly declared that it is the intent of the Board of County Commissioners to include such on-premises operations within the scope of the provisions of this Code.

- B. Except as provided for in Section 530.17.A, Section 402.3 is applicable to all unincorporated areas in the County upon which alcoholic beverages are to be sold or consumed.
- C. Nothing herein contained shall be construed to permit the sale or consumption of alcoholic beverages at any site in the unincorporated area of the County where there was no building in existence on the original date of adoption of this Code without compliance with the provisions of Section 402.3.
- D. A conditional use application must be filed for properties in PUD Planned Unit Developments and MPUD Master Planned Unit Developments before a conditional use will be permitted in an area which is designated for uses comparable to those allowed in a zoning district in which conditional uses are identified as a possible use of property.

~~530.18-530.15.~~      **Fraternal Lodges and Social and Recreational Clubs**

- A. Fraternal lodges and social and recreational clubs shall be conditional uses in all districts, except I-1 Light Industrial Park and I-2 General Industrial Park Districts, which must be reviewed and approved in accordance with this Code.
- B. In addition to the criteria set forth in this Code, the following site limitations shall be observed for such uses:
  - 1. Minimum lot area: 20,000 square feet.
  - 2. Minimum lot width: 150 feet.
  - 3. The height of any building constructed shall not exceed the maximum height restrictions of the applicable zoning district within which it is located.
  - 4. Fifty (50) feet minimum building setback from all property lines.
  - 5. A buffer consisting of either walls, landscaping, or fences shall be provided when adjacent to residential districts in accordance with this Code.
- C. On-site consumption of alcoholic beverages by members and guests shall be permitted in any fraternal, social, or recreational club or lodge which is approved as a conditional use, provided such use is located more than 1,000 feet from a school, church, place of worship, or public park, as measured from the structure in which alcoholic beverages are being served to the nearest property line of the school, church, place of worship, or public park.
- D. Development Plan

A development plan shall be submitted in accordance with this Code, Chapter ~~34~~00.

530.19.530.16. **Parking and Storage of Trucks, Truck Tractors, and Certain Commercial Vehicles and Commercial Equipment in Certain Residential Areas Prohibited**

- A. No commercial vehicles and no commercially related equipment shall be permitted to park or be stored in any areas of the unincorporated County which are zoned R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, PUD Planned Unit Development, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, MF-3 Multiple Family High Density, E-R Estate-Residential, ER-2 Estate-Residential, A-R Agricultural-Residential, and AR-1 Agricultural-Residential Zoning Districts, except when such commercial vehicles and equipment are being utilized as part of a business lawfully operating in the said zoning districts. The following are specifically exempt from this section:
1. Properties zoned A-C Agricultural and AC-1 Agricultural.
  2. Properties larger than five (5) acres zoned A-R Agricultural-Residential and AR-1 Agricultural-Residential.
  3. Properties with a bona fide agricultural classification, as determined by the County Property Appraiser, when the vehicle or equipment are related to the agricultural use of the property.
- B. The provisions of this section shall not apply to:
1. A commercial vehicle parked in a residential neighborhood while the operator of the said commercial vehicle is making a delivery or conducting business within the said residential area or when the commercial vehicle or equipment is parked or stored within an enclosed structure.
  2. The use of a commons area in any residentially zoned neighborhood for the parking of a commercial vehicle, provided that the commons area is actually used as a commons area, is duly recorded and platted as a commons area, and provided further that the use of the said commercial vehicle is for the benefit of the community in which it is situated or the use is for the benefit of a charitable project sponsored by the community as a whole or sponsored by any civic or charitable group within the community. For purposes of this subsection only, community is defined as the residentially zoned neighborhood which is serviced by the commons area.
- C. Any use of E-R Estate-Residential, R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, PUD Planned Unit Development, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, or MF-3 Multiple Family High Density zoned property for the parking or storing of trucks, truck tractors, or commercial vehicles or equipment in existence prior to the adoption of this section shall not be considered a nonconforming use for purposes of this article.

- D. Nothing in this section is intended to authorize the use of residentially zoned property for commercial or industrial activities that are not permitted uses of the zoning district where the commercial vehicle or equipment is parked or stored.

**530.20-530.17. Model Homes, Apartments, Condominiums, and Temporary Sales Offices Reserved**

- ~~A. Model homes and models of rental apartments and condominiums may be approved by the DRC for a period of five (5) years or until ninety (90) percent of the development is completed, whichever comes first, in any residential district as defined in this Code, Chapter 200, and subject to all requirements applicable to the district in which the model is located. The DRC may approve an extension to the five (5) year limitation.~~
- ~~B. Model homes and models of rental apartments and condominiums shall not be used as a construction office, general real estate office, or a resale listing office. However, such models may include administrative and clerical duties; i.e., typing invoices, checks, contracts, and ordering, associated with the general contractor or builder who owns or controls the model unit. This provision is not construed to prohibit a subcontractor from visiting the model site for the purpose of picking up plans, work orders, checks, or invoices.~~
- ~~C. Model sites shall not be used for the storage of contractor's trucks, equipment, or materials.~~
- ~~D. A development plan shall be submitted in accordance with this Code, Chapter 3400.~~

**530.21. Reserved**

**530.22-530.18. Temporary Use of Portable- Storage Units**

**A. Location and Placement**

~~Portable\_ storage units may be temporarily located only on certain residentially zoned and commercially zoned parcels, zoning districts only so long as they do Units shall not obstruct vehicular or pedestrian traffic. Such uUnits shall not be placed in the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.~~

**B. Duration**

- ~~1. A portable\_ storage unit may remain-be placed at a site used for residential purposes for up to thirty (30) calendar days, with eOne (1) portable-storage unit allowed at a site at a time may be placed on a site no more than. There will-be two (2) times allowances per calendar year.~~
- ~~2. A One (1) portable\_ storage unit may remain-be placed at a site zoned for commercial use and actually used for commercial purposes for up to sixty (60) calendar days, with-no more than two (2) allowances-times per calendar year, provided: (a) that the unit is not visible from surrounding parcels or from the right-of-way; i.e., the units are-must be buffered by tall, opaque fencing; located behind the building; or located on a portion of a parcel with~~



no abutting development; ~~etc., or (b) provided its~~ the location of the unit must be approved as part of is provided for on an approved site development plan.

3. Redelivery of a portable-storage unit for purposes of unloading will be allowed for a period of five (5) days in addition to the time periods provided in this subsection.

#### C. Construction

1. For sites where the portable-storage units are being used in connection with new construction or extensive renovation or repair of property, portable-storage units related to and used for the ongoing construction or storage of construction materials during such construction shall be allowed for the period of continuous construction, provided that there is an active and valid Building Permit for the property. Any portable-storage unit at the site that is not specifically related to and used in connection with the construction shall be subject to the limits otherwise imposed in this section of this Code. Within five (5) calendar days of the expiration of a Building Permit, passage of all final inspections, or the issuance of a Certificate of Occupancy (CO) (whichever is later), the portable-storage units shall be removed.
2. In the event of a fire, hurricane, or natural disaster causing substantial damage to the principal structure on the property, a portable-storage unit shall be allowed on site, subject to all applicable sections of this chapter, for sixty (60) calendar days regardless of the existence of a valid Building Permit.

#### D. Violations

~~It shall be unlawful for a portable-storage unit to remain at a site in excess of the time periods or in violation of the locations permitted under this section. Each day that any such portable-storage unit remains at a site in violation of the provisions of this section shall constitute a violation.~~

#### E.D. High Winds

Within (twelve) 12 hours after issuance of a hurricane warning including Pasco County, all portable-storage units shall be removed or secured ~~in such a manner so as to minimize the danger of such units causing~~ damage to persons or property from the effect of high winds on the units.

#### 530.23-530.19. Use of Dumpsters in Residentially Zoned Property

Residential properties in A-R Agricultural-Residential, AR-1 Agricultural-Residential, AR-5 Agricultural-Residential, AR-5MH Agricultural Mobile Home, E-R Estate-Residential, ER-2 Estate-Residential, A-C Agricultural, and AC-1 Agricultural Zoning Districts that are more than one (1) acre or which the Pasco County Property Appraiser has classified as a bona fide agricultural land under the Agricultural Assessment Provisions of Section 193.461, Florida Statutes, may use dumpsters of eight (8) cubic yards or smaller on a permanent basis to store large volumes of refuse as the primary method of garbage collection and disposal for the residence, as long as the dumpster is not located on a right-of-way, and is a portable, nonabsorbent, enclosed container with a close-fitting cover or doors which is capable of being serviced by mechanical equipment. Dumpsters larger than eight (8) cubic

yards may be used only on a temporary basis and are subject to the regulations set out in subsections A-E below. Properties that are five (5) acres or larger in A-R Agricultural-Residential and A-C Agricultural Zoning Districts are exempt from the regulations in this section.

Dumpsters are permitted on all other residentially zoned properties only on a temporary basis and are subject to the following regulations:

A. Location and Placement

Dumpsters may be temporarily located only on certain residentially zoned parcels property only so long as they do. Dumpsters shall not obstruct vehicular or pedestrian traffic. Such units Dumpsters shall not be placed on the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. Duration

A dumpster may remain at a site used for residential purposes for up to thirty (30) calendar days, with one (1) dumpster allowed at any one time. There will be two (2) allowances times per calendar year allowed.

C. Construction

1. For sites where a dumpster is being used in connection with new construction or extensive renovation or repair of property, dumpsters related to and used for the ongoing construction or demolition during such construction shall be allowed for the period of continuous construction or demolition, provided there is an active and valid Building or Demolition Permit for the property. Any dumpster at the site that is not specifically related to and used in connection with the construction or demolition shall be subject to the limits otherwise imposed in this section of this Code. Within five (5) calendar days of the expiration of a Building Permit, passage of all final inspections, or the issuance of a CO (whichever is later), all dumpsters shall be removed.
2. In the event of a fire, hurricane, or natural disaster causing substantial damage to the principal structure on the property, a dumpster shall be allowed on site, subject to all applicable sections of this chapter, for sixty (60) calendar days regardless of the existence of a valid Building Permit.

D. Violations

It shall be unlawful for a dumpster to remain at a site in excess of the time periods or in violation of the locations permitted under this section. Each day that any such dumpster remains at a site in violation of the provisions of this section shall constitute a violation.

E.D. High Winds

Within twelve (12) hours after the issuance of a hurricane warning including Pasco County, all dumpsters shall be removed or secured in such a manner so as to

minimize the danger of ~~such units causing~~ damage to persons or property from the effect of high winds of the dumpsters.

530.24.530.20. **Temporary/Portable- Toilet Facilities**

A. Location and Placement

Temporary toilet facilities provided in connection with construction or renovation may be temporarily located on all properties. Units shall not obstruct vehicular or pedestrian traffic. Units shall not be placed on the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

A.B. Removal

Temporary toilet facilities provided in connection with construction or renovation ~~in residentially-zoned districts~~ shall be removed by the person responsible for the unit within fourteen (14) calendar days of cancellation of the rental contract for the unit or within fourteen (14) calendar days of the issuance of a CO for the structure that is under construction or renovation, whichever is sooner.

B.C. Storage

Properties upon which such units are stored when not in use shall be fenced with opaque fencing in such a manner so that the units are not visible to abutting, residentially zoned properties.

C. Violations

~~It shall be unlawful for a portable toilet unit to remain at a site in excess of the time periods permitted under this section. Each day that any such unit remains at a site in violation of the provisions of this section shall constitute a violation.~~

Attachment F



## CHAPTER 900. DEVELOPMENT STANDARDS

### SECTION 902. STORMWATER

#### 902.1. Stormwater Quality

##### A. Intent and Purpose

Pollutants discharged from storm sewer systems have a significant impact on receiving waters. Improperly treated discharges from industrial activities and interconnected Municipal Separate Storm Sewer Systems (MS4s) and illicit discharges or disposal of material other than stormwater to the MS4s, adversely affects the quality of waters receiving such discharges. Therefore, the Board of County Commissioners (BCC) finds it necessary for the health, safety, and general welfare of the citizens of the County and in the public's interest to protect the quality of waters receiving stormwater discharges.

##### B. Applicability

~~For purposes of jurisdictional applicability, this~~ This section shall apply to all ~~parcels development~~ where any portion ~~of the parcel of the development~~ is within ~~the jurisdiction of~~ unincorporated Pasco County or activities that result in discharges to the County's MS4s or United States waters that are within or border unincorporated Pasco County.

##### C. Exemptions

The following discharges are exempt from this section:

1. Water line flushing.
2. Landscape irrigation.
3. Uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005[20]) to separate storm sewers.
4. Uncontaminated pumped groundwater.
5. Potable water.
6. Air conditioning condensation.
7. Irrigation water.
8. Springs.
9. Lawn watering.
10. Individual residential car washing.
11. Flows from riparian habitats and wetlands.



## Attachment G

## CHAPTER 900. DEVELOPMENT STANDARDS

### SECTION 905. GREENSPACE REQUIREMENTS AND STANDARDS

#### 905.2. Landscaping and Buffering

##### A. Intent and Purpose

It is the intent and purpose of this subsection to promote the health, safety, and general welfare of the current and future residents of the County by establishing minimum standards for the preservation, development, installation, and maintenance of native and water-efficient landscaping within the County. Landscaping includes trees, shrubs, and groundcover.

The use of plant materials improves the aesthetic appearance of public, commercial, industrial, and residential areas by reducing the visual impact of large building masses; by softening the visual impact of paved surfaces and vehicular-use areas; by screening conflicting uses from one another; and otherwise helping establish a harmonious relationship between the natural and built environment.

##### B. Applicability

1. This section shall be applicable to all development plans submitted on or after February ~~28~~26, 2002, and to single and two (2) family residential lots with the exception of those within agricultural zoning districts.
2. Redevelopment Landscaping. Developments that existed requiring Preliminary Site Plan review existing on February 26, 2002, that do not comply with the provisions of this subsection shall be brought into compliance when a new building permit or preliminary site plan application is submitted pursuant to this Code according to the following:

##### a. Intent and Purpose

The intent and purpose of this section is to provide for the timely compliance with the landscaping and buffering provisions of this Code, while recognizing and encouraging redevelopment. As such, the requirement for bringing a site into conformance with this section will be based on the degree of investment proposed for the site.

##### b. Improvements Required

**TABLE 905.2-A**

<b>Circumstance</b>	<b>Conformity Required</b>
<ul style="list-style-type: none"> <li>Alteration of vehicular use area other than restriping, resealing, or resurfacing.</li> </ul>	<ul style="list-style-type: none"> <li>Expanded area shall provide the required minimum landscape area as required by Table 905.2.BC.</li> </ul>
<ul style="list-style-type: none"> <li>Existing structure size is expanded by up to twenty-five (25) percent.</li> </ul>	<ul style="list-style-type: none"> <li>Building perimeter landscaping shall be required adjacent to any addition, where feasible.</li> </ul>
<ul style="list-style-type: none"> <li>Structure size is expanded by more than twenty-five (25) percent.</li> </ul>	<ul style="list-style-type: none"> <li>Building perimeter landscaping shall be installed adjacent to the entire building, where feasible.</li> </ul>
<ul style="list-style-type: none"> <li>Value of work associated with redeveloped, remodeled, or renovated structure is between twenty-five (25) and fifty (50) percent of the appraised value.</li> </ul>	<ul style="list-style-type: none"> <li>Buffers shall be installed: <ul style="list-style-type: none"> <li>Along roadways.</li> <li>Adjacent to residential properties.</li> </ul> </li> <li>Building perimeter landscaping adjacent to addition.</li> </ul>
<ul style="list-style-type: none"> <li>Value of work is between fifty-one (51) and seventy-five (75) percent of the appraised value.</li> </ul>	<ul style="list-style-type: none"> <li>All property buffers shall be installed.</li> <li>Building perimeter landscaping adjacent to addition, where feasible.</li> </ul>
<ul style="list-style-type: none"> <li>Value of work exceeds seventy-five (75) percent of the appraised value.</li> </ul>	<ul style="list-style-type: none"> <li>All property buffers.</li> <li>All building perimeter landscaping, where possible.</li> <li>All vehicular use landscaping.</li> </ul>

NOTE: Appraised value shall be as shown by the Property Appraiser. The value of improvements shall be cumulative from February 26, 2002.

Landscaping and buffering requirements in circumstances of redevelopment shall be as shown in Table 905.2-A.

c. Options for Relief

Recognizing that redevelopment and renovation presents its own special challenges, an applicant may pursue the following approaches to obtain relief from the strict application of the above standards.

(1) Alternative Standards. An applicant may propose an alternative standard pursuant to Section 407.5, to the required planting, meeting the purpose and intent of this section for a balance between conformity with this section and the encouragement of redevelopment. Alternative standards may be appropriate based on the adjacent uses and the ability of practical installation.

Attachment H

## APPENDIX A

### DEFINITIONS

Terms not specifically defined below, in the Comprehensive Plan, in policies issued by Pasco County to implement land development regulations, or specifically defined in a referenced standard, words, phrases, or used in this Code, shall be ascribed a meaning which they have in common usage and which gives this Code its most reasonable application.

**Access.** The most direct method of travel from a public or private right-of-way to a private parcel of land.

~~**Access management.** For purposes of Access Management, the following definitions shall apply:~~

~~1. **Reasonable access** shall mean the minimum number of connections, direct or indirect, necessary to provide safe ingress and egress to the collector and arterial roadway system based on projected connection and roadway traffic volumes and the type and intensity of land use.~~

~~2. **Project** shall mean any “single development” requesting any approval pursuant to Chapter 400 of this Code.~~

~~3. **Single Development.** For purposes of the definition of “project” the term “single development shall include any development, parcel of land, lot, and tract; and contiguous or nearby (within one-quarter mile) developments, parcels, lots or tracts that are a) developed by the same or related development or landowner or b) developed as part of the same zoning plan, preliminary development plan, preliminary site plan, plat, or other unified plan of development as determined by the engineering services director or designee. However, parcels of land, lots or tracts, legally subdivided, or that filed a complete application to legally subdivide, prior to June 4, 2004 or otherwise exempt from these regulations, and not presently owned by a related developer or landowner, shall not be aggregated as a “single development.” For purposes of this definition, a related developer or landowner shall include a partnership in which any of the same persons or entities are partners; and a corporation in which any of the same persons are officers or directors. If an applicant is in doubt as to whether a particular development, parcel of land, lot or tract will be aggregated with another development, parcel, lot or tract pursuant to this definition, the applicant may request a written determination from the engineering services director or designee. The term “project” shall be liberally construed in favor of the applicability of these access management regulations to all development along collector and arterial within the roadways.~~



~~**Accessory building.** A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.~~

**Accessory structure.** 1. General: A subordinate ~~use~~ structure clearly incidental and related to the principal structure, building, or use of land, and located on the same lot as that of the principal structure, building, or use, including but not limited to, swimming pools, pool decks, utility sheds, detached garages, and screened rooms.

~~**Accessory structure (appurtenant structure).** 2. (as pertains to Flood Damage Prevention) appurtenant structure): A detached structure, which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.~~

**Accessory use.** A use on the same lot or within the same building and of a nature customarily or reasonably incidental and subordinate to the principal use. ~~The principle use shall be established (or obtain a certificate of occupancy, if applicable) prior to or concurrent with any incidental accessory use.~~

**Addition (to an existing building).** Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

**Adjacent.** To have property lines, or portions thereof, in common or facing each other across a right-of-way, street, or ~~narrow~~ water body of less than 100 feet in width.

**Adverse effect upon a natural community.** Direct contamination, destruction, or that which contributes to the contamination or destruction of a natural community, or portion thereof, to the degree that its environmental benefits are eliminated, reduced, impaired, or where there is a resultant threat to its present or future function.

**Agricultural district.** An agricultural district is any parcel or parcels of land or water zoned A-C, AC-1, A-R, AR-1, AR-5, or AR5-MH, ~~that primarily employs the use of lands, buildings, or structures for uses such as, but not limited to, agricultural, general, farming, horticultural, or other uses identified within each respective permitted use section of the county zoning ordinance enacted November 19, 1975, and as subsequently amended.~~

**Agricultural support uses.** Establishments primarily engaged in supplying soil preparation services, crop services, horticultural services, sales and service of agricultural machinery, veterinary and other animal services and farm labor and management services.

**Agriculture.** ~~Land areas which are predominantly used for t~~The cultivation of crops and livestock including crop land, pasture land, orchards, vineyards, nurseries, ornamental horticulture, groves, feedlots, specialty farms and silviculture.

**Airport approach surface.** That portion of the runway that is usable for takeoffs and landings due to obstructions lying outside the clear zone.

**Airport hazard area.** Any area of land or water upon which an airport hazard might be established if not prevented pursuant to Chapter 333, F.S.

**Airport transition surface.** That portion of the runway that is not usable by aircraft for operations due to obstructions outside the clear zone.

**Airport clear zone.** A designated area of land which is subject to peak aircraft noise and on which there is the highest potential of danger from airport operations.

**Airport facility.** Any area of land or water improved, maintained, or operated by a governmental agency for the landing and takeoff of aircraft, or privately owned paved runways of 4,000 or more feet in length, and any appurtenant area which is used for airport buildings, other airport facilities or on-site rights-of-way Airport obstruction. Any structure, object of natural growth, existing condition or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increase the risk of danger to aircraft operations.

**Airport obstruction.** Any structure, object of natural grown, existing condition, or use of land which obstructs the airspace required for the flight of aircraft in landing and taking of at an airport or which otherwise increases the risk of danger to aircraft operations.

**Alcoholic beverages.** As defined by Florida Statutes.

**Alcoholic beverage business establishment.** Subject to the exemptions set forth in article 500 of this Code, any commercial premises, including, but not limited to, a golf course clubhouse, grocery store, drugstore, nightclub, hotel, motel, lounge, cafe, bottle club, bar, restaurant, grill, or filling station:

1. Where, in the ordinary course of business, the proprietor of the premises or his employees sell, or otherwise provide in exchange for consideration, an alcoholic beverage for consumption on or off said premises; or
2. Where, in the ordinary course of business, the proprietor of the premises or his employees sell, or otherwise provide in exchange for consideration, a drinking container, water, beverage, or other product or article either for the purpose of utilizing the same in conjunction with consumption of an alcoholic beverage on said premises, or with the knowledge, actual or

implied, that the same, will be or is intended to be utilized in conjunction with consumption of an alcoholic beverage on said premises; or

3. Where, in the ordinary course of business, the proprietor of the premises or his employees charge an admission fee of any sort for the purpose, in whole or in part, of allowing persons to consume an alcoholic beverage on said premises.

Provided, however, that this definition shall not apply to nonprofit establishments, including fraternal lodges, social and recreational clubs subject to Article 500 of this Code, charitable organizations, and civic clubs.

**Alley.** A right-of-way providing a primary or secondary means of vehicular access to property.

**Alterations.** Any construction, modification or renovation to an existing structure other than repair or addition.

~~**Altered natural communities.** Natural resources which have been substantially affected by development but continue to provide some environmental benefit.~~

~~**Amendment.** A change in use in any district which includes revisions to article 500 of this Code and/or the official zoning map. The final authority for any amendment lies solely with the governing body.~~

**American National Standards Institute (ANSI).** ANSI is a private, nonprofit organization that administers and coordinates the standardization and conformity assessment system. For the purposes of this Code, ANSI references relate to the American National Standard for Tree Care Operations, Trees, Shrubs and Other Woody Plant Maintenance, Standard Practices (ANSI A300-2001, as amended), which is incorporated herein by reference.

**Amusement facilities.** A commercial facility providing recreational activities, including but not limited to, commercial or public swimming pools; public tennis clubs; public gymnasiums; amusement arcades; discotheques; bowling alleys; shuffleboard courts; baseball batting ranges; miniature golf courses; golf driving ranges; billiard or pool halls; dance schools, halls or classes; skating rinks; and indoor movie theaters.

**Amusement park.** A permanent commercial establishment which has as its principal business the entertainment of its patrons by a combination of activities such as rides, games, shows, exhibitions, food and drink. Single purpose or single event facilities such as movie theaters or sports arenas shall not be considered amusement parks.

**Animal hospital.** A building used for the treatment, housing, or boarding of domestic animals by a veterinarian.

**Animal Unit.** As defined in chapter 62-670, Florida Administrative Code (F.A.C.), a unit of measurement for an animal feeding operation calculated by adding the following numbers: the number of slaughter and feeder cattle multiplied by 1.0, plus the number of mature dairy cattle multiplied by 1.4, plus the number of swine weighing over 55 pounds multiplied by 0.4, plus the number of sheep multiplied by 0.1, plus the number of horses multiplied by 2.0.

**Animal waste.** Offal, animal excrement other than human waste, poultry, hog, cow, or horse manure, or other discarded excrement material whether solid, liquid, or gaseous..

**Annual beds.** Any landscape where the majority of plants are replaced on a regular basis.

**Antenna.** A device used to send and/or receive electromagnetic waves which is usually constructed of metallic or fiberglass/metal materials and may also include rods, tubing, or wire. This definition shall only include the device or structure that actually is involved in the sending or receiving of such signals and shall exclude any primary antenna support structure.

**Antenna.** A whip (omnidirectional antenna or "omni"), panel (directional antenna or "dish"), disc (parabolic antenna), or similar device used for transmission and/or reception of radio frequency signals.

**Antenna array.** An antenna array is one or more whips, panels, discs, or similar devices used for the transmission or reception of radio frequency signals, which may include omnidirectional antennas (whips), directional antennas (panels), and parabolic antennas (discs).

**Aquifer.** A water-bearing layer of rock or soil that will yield water in a usable quantity to a well or spring.

**Aquifer recharge area.** Portions of the earth's surface where rainwater rapidly percolates through the soil to the aquifer. The actual recharge is the depth of water that enters an aquifer per unit area of the aquifer. ,Area, building. The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

**Area, building.** The area included within surrounding exterior walls (or exterior walls and fire walls) exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building if such areas are included within the horizontal projection of the roof or floor above.

**Area, lot.** The total square footage area within the lot lines.

**Area of special flood hazard.** The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

**Area of shallow flooding.** A designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Arterial, arterial road, or arterial roadway,** –Those roadways classified as arterial roadways on the future traffic circulation map series or pursuant to the functional classification or reclassification procedures and criteria established pursuant to the [county Comprehensive Plan](#).

**Artificial waterway.** A dredge canal created by man in upland or wetland areas.

**Art work.** [Any drawings, symbols, paintings or sculpture which do not identify a product or business and which are not displayed in conjunction with a commercial, for profit or nonprofit enterprise. Drawings, pictures, symbols, paintings and sculpture which are noncommercial speech protected by the United States Constitution Amendment 1 and/or Florida Constitution Article 1, Section 4 shall fall within this definition and be considered artwork.](#)

**Automatic irrigation controller.** A timer capable of operating valve stations to set days and length of time of a water application.

**Automotive service [station](#).** An automotive service station is an establishment whose principal business is the retail dispensing of automotive fuel and oil and where grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail, principally for automobiles and not for trucks (or in connection with a private operation where the general public is excluded from the use of the facilities), and where in addition the following services may be rendered and sales made, and no other:

1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts.
2. Tire servicing and repair, but not recapping or regrooving.
3. Replacement of water hose, fan belts, brake fluid, light bulbs, fuses, floor mats, wiper blades, grease retainers, wheel bearings, shock absorbers, mirrors, and the like.
4. Provision of water, antifreeze, and the like.
5. Washing and polishing and sale of automotive washing and polishing materials.
6. Providing and repairing fuel pumps and lines.



7. Minor servicing and repairs of carburetors.
8. Emergency wiring repairs.
9. Adjusting and emergency repair of brakes.
10. Greasing and lubrication.
11. Sales of cold drinks, candies, tobacco, and similar convenience goods for service station customers, but only as accessory and incidental to the principal business operation.
12. Provision of road maps and other information material to customers, provision of rest room facilities.

Uses permissible at an automotive service station do not include body work, straightening of frames or body parts, steam cleaning, painting, welding, storage of automobiles not in operating condition, operation of a commercial parking lot or commercial garage as an accessory use, or other work involving undue noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in such stations. An automotive service station is not a repair garage or a body shop.

**Average daily flow.** The average quantity of water consumed and wastewater generated in gallons per day per equivalent residential dwelling unit.

**Basement.** 1. General: That portion of a building having its floor subgrade (below ground level) on all sides. A story partly underground but having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet or if used for business or dwelling purposes, other than a game or recreation room.

**Basement 2.** ~~2.~~ As pertains to Flood Damage Prevention: That portion of a building having its floor subgrade (below ground level) on all sides.

**Base flood.** The flood having a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").

**Beach.** The zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation, usually the effective limit of storm waves. "Beach" is alternatively termed "shore."

**Beacon light.** Any light source, whether fixed or activated, which is designed to attract attention to a specific location, place, or thing.

**Bed and breakfast.** A dwelling unit occupied by its owner or the owner's agent which is made available for lodging of the public, ~~and which customarily offers lodging and a meal for one price.~~ A dwelling unit shall not be considered a bed and breakfast if its owner or the owner's agent does not live on the premises during a majority of the time guests are occupying the unit.

**Bench Sign.** A bench whose primary purpose is collateral with providing transportation service to the public upon which a sign is indelibly drawn, painted, or printed.

**Best management practices (BMPs).** Method or combination of methods determined after problem assessment, examination of alternative practices, and appropriate public participation, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.), and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and would vary on a regional and local basis with the nature of the problems, climate, physical characteristics, land use, soil types and conditions, and other factors.

**Best possible technology.** Best possible technology means the most advanced technology which provides the maximum protection possible for the public health, safety, and welfare. In ascertaining the best possible technology, economic disadvantages shall only be considered relevant when analyzed in relation to other applicants conducting waste disposal, land spreading, or mining activities under the requirements of this Code.

**Bicycle and pedestrian ways.** Any road, path, or way which is open to bicycle travel and travel afoot but which excludes motor vehicles. ~~Bicycle paths should not be confused with bicycle lanes which are constructed as part of a roadway to be shared by motor vehicles.~~ Bicycle lanes constructed as part of a roadway shall not be considered bicycle ways.

**Billboard.** ~~See "outdoor advertising sign".~~ A type of off-site sign that is required to be registered with the County pursuant to the criteria of this Code.

**Biological treatment.** A water quality treatment system that utilizes a design water pool in association with water-tolerant vegetation to remove pollutants through settling, absorption by soils and nutrient uptake by the vegetation.

~~**BMP.** Best management practices as prepared by the state division of forestry as a best-known means to protect water resources from nonpoint pollution during silvicultural operation.~~

**Breakaway wall.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading

forces without causing damage to the elevated portion of the building or the supporting foundation system.

~~**Broadcasting or communication towers and facilities.** Facilities which are designed and constructed in accordance with EIA-222 (latest revision) requirements and are licensed to operate under parts 21 (domestic public fixed radio services); 22 (public mobile service); 25 (satellite communication antennas); 73 (radio broadcast services); 74 (experimental, auxiliary, special broadcast, and other program distributional services); 76 (cable television service); 78 (cable television relay service); 90 (private land mobile radio services); 94 (private operational fixed microwave service) of the rules and regulations of the federal communications commission, 47 C.F.R., 21 et seq., including any accessory antennas operated on an unlicensed basis with the foregoing facilities. All plans submitted to the county for construction of broadcasting or communication towers and facilities or associated antennas or primary antenna support structures must be signed and sealed by a registered state engineer.~~

**Buffer.** A strip of land separating adjacent land uses.

~~**Building-4.** General: Any structure having a roof and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials or property of any kind. used or intended for supporting or sheltering any use or occupancy.~~

**Building frontage.** The linear length of a building facing a ~~public~~ street right-of-way, exclusive of alleys; or the linear length of the street right-of-way which faces the building, whichever is smaller.

**Building, front line of.** The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

**Building, height of.**

1. The vertical distance measured from the average ground level at the sides of the building to the highest point of the coping in the case of flat roofs or to the point halfway up the roof in the case of pitched roofs or to the deck line of a mansard roof.
2. The vertical distance measured from the level of the curb or the established street grade opposite the center of the front wall of the building to the highest point halfway up the roof in the case of pitched roofs or to the deck line of a mansard roof for building set 15 feet or more from the front lot line, the height may be measured from the finished ground surface at the center of the front wall of the building. Where the height is designated in terms of stories, it shall mean the designated number of stories including the first story. Where a building is required to

elevate its first habitable floor to or above the base flood elevations, building height shall be measured from the established base flood elevation level to the highest point of the coping in the case of flat roofs or to the point halfway up the roof in the case of pitched roofs or to the deck line in the case of a mansard roof.

- 3.** Chimneys, spires, towers, tanks, and similar projections shall not be included in calculating height.

**Building line.** An imaginary line located on the lot at a fixed distance from the street right-of-way line and interpreted as being the nearest point that a building may be constructed to the street right-of-way. ~~The building line shall limit the location of porches, patios, and similar construction, steps excepted, to the face of this line.~~

**Building permit.** An official document or certificate issued by the authority having jurisdiction authorizing the construction of any building. The term shall also include tie-down permits for those structures or buildings that do not require a building permit, such as a mobile home, in order to be occupied.

**Bulk electric transmission corridors.** "Bulk electric transmission corridors" means rights-of-way and associated easements used for the placement of an interconnected group of electric lines and associated equipment for the movement or transfer of electricity in bulk between points of delivery, where the bulk transmission voltage is 230 kv or above.

**Bus stop.** A designated stop on an official bus route as designated and approved by the department for buses to stop for the purpose of loading and unloading passengers.

**Business services.** An establishment offering primarily services to the business community and to individuals. Such services include, but are not limited to, advertising agencies, blueprinting and photocopying services, interior cleaning services, computer and data processing services, detective agencies and security services, insurance agencies, management consulting and public relations services, news syndicates, personnel services, photofinishing laboratories, photography, art and graphics services, financial services (other than banks), and real estate.

**Caliper.** Trunk caliper ~~is~~ measured six inches above the ground on trees up to and including four inches in diameter.

**Canal use rights.** Those rights allowing usufructuary rights to the water for recreational and navigational purposes and to wharf out or moor vessels in a manner consistent with Section 1001.3 of this Code.

**Carport.** An open space for the storage of one or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts

except that one or more walls may be the walls of the main building to which the carport is an accessory building or extension.

**Certificate of occupancy.** A statement, based on an inspection, signed by the Building Official, setting forth either that a building or structure complies with the Florida Building Code or that a building, structure, or parcel of land may lawfully be employed for specified use or both.

**Clean fill.** Soil, sand, or other naturally occurring unconsolidated organic or inorganic solid matter.

**Clear sight triangle.** The triangular area adjacent to the intersection of any street within which no obstruction may be placed that blocks the sight lines for vehicular traffic. As defined by the FDOT Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways, latest edition.

**Closed basin.** A watershed in which the runoff does not have a surface outfall up to and including, the 100-year, ten day flood level or an open basin with a severe discharge restriction. as determined by the board of county commissioners at a public hearing.

**Clustering, cluster development.** A type of residential development approved in the 1980s in the R-4 zoning district.

**Coastal area.** Those portions of the county which lie within hurricane evacuation level A as defined by the county peacetime emergency plan. This area shall include water and submerged lands of oceanic water bodies or estuarine water bodies, shorelines adjacent to such water bodies, coastal barriers, living marine resources, main wetland, water-dependent or water-related facilities on oceanic or estuarine waters, public access facilities to oceanic beaches or estuarine shorelines, and all lands adjacent to such occurrences where development activities would impact the integrity of the above; and all other occurrences within the county jurisdiction of oceanic or estuarine waters.

**Coastal barrier.** Barrier islands, spits, peninsulas, or similar land forms which separate estuaries or harbors from the open waters of the Gulf of Mexico.

**Coastal high hazard area.** An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast or any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-V30 or VE or V.

**Coastal protection structures.** Any hardening structure, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other than natural beach sand used for beach or shore protection and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces including beach and dune restoration.



**Coastal water bodies.** Surface waters and wetlands within the coastal area.

**Coastal zone.** Those portions of the county which lie within the hurricane vulnerability area (evacuation levels A, B, and C)

**Collector, collector road, or collector roadway.** Those roadways classified as collector roadways on the future traffic circulation map series ~~or~~ pursuant to the functional classification or reclassification procedures and criteria established pursuant to the ~~county Comprehensive Plan, or required major collector roadways required pursuant to Section 901.1 of this Code.~~

**Commercial.** Engaging in a business, enterprise, activity, or other undertaking for profit.

**Commercial District.** A commercial district is any parcel or parcels of land or water zoned C-1, C-2, C-3, ~~and that is designated and used for commercial purposes,~~ or any areas designated and used for commercial purposes within a PUD/MPUD District as defined in this Code.

**Commercial equipment.** Equipment utilized for commercial purposes, or designed by the manufacturer to be used primarily for commercial purposes, or altered or converted for the purpose of being so used. Commercial equipment includes, but is not limited to, ladders, pressure washers, cement mixers, generators, mowers and other lawn equipment used for commercial purposes, utility trailers, chemicals and spray equipment, pvc piping, window/door racks and scaffolding.

**Commercial Fertilizer Applicator.** Any ~~Person~~ person who applies ~~Fertilizer~~ fertilizer on ~~Turf~~ turf and/or ~~Landscape~~ landscape ~~Plants~~ plants in Pasco County in exchange for money, goods, services or other valuable consideration.

**Commercially related equipment.** Equipment including utility trailers, cement mixers, generators, and other types of trailers, when the same are utilized in a commercial endeavor.

**Commercial grower.** A grower producing plants (including trees) for resale at retail or wholesale value and registered with the ~~s~~State ~~department~~ Department of ~~a~~Agriculture and ~~consumer~~ Consumer services Services, ~~division~~ Division of ~~plant~~ Plant industry Industry.

**Commercial use.** An activity carried out for pecuniary gain, excluding the rental or lease of any permanent residential dwelling unit or its equivalent such as nursing homes, group homes, boarding house, etc. The term shall include hotels, recreational vehicle parks, retail, wholesale, and office uses, but specifically exclude those uses described elsewhere in this ~~appendix glossary~~ as agricultural, industrial, or residential.

~~**Commercial vehicle.** A vehicle utilized for commercial purposes; provided, however, that said term shall not include passenger automobiles, or those vehicles commonly referred to as vans and pickup trucks when there is no attached commercially related equipment on such vehicles. For purposes of this Ordinance, the terms passenger automobiles, vans, and pick-up trucks are defined as follows:~~

- ~~1. Passenger automobile: a motor vehicle designed primarily for transport of no more than nine passengers, including the driver.~~
- ~~2. Van: a motor vehicle designed primarily for transport of no more than nine passengers, including the driver, or a motor vehicle with a net weight of no more than 6,000 pounds or a width of no more than 80 inches which is designed, used, or maintained primarily for transport of property. A step van that weighs less than 6,000 pounds or has a width of less than 80 inches shall be considered a commercial vehicle. A disability van shall not be considered a commercial vehicle.~~
- ~~3. Pickup truck: a truck with a net weight of no more than 6,000 pounds, or a width of no more than 80 inches, having a chassis comparable to a passenger automobile and a low sided open body, and which is also designed for the transport of no more than five passengers, including the driver. A box truck that weighs less than 6,000 pounds or has a width of less than 80 inches shall be considered a commercial vehicle.~~

~~**Commercial Vehicle.** Any vehicle, whether motorized or not, equipped or utilized for commercial purposes or designed by the manufacturer to be used primarily for commercial purposes, or altered or converted for the purpose of being so used, but not including domestic vehicles as defined by this Code, law enforcement vehicles, or vehicles owned by a governmental entity. Commercial vehicles include, but are not limited to: taxicabs, phone/cable company vans, airport transportation vans, box trucks even if used solely for private transportation and tow trucks. "Wrapped" domestic vehicles, or domestic vehicles displaying commercial lettering are not commercial vehicles if both owned and used solely for private transportation by the owner or occupant of the residential lot on which they are stored, and provided the vehicle is not otherwise equipped for commercial purposes.~~

**Committed Network** – includes the Existing Network plus transportation system improvements under construction or scheduled to begin construction in the current fiscal year of the adopted work programs of the County, the Florida Department of Transportation (FDOT), or other agencies with authority and responsibility for providing transportation system capacity, or other improvements that are guaranteed by a security instrument acceptable to the County that ensures construction will begin in the current fiscal year of such work programs.

**Common ownership dock.** A dock which may extend over side use lines of adjacent landowners upland of a canal or shoreline that have entered into an agreement of joint access and ownership of said dock.

## **Community residential home.**

1. Community residential home: a dwelling unit licensed to serve clients of the department of health and rehabilitative services, which provides a living environment for seven to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.
2. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a single-family unit and a noncommercial, residential use for the purpose of local laws and ordinances. Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be allowed in single-family or multifamily zoning without approval by the local government, provided that such homes shall not be located within a radius of 1,000 feet of another existing such home with six or fewer residents. Such homes with six or fewer residents shall not be required to comply with the notification provisions of this section; provided, however, that the sponsoring agency or the department notifies the local government at the time of home occupancy that the home is licensed by the department.

**Community residential home, large.** A dwelling unit licensed to serve clients of the Florida Department of Children and Families, which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

**Community residential home, small.** A dwelling unit licensed to serve clients of the Florida Department of Children and Families, which provides a living environment for six or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.

**Community water system.** As defined in chapter 62-521, F.A.C., a community water system is a public water system that serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. For purposes of this section, this definition includes any regional water supply system that provides water at wholesale to the county for distribution to retail customers.

**Compatibility.** A condition in which the uses of land or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

**Comprehensive Plan.** TheCounty Comprehensive Plan inclusive of all its elements, goals, objective, policies, maps and official amendments which have been adopted by the Board of County Commissioners pursuant to F.S. ch. 163.3184.

**Controlled access, controlled access road or controlled access roadway.** Those roadways classified as freeways or controlled access on the future traffic circulation map series or designated as a controlled access roadway pursuant to [Section 901.3](#)~~these regulations~~.

**Concentrated animal feeding operation.** As defined in chapter 62-670, F.A.C., a feeding operation where more animals are confined than are specified in the categories listed below:

- A. 1,000 slaughter and feeder cattle.
- B. 700 mature dairy cattle (whether milked or dry cows).
- C. 2,500 swine weighing over 55 pounds each.
- D. 500 horses.
- E. 10,000 sheep or lambs.
- F. 55,000 turkeys.
- G. 100,000 laying hens or broilers (if the facility has continuous overflow watering).
- H. 30,000 laying hens or broilers (if the facility has a liquid manure handling system).
- I. 5,000 ducks.
- J. 1,000 animal units.

**Concurrency.** The provision of public facilities necessary to accommodate the impacts of new development such that all adopted levels of service are maintained during and following the development of all projects.

**Conditionally exempt small quantity generator.** A conditionally exempt small quantity generator, as defined by the Resource Conservation and Recovery Act of 1976, title 40 Code of Federal Regulations, section 261, is one which in a calendar month generates no more than 100 kilograms (220 lbs. or approximately 25 gallons) of hazardous waste or less than one kilogram of an acute hazardous waste. Additionally, the generator must

never accumulate more than 1,000 kilograms (2,200 lbs. or approximately 250 gallons) of hazardous waste at any time.

**Conditional use.** A [public or private](#) use which is not permitted as a matter of right in a zoning district but which is permitted only where approved by the board of county commissioners and where such use complies with the conditional use standards set forth in -this Code.

**Cone of influence.** A depression in the potentiometric surface (drawdowns) around a pumping well caused by the withdrawal of water.

**Confining unit.** As defined in chapter 40D-3, F.A.C., a body of relatively impermeable material stratigraphically adjacent to one or more aquifers in which hydraulic conductivity may range from nearly zero to some value distinctly lower than that of the aquifer.

**Conflict zoning.** [A lot or parcel having a zoning classification which is not consistent with its future land use designation.](#)

**Conservation.** The management and use of natural resources to prevent exploitation, misuse and neglect.

**Conservation area.** Lands which, due to the presence of nonrenewable natural resources or significant biological productivity, diversity, and scarcity, require special limitations upon development. Some examples include, but are not limited to: natural shoreline, freshwater marshes, alluvial wetlands, shallow grass ponds, freshwater swamps (bay and cypress), class III waters, and sandpine scrub habitat. Generally, these areas are environmentally sensitive land that must not undergo development.

**Construction.** The building of or modification of any structure or the clearing, filling, or excavation of any land. It shall also mean any alterations in the size or use of any existing structure or the appearance of any land. When appropriate to the context, "construction" refers to the act of construction, or the result of construction.

**Construction and demolition debris.** [Non-hazardous material generally considered not to be water soluble, including, but not limited to: steel, concrete, glass, brick, asphalt material, pipe, gypsum wallboard, and lumber from construction or demolition projects including, rocks, soils, tree remains, trees, and vegetation from land clearing for a construction project. Contamination of construction and demolition debris with any amount of other types of solid waste, including material which is not from the actual construction or demolition of a structure, will cause it to be classified as other than construction and demolition debris. Discarded, nonhazardous material generally considered not to be water soluble, including, but not limited to: steel, concrete, glass, brick, asphalt material, pipe, gypsum wallboard, and lumber, from construction or destruction of a structure as part of a construction or demolition projects or from the renovation of a structure, including such debris from construction of structures at a site](#)



~~remote from the construction or demolition project site. The term includes, rocks, soils, tree remains, trees, and vegetation matter that normally results from land clearing or land development operations for a construction project; clean cardboard, paper, plastic, wood, and metal scraps from a construction project; except as provided in Section 403.707(9)(j), F.S., yard trash and unpainted, non-treated wood scraps from sources other than construction or demolition projects; scrap from manufacturing facilities that is the type of material generally used in construction projects and that would meet the definition of construction and demolition debris if it were generated as part of a construction or demolition project, including debris from the construction of manufactured homes and scrap shingles, wallboard, siding concrete, and similar materials from industrial or commercial facilities; and de minimis amounts of other non-hazardous wastes that are generated at construction or demolition projects, provided such amounts are consistent with best management practices of the construction and demolition industries. Mixing of construction and demolition debris with any amount of other types of solid waste, including material which is not from the actual construction or demolition of a structure, will cause it to be classified as other than construction and demolition debris.~~

**Construction and demolition debris disposal facility.** A properly permitted facility receiving construction and demolition debris [for disposal](#).

**Control Device.** The element of a discharge structure which allows the gradual release of water under controlled conditions. This is sometimes referred to as the bleed-down mechanism or "bleeder." Examples include orifices, notches, weirs, and effluent filtration systems.

**Control Elevation.** The lowest elevation at which water can be released through the control device. This is sometimes referred to as the invert elevation.

**Controlled access, controlled access road, or controlled access roadway** shall mean those roadways classified as freeways or controlled access on the future traffic circulation map series or designated as a controlled access roadway pursuant to these regulations.

**Convenience goods, ~~sale of~~.** Commercial establishments that generally serve day-to-day commercial needs of a residential neighborhood, including but not limited to, convenience stores (excluding gasoline sales), tobacco shops, newsstands, bakeries, candy, nut and confectionery stores, delicatessens, dairy products, and eating establishments.

**[Convenience store.](#)** [Commercial establishments that serve day-to-day commercial needs of a residential neighborhood, with or without gasoline sales.](#)

**Cost of construction [as used in Flood Prevention](#).** The actual value, determined by using prevailing normal market values, of all labor, materials, service, equipment, overhead and profit that will be used to improve the structure or is required to fully repair

the structure to its before-damaged condition. The county administrator, or his designee, shall review the said costs to ensure that the estimates are reasonably accurate and that the cost estimate reasonably reflects the actual costs to fully repair any damage and/or make the proposed improvements to the structure.

**County engineer.** The appointed head of the County Engineering Services Department or his designee.

**Court.** An unoccupied open space, other than a yard, on the same lot with a building, which is bound on two or more sides by the walls of such buildings.

**Court, inner.** A court enclosed on all sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable.

**Court, outer.** A court enclosed on not more than three sides by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley, or yard.

**Coverage, lot.** That portion or percentage of the plot or lot area covered by the building area.

**Critical facility.** A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, and installations that produce, use, or store hazardous materials or hazardous waste.

**Critical habitat.** Viable areas of habitation for endangered and threatened species as confirmed by appropriate jurisdictional agency documentation or by reports which may be submitted by an applicant requesting a development order on a site containing an area of such habitation by endangered or threatened species. The extent of these areas shall have a definitive boundary which may vary in extent based upon the individual species; e.g., bald eagle's nest or pond harboring a protected turtle.

**Critical Road** – is a road designated in the County's Comprehensive Plan as a hurricane evacuation route and that ~~are~~is identified in the County's ~~annual~~ Non-De minimis Roadway List as having existing plus approved development volumes that exceed the service volume of the road, or other Major County Roads on the Major Road Network that are similarly identified as having existing plus approved development volumes that exceed the service volume of the road by more than ten percent. Concurrency Management refers to these roads as "110 Percent Roadways" and "Hurricane Evacuation Roadways". ~~The Board shall adopt the Non-De minimis List annually by resolution, with an effective date sometime between October 1 and December 31 of each year.~~

**Dam.** A barrier to the flow of liquids, constructed of earth or other materials.

## **Day care facility.**

1.       —General. A residence or building in which children or adults are received for full-time or part-time care or training and shall include the terms "pre-kindergartens," "nursery schools," "preschool," and "adult care".
2. For purposes of sexually oriented business, "day-care facility" means any facility, whether operated profit or not-for-profit, that provides supervision and care for minors as its primary function.

~~**DBH.** Shall mean the diameter as measured at four and one-half (4 ½) feet above original grade~~

~~**Density credit.** The additional number of dwelling units assigned to a parcel after the application of all density incentives. The transfer of development rights from one portion of a parcel which, for environmental or other reasons is not developable, to another portion of the same parcel.~~

**Detention.** The delay of storm runoff prior to discharge into receiving waters.

**Detention Volume.** The volume of open surface storage behind the discharge structure measured between the overflow elevation and control elevation.

**Developable acreage.** That portion of the total site are which can be developed for uses inclusive of street and utility rights-of-way, parks, community facilities, etc., but does not include any acreage classified as wetlands, Conservation Lands or water bodies.

**Developer.** As defined in Florida Statute 380.031, as amended.

## **Development**

1. The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. "Development" includes but is not limited to the following activities or uses:
  - (a) A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
  - (b) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; utilization of a previously undeveloped parcel for any purpose other than passive recreational use that does not alter the physical appearance of the land; a change in use from a passive use (such as storage) to a more intense use (such as a

commercial or industrial use) or a use that is specifically regulated by this Code (such as a dealership).

- (c) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in Florida Statute 161.021.
- (d) Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
- (e) Demolition of a structure.
- (f) Clearing of land as an adjunct of construction.
- (g) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- (h) Construction of a building.
- (i) Materially changing the elevation or contour of land, whether through the addition of fill, the onsite movement of earth, grading, tree removal, or otherwise.

- 2. As pertains to Flood Damage Prevention: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

The following operations are not "development" as defined in this Code:

- 1. Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.
- 2. Work by any utility and other persons engaged in the distribution or transmission of gas, electricity, or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like. This provision conveys no property interest and does not eliminate any applicable notice requirements to affected land owners, nor does it waive the requirements for a Right-of-Way Use Permit where otherwise required by this Code.
- 3. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.

4. The use of any structure or land devoted to dwelling uses for any purpose customarily incidental to enjoyment of the dwelling.
5. The use of or construction on, any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
6. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class, except where the new use is specifically regulated by this Code (such as dealerships).
7. A change in the ownership or form of ownership of any parcel or structure.
8. The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.
9. Fill or tree removal exempt from the permitting requirements of this Code.

“Development,” as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, “development” refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of the definition.  
~~**Development.** The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels (see F.S. § 380.04).~~

~~**Development 2.** As pertains to Flood Damage Prevention: Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.~~

**Development order.** Any order granting, denying, or granting with conditions an application for a plan amendment, rezoning or subdivision approval, building permit, certification, special exception, variance, or any other official action of county government having the effect of permitting the development of land.

**Development permit.** Any building permit, zoning permit, subdivision approval, rezoning, certification, special exception, variance, or any other official action of local government having the effect of permitting the development of land.

**Development site.** The total area of the lot, tract, or parcel which is the subject of an application for a development permit



**Diameter at breast height (dbh).** The diameter, in inches, of a tree measured at 54 inches above the natural grade. The diameter of multiple-trunked tree(s) shall be added together for this measurement.

**Directly Connected Impervious Areas.** Unless otherwise specifically stated in the basis, directly connected impervious areas as considered in the calculation of volumes for treatment systems are those impervious areas hydraulically connected to the treatment system directly, or by pipes or ditches.

**Discharge:** Includes, but is not limited to, any release, spilling, leaking, seeping, pouring, emitting, emptying, or dumping of any substance or material.

**Discharge Structure.** A structural device, usually of concrete, metal, etc., through which water is discharged from a project to the receiving water.

**Disposal.** Disposal means the discharging, depositing, spreading, injection, dumping, spilling, leaking, land application, or placing of any liquid, solid, or semisolid waste material into or upon any land or water, or so that any constituent thereof may enter other lands, be emitted into the air, discharged into any waters (including groundwaters), or otherwise enter the environment.

**District or zoning district.** All areas of land or water whose boundaries are identified on the official zoning map within which all properties and/or land uses are regulated by the county Zoning Ordinance as enacted November 19, 1975, and as subsequently amended, along with specific regulations of the individual districts.

**Disturbed lands.** The surface area of the land that is mined and all other land area in which the natural land surface has been disturbed as a result of, or incidental to mining activities.

**Ditch irrigation.** Method of crop irrigation whereby water is applied in small furrows made by cultivation implements.

**Dock.** A fixed or floating structure, including but not limited to moorings, piers, wharves, standalone pilings and boat lifting equipment, over or alongside water, which may be used for, but not limited to, the purpose of berthing buoyant vessels, fishing, or swimming.

**Domestic septage.** Domestic septage means all solid wastes containing human feces or residuals of such, which have not been stabilized or disinfected. Not included are food service sludges and industrial wastes.

**Domestic Vehicle.** ~~means~~ any vehicle, other than commercial vehicles and recreational vehicles as defined by this Code, licensed by any state of the United States or Mexico or Province or Territory of Canada, as a private vehicle for operation on streets. Provided the vehicle is not equipped or utilized for commercial purposes.

domestic vehicles include private passenger vans and automobiles which are designed primarily for the transport of no more than nine passengers including the driver, and private pickup trucks designed for the transport of no more than five passengers including the driver.

**Drainage basin.** The area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

**Drainage Basin of Special Concern.** Drainage basins or subbasins with either inadequate conveyance capacity or excessive ponding.

**Drainage facility.** A system of manmade structures designed to collect, convey, hold, divert, or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

**Dredge and fill.** Dredging is the excavation, by any means, in the waters of the State or United States. Filling is the deposition, by any means, of materials in waters of the State or United States. The landward extent of waters of the State and United States dredge and fill jurisdictional purposes shall be determined as provided in Section 17-4.022, Florida Administrative Code, and Section 404 of the Clean Water Act, respectively. Dredge and fill jurisdiction shall be prescribed in Sections 17-4.028 and 17-12.030, Florida Administrative Code, and Section 373.414, Florida Statutes, for waters of the State; and in Section 404 of the Federal Clean Water Act for waters of the United States, as amended.

**DRI application.** An application for development approval of a development of regional impact submitted pursuant to F.S. ch. 380, as amended.

**Drip irrigation.** Method of irrigation whereby water is applied slowly and under low pressure to the surface of the soil or into the soil through such applicators as emitters, porous tubing, or perforated pipe.

**Drought-tolerant plants.** Established plants that survive on natural rainfall with occasional irrigation during dry periods.

**Dumpster.** Portable containers (typically open on top), compactors, roll-offs, and recycling containers used on a temporary basis for the collection and storage of construction waste from ongoing permitted construction projects, house cleans, or temporary uses in residentially zoned districts, but shall not include any portable, nonabsorbent, enclosed container with a close-fitting cover, or doors, which is capable of being serviced by mechanical equipment and which is used on a permanent basis to store large volumes of refuse and which serves as the primary method of garbage collection and disposal for a residence, and which is eight cubic yards or less.

**Dwelling unit.** Dwelling unit is a single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**Dwelling.** One or more rooms providing complete living facilities for one family, including kitchen facilities or equipment for cooking or provisions for same, and including a room or multiple rooms for living, sleeping, bathing, and eating. Also known as a “dwelling unit”. The term dwelling does not include recreational vehicles or park trailers.

**Dwelling type:**

1. Dwelling, Single Family.
  - a. Single-family detached residence. A site built dwelling unit designed for a single family or household. Site-built homes can be of modular construction.
  - b. Mobile home. Any dwelling unit constructed to standards promulgated by the U.S. Department of Housing and Urban Development (HUD) which is a minimum of 12 feet wide and 40 feet in length and having the HUD insignia.
32. Dwelling, Duplex. A building containing two dwelling units.
43. Dwelling, Multiple-family. A building containing two or more dwelling units.
54. Dwelling, Townhouses. Two or more dwelling units which are attached side by side through the use of common party walls.

**Easement.** A retained or acquired right to use that land for a specific purpose, but which does not convey fee-simple title to that real property.

**Effluent.** Nonpotable water discharged as waste from domestic or industrial sources.

**Electric substation.** An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public.

**Elevated building.** A nonbasement building which has its lowest floor elevated above ground level by means of fill, solid foundation perimeter walls, shear walls, posts, piers, pilings, columns, or breakaway walls.

**Elevation.** The measurement of height above sea level. Also AMSL, or above mean sea level.

**Emitter.** A device that applies irrigation water. This term is primarily used to refer to the low flow rate devices used in micro-irrigation systems.

**Encroachment.** The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

**Encumber.** An irrevocable commitment through an agreement or purchase order or a contract.

**Encumbered.** Monies committed by contract or purchase order in a manner that obligates the county, the school board, or the cities to expend the encumbered amount upon delivery of goods, the rendering of services or the conveyance of real property by a vendor, supplier, contractor or owner.

~~**Endangered and threatened species.** Flora and fauna as identified by the United State Fish and Wildlife Service's "List of Endangered and Threatened Wildlife and Plants" in 50 DFR 17.11-.12 and fauna identified by the state game and fresh water fish commission in Section 39-27.003-004. Florida Administrative Code.~~

**Environmentally sensitive.** Lands which, because some qualifying environmental characteristic are regulated by either the Sstate dDepartment of nNatural Resources, the Sstate Department of Environmental Regulation, the Southwest Florida Water Management District, or any other governmental agency empowered by law for such regulation.

**Equivalent residential unit or ERU or unit, for purposes of hurricane hazard mitigation.** A single dwelling unit; mobile home; manufactured home; space or lot in a trailer, mobile home or recreational vehicle park; individual guest room in a hotel or motel or rooming house; or a tourist cabin.

**Equivalent residential connection unit.** A unit of measurement representing the average amount of water consumed and/or the amount of wastewater produced by a single-family dwelling unit.

~~**Essential service installations.** The erection, construction, alteration, or maintenance by public utilities or municipal department or commissions of underground or overhead gas, electrical, telephone transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, towers, fire alarm boxes, traffic signals, hydrants, and similar equipment and accessories in connection therewith, including buildings, reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commission or for the public health or safety or general welfare.~~

~~**Estuary.** A semi-enclosed, naturally existing, coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters.~~

~~"Estuaries" include bays, embayments, lagoons, sounds, tidal streams and mangrove swamps.~~

**Evacuation routes.** Routes designated by the county civil defense authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.

**Existing construction** (as pertains to Flood Damage Prevention). Any structure for which the "start of construction" commenced before the effective date (November 18, 1981) of the floodplain management regulations adopted by Pasco County.

**Existing manufactured home park or subdivision** (as pertains to Flood Damage Prevention), A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date (November 18, 1981) of the floodplain management regulations adopted by Pasco County.

**Existing Network** – includes Major Roads that exist in the field and are open to use by the public.

**External trip.** Any trip which either has its origins from or its destination to the development site and which impacts the major road network system.

**Facade:** The face(s) of a building that are visible to the public.

**Facility.** All buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person). ~~For purposes of emergency release notification, the term includes spills or discharges from motor vehicles, rolling stock and aircraft.~~

**Family..** May consist of a single person or of two or more persons, whether or not related by blood, marriage, or adoption. May also include domestic servants and gratuitous guests.

**Family, child care home.** A residence licensed by the applicable state and local agencies in which child care is regularly provided for children from at least two unrelated families.

**Farm.** ~~As defined in Section 823.14, FS, as amended.~~ The land, buildings, and support facilities used in the production of farm or aquaculture products.

**Farm Operation.** All activities by the owner, lessee, agent, independent contractor, or supplier which occur on a farm in connection with the production of farm products.



**Farm Product.** Any plant or animal useful to humans, including but not limited to, any product derived there from.

**Fast Food Restaurant w/Drive-Thru.** A land use including fast-food restaurant with drive-through windows. This type of restaurant is characterized by a large carryout clientele; long hours of service (some are open for breakfast, all are open for lunch and dinner, some are open late at night or 24 hours); and high turnover rate for eat-in customers.

**Fertilize, Fertilizing, or Fertilization.** The act of applying ~~Fertilizer~~ fertilizer to ~~Turf~~turf, specialized ~~Turf~~turf, or ~~Landscape~~ Plantplant.

**Fertilizer.** Any substance or mixture of substances, except pesticide/fertilizer mixtures such as "weed and feed" products, that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

**Fill.** Off-site, imported material deposited in or on real property by artificial means. "Fill" does not include material composed entirely of clean organic mulch.

**Final cover.** Clean fill used to cover the top of a solid waste disposal site when fill operations cease.

**Final inspection.** The last inspection performed by the county, or a city where applicable, for structures or site improvements to assure that all improvements were completed in accordance with the applicable conditions of a permit for development.

**Final local development order.** The final ~~discretionary~~ approval issued by the county prior to the permit which allows commencement of construction of physical activity on the land and/or an order or permit which allows commencement of construction or physical activity on the land so long as the project has commenced and is continuing in good faith.

**Fire combat land or rescue service land.** The fire combat or rescue service land owned or operated by the county required for the development or expansion of fire combat and rescue service facilities and equipment identified in the fire combat and rescue service impact fee study.

**Fire combat and rescue service facilities and equipment.** Those facilities and equipment owned or operated by the county which a need is created for by new building construction. The fire combat and rescue service facilities and equipment include, but are not limited to:

\_\_\_\_\_(1) Fire/rescue stations;

- (2) Fire combat stations;
- (3) Rescue stations;
- (4) Operations center;
- (5) Training center;
- (6) Supply center;
- (7) Communications/dispatch center;
- (8) All other capital equipment, including but not limited to, vehicles, fire combat equipment, rescue equipment and communications.

**Fire combat and rescue service impact fee.** An impact fee which is imposed on new building construction in connection with and as a condition of the issuance of a certificate of occupancy or final inspection and which is calculated to defray all or a portion of the costs of the fire combat and rescue service facilities and equipment required to accommodate the impact to the fire combat and rescue service system of that new building construction, and which fee is applied to fire combat and rescue service facilities and equipment which reasonably benefit the new building construction.

~~**Fire combat and rescue service impact fee study.** The study by Wade Trim, Inc. entitled "Fire and Emergency Medical Services Facilities Master Plan," dated February 7, 2003 and as supplemented pursuant to Chapter 1300.~~

**Fire combat and rescue service system.** The fire combat or rescue service land and fire combat or rescue service facilities and equipment owned or operated by the county which are used to provide fire combat and emergency medical services.

**Fire flow.** The rate of water flow from a hydrant (expressed in gallons per minute) needed to extinguish fires.

**Fire protection water system.** A water distribution system with fire hydrants for the purpose of supplying water for fire protection use, including both publicly and privately owned utility systems.

**Fitness Center.** Recreational facilities that may include, but is not limited to, swimming pools, whirlpools, saunas, exercise classes, racquetball, handball and tennis courts, and weightlifting and cardiovascular equipment. Locker rooms and/or snack bar may also be available.

**Fixed boundary.** A line separating two or more land use categories which is geographically fixed as represented on the official future land use map and not subject to administrative modification.

**Flag.** A sign made of material secured on one(1) side from a flagpole such that the sign material hangs when not set in motion by the movement of the air.

**Flagpole.** A freestanding, ground mounted structure or a structure mounted to a building or to the roof of a building and used for the sole purpose of displaying a flag.

~~**Flexible boundary.** A line separating two or more land use categories which, consistent with published policy, is subject to limited administrative modification. Administrative modification is intended strictly to obviate the need for trivial plan amendments.~~

**Floodplain; 25-year; 100-year.** Land elevations which would become inundated by a storm which occurs with a frequency of once every 25 years and 100 years, respectively.

**Flood or flooding.** A general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of inland or tidal waters; or
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

**Flood hazard boundary map (FHBM).** An official map of a community, issued by Federal Emergency Management Agency (FEMA), where the boundaries of the areas of special flood hazard have been identified as zone A.

**Flood insurance rate map (FIRM).** An official map of a community on which the FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**Flood insurance study (FIS).** The official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FHBM (where applicable) and the water surface elevation of the base flood.

**Floodplain.** Any land area susceptible to flooding (see definition of flood or flooding).

**Floodplain management.** The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain including, but not limited to, emergency preparedness plans, flood-control works, floodplain-management regulations, and open space plans.

**Floodplain-management regulations.** This section and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas.

This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

**Floodway.** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**Floodway fringe.** That area of the floodplain on either side of the regulatory floodway where encroachment may be permitted without additional hydraulic and/or hydrologic analysis.

**Floor.** The top surface of an enclosed area in a building (including basement); i.e., top of slab in concrete slab construction or top of wood flooring in wood-frame construction. The term does not include the floor of a garage used solely for parking vehicles.

**Floor area** The sum of the gross horizontal areas of all floors of a structure, including interior balconies and mezzanines, measured from the exterior face of exterior walls or from the centerline of a wall separating two structures. Shall include the area of roofed porches having more than one wall and of accessory structures on the same lot. Stairwells and elevator shafts shall be excluded.

~~Floor area, living. The aggregate of the horizontal areas of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, bathroom, but not including hallways, stairways, cellars, attics, service rooms or utility rooms, closets nor unheated areas such as enclosed porches, nor rooms without at least one window or skylight opening onto an outside yard or court. At least one half of the floor area of every habitable room shall have a ceiling height of not less than seven feet and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the habitable floor area. The minimum total window area, measured between stops, shall be ten percent of the habitable floor area of such room.~~

**Floor area ratio (FAR).** A formula for determining permitted building area as a multiple of the area of the lot. For example, a floor area ratio of one applied to a 20,000 square foot lot would permit a single-story building of 20,000 square feet ( $20K/20K=1$ ) or a building of any number of floors whose cumulative square footage does not exceed 20,000 square feet.

~~Floor area, gross (as applied to off-street parking). All that area under the roof of the structure. (Does not allow for deduction of space for uses such as storage space, office space, and other general administrative areas.)~~

~~Floor area retail, net. All that space relegated to use by the customer and the retail employee to consummate retail sales; and to include display area used to indicate the variety of goods available for the customer; but not to include office space, storage space, and other general administrative areas.~~

**Floridan aquifer.** ~~The water-bearing layer of rock and/or soil which is the principal source of potable water in the county. The specific geologic formation of water bearing layers of rock, also known as the upper Floridan aquifer which is the principal source of water supply in most of north and central Florida, including Pasco County, and the source of many springs~~

**Food service sludge.** Food service sludge means oils, greases, and grease trap pumpings generated in the food service industry.

**Foster care facility.** A facility which houses foster residents and provides a family living environment for the residents, including such supervision and care as may be necessary to meet the physical, emotional, and social needs of the residents and serving either children or adult foster residents.

**Frontage.** The length of the property line for a single parcel which runs parallel to and along each ~~public~~ right-of-way (exclusive of alleys) it borders.

**Frontage road.** A collector road (public or private) which has, as its specific function, the diversion of traffic from a parallel facility serving the same area.

**Front yard.** See "yard, front."

**Functional ~~street~~ classification.** The assignment of roads into a classification system by the state department of transportation or local government according to the character of the service they provide in relation to the total road network. Arterial, collector, and local streets are examples of functional class and may be further subdivided into principal, major, or minor levels, and into urban or rural categories.

~~**Functionally dependent facility.** A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include storage, manufacture, sales, or service facilities.~~

**Future traffic circulation map series.** The map series established pursuant to Objective TRA\_2.1 of the County Comprehensive Plan, as it may be amended from time to time consistent with Objective TRA\_2.1 (presently future number of lanes (map 7-22), future roadway functional classification (map 7-24), corridor preservation (map 7-35) and highway vision plan (map 7-36).

**Garage, private.** A fully ~~n~~ enclosed ~~structure or covered space~~ for the storage of one or more motor vehicles by the resident of the premises, ~~provided that no business, occupation, or service is conducted for profit therein nor space therein for more than one car is leased to a nonresident of the premises.~~

**Garage, public.** A ~~fully enclosed building or~~ structure where motor vehicles can be temporarily stored or parked ~~by the public~~.

**Gardening.** See "home gardening" for definition.

**General merchandise ~~store, sale of~~.** Commercial establishments that supply personal consumer goods to the community and/or region.

**Geologic hazard.** A condition found to exist in the soil strata or underlying bedrock that renders the area incapable of providing adequate and reliable support for the type of improvement to be constructed upon it, or that would otherwise render an area unsafe for public access due to an elevated unordinary/adverse risk of collapse or significant unacceptable ground settlement (subsidence).

**Geological hazardous area.** That portion of a site which a geotechnical/geological engineering report has concluded is impacted by a known or found geologic hazard(s).

**Geotechnical engineering.** The application of engineering principles and interpretation so that geological factors affecting planning, design, construction and maintenance of engineered public and private works and buildings are properly recognized and adequately designed.

**Grade, establishing.** The elevation of the centerline of the streets as officially established by the governing authorities.

**Grade, finished.** The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

**Gross acreage, CS-MPUD.** The total number of acres on a site including, but not limited to, all internal streets, easements, rights-of-way, water and wetlands, environmental and conservation areas, open space, and stormwater facilities.

**Gross floor area.** The sum of the gross horizontal areas of the floors of a non-residential use building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings with a common wall, and including outside decks and/or patios used for commercial purposes including waiting areas but excluding covered parking areas. All accessory non-residential use buildings, not otherwise exempted by this division, shall be included in the calculation of the gross floor area.



**Gross residential acre.** Includes land committed to the explicit use of residential buildings or contributory uses and structures such as streets, ~~—~~ parks, or common accessible open space. However, sewer and water treatment plants, utility substations, solid waste facilities, or similar uses and structures may not be included in the calculation of gross residential acre.

**Ground cover.** Plants, other than turf grass, which reach a mature height of 24 inches or less.

**Groundwater.** Water beneath the surface of the ground within a zone of saturation, whether or not flowing through known and definite channels.

**Group home.** A facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional, and social needs of the residents. Adult congregate living facilities comparable in size to a dwelling unit are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters. ~~**Group housing.** Where two or more residential buildings are construction on a plot of ground not governed by customary lot and area requirements, subject to the approval of the county planning commission. Shall include labor camps.~~

**Grubbing.** The removal of brush and vegetation where no tree ~~—~~ten inches dbh or greater shall be removed from the site. Grubbing does not include any cut and/or fill.

**Guaranteed Analysis.** The percentage of plant nutrients or measures of neutralizing capability claimed to be present in a Fertilizer.

~~**Hardship 1. as related to variances from Flood Damage Prevention:** The exceptional hardship that would result from a failure to grant the requested variance. The development review committee requires that the hardship is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.~~

~~**Heavy vehicles** are vehicles that have more than four tires touching the pavement, including trucks, buses, and recreational vehicles (RVs). Trucks cover a wide range of vehicles, from lightly loaded vans and panel trucks to the most heavily loaded coal, timber, and gravel haulers. RVs also include a broad range, including campers, both self-propelled and towed; motor homes; and passenger cars or small truck towing a variety of recreational equipment, such as boats, snowmobiles, and motorcycle trailers.~~

**Heavy Vehicle.** ~~—v~~Vehicle that has more than four tires touching the pavement, including trucks, buses, and recreational vehicles (RVs). Trucks cover a wide range of vehicles, from lightly loaded vans and panel trucks to the most heavily loaded coal, timber and gravel haulers. RVs also include a broad range, including campers, both self-propelled and towed; motor homes; and passenger cars or small trucks towing a variety of recreational equipment, such as boats, snowmobiles, and motorcycle trailers. Heavy vehicles adversely affect traffic because they occupy more roadway space and have poorer operating capabilities than passenger cars, particularly with regard to acceleration, deceleration, and the ability to maintain speed on upgrades. Accordingly, for trip generation purposes, if heavy vehicles are 10 percent or more of the trips generated by the proposed land use, the total estimated trips for heavy vehicles shall be multiplied by 2 unless ITE heavy vehicle data or other County approved heavy vehicle trip generation data for the land use support a different multiplier; however, in no event shall the multiplier be less than 1.

**Hazardous waste.** Wastes which have one or more of the following properties: ignitable, corrosive, reactive or toxic.

**High hazard hurricane evacuation area.** The areas identified in the most current regional hurricane evacuation study as requiring evacuation during a category 1 hurricane event (evacuation level A).

**High volume recharge.** Addition of water to the upper Floridan aquifer which is equal to ten inches per year per unit area of the aquifer.

**Highest adjacent grade.** The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a building.

**Historic.** ~~All areas, districts or sites containing properties listed on the state master site file, the National Register of Historic Places, or designated by the county as historically, architecturally, or archaeologically significant.~~

**Historic Basin Storage.** The depression storage available on the site in the predevelopment condition. The volume of storage is that which exists up to the required design storm.

**Historic Discharge.** The peak rate and/or amount of runoff which leaves a parcel of land from an undisturbed/existing site or the legally allowable discharge at the time of permit application.

**Historic preservation districts.** ~~An area delineated by local government which contains one or more historically significant structures. Historical significance is typically established by an association with a renowned historical figure, a renowned historical event, or an architectural style characteristic of a particular period in history.~~

**Historic resources or historic properties.** Any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value. These properties or resources may include, but are not limited to: monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned watercraft, engineering works, treasure troves, artifacts, or other objects or features with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state and the county.

**Historic structure (as pertains to Flood Damage Prevention).** Any structure that is:

A. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior, or

2. Directly by the Secretary of the Interior in states without approved programs.

~~**Holiday decoration.** An embellishment placed specifically for the purpose of celebrating a specific holiday, holiday event, or holiday season.~~

**Home gardening.** The cultivation of herbs, fruits, flowers, or vegetables on a piece of ground adjoining the dwelling, excluding the keeping of livestock

**Home occupation.** Any use customarily conducted entirely within a dwelling or in a building accessory thereto provided that the use does not occupy more than 25 percent of the cumulative floor area and provided that only the inhabitants residing therein are engaged in the occupation, providing that the use is clearly incidental and secondary to the use of the dwelling for residential purposes, the exterior appearance of the structure of the premises is constructed and maintained as a residence, and no goods are publicly displayed on the premises other than signs as provided herein; including, but not limited to, the following occupations: The professional practice of medicine,

dentistry, architecture, law, and engineering; artists, beauticians, barbers, and veterinarians. The following uses are not home occupations; excluding stables, kennels, uses resulting in and the storing or using of heavy equipment not ordinarily found in a residential area; no home occupation uses that shall generate traffic in greater volumes than would normally be expected in a residential neighborhood, uses that result in on-street and any need for parking shall be met off the street.

**Hospital.** ~~Unless otherwise specified, the~~ A building or group of buildings having facilities for overnight care of human patients, providing primary and urgent care treatment for injuries and trauma, services to inpatients, and medical care to the sick and injured. The term "hospital" shall may be deemed to include related facilities such as: laboratories, outpatient services, training facilities, centrals service facilities, and staff facilities; provided that any related facility is incidental and subordinate to the use and operation of the principle hospital. A hospital is an institutional use and does not refer to medical offices or clinics, sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home, and any other place for the diagnosis, treatment, or other care of ailments, and shall be deemed to be limited to places for the diagnosis, treatment, or other care of human ailments.

**Hotel.** ~~A building containing rooms intended or designed to be used or which are used, rented, or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general kitchen and dining room are provided within the building or in an accessory building. A facility offering transient lodging accommodations normally on a daily rate to the general public and typically providing accessory uses such as: restaurant, meeting rooms, and recreational facilities. Entry to each room is gained through the interior of the building through a lobby.~~

**Housing cooperatives.** A form of housing ownership in which a cooperative association of leaseholders actually owns and manages all of the units.

**Hurricane evacuation routes.** The routes designated by the county office of emergency management that have been identified with standardized statewide directional signs by the state department of transportation, or are identified in the regional hurricane evacuation study for the movement of persons to safety in the event of a hurricane. Pursuant to Paragraph 9J-2.0255(4)(d), FAC, the DCA considers hurricane evacuation routes to be regionally significant roadways.

**Hurricane evacuation clearance.** The amount of time specified in the county hurricane evacuation plan implementation guide produced by the Tampa Bay ~~regional~~ Regional planning-Planning council-Council for the safe evacuation of hurricane vulnerable areas.

**Hurricane preparedness plan.** A document which specifies the safe and orderly evacuation of residents and employees when an evacuation order is issued including: the closing of all buildings for the duration of the hurricane evacuation order, prior identification of evacuation routes out of the area, appropriate on-site preparations, and

coordination with the office of disaster preparedness for building closings, security and safety measures.

**Hurricane vulnerability area.** An area delineated by the county hurricane evacuation plan implementation guide produced by the Tampa Bay regional planning council which will require evacuation in the event of a category 3 storm event.

**Hydric soil.** Soil that retains moisture for a sufficient amount of time to periodically produce anaerobic conditions and is conducive for the growth of hydrophytic vegetation as specifically listed in the publication, Hydric Soils of Florida, Florida Bulletin No. 430-6-2, published by the United States Department of Agriculture, Soil Conservation Service (1986).

**Idle speed zone.** A designated area within which it has been established that manatees frequently visit or reside and within which all motorboat operations shall exercise a high degree of care for manatee presence, and shall not, unless authorized by a valid federal or state permit, either intentionally or negligently annoy, molest, harass, disturb, collide with, injure, or harm manatees and shall proceed at the minimum speed that will maintain safe steerageway.

**Illicit connections:** Point source discharges to the county's municipal separate storm sewer system or to waters of the United States, which are not composed entirely of stormwater and are not authorized by a national pollutant discharge elimination system (NPDES) permit.

**Illicit discharge:** Any discharge to a municipal separate storm sewer system or to waters of the United States that is not composed entirely of stormwater, with the exception of discharges which are exempt pursuant to Section 9.2.1.3 of this Code.

**Impact fees.** Fees charged concurrent with new development and designated for infrastructure to serve the new development.

**Impervious.** Land surfaces which do not allow, or minimally allow, the penetration of water; examples are buildings, nonporous concrete and asphalt pavements, and some fine grained soils such as clays.

**Impervious surface.** Surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water including surfaces such as compacted sand, limerock, shell, or clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, and other similar structures.

**Incompatible land use.** The use of a parcel of land in a manner which interrupts, conflicts, or otherwise interferes with the use of a neighboring parcel of land, such that the neighboring land is impaired for its original intended use.

**Incorporation into the soil.** Incorporation into the soil means either the injection of waste material beneath the surface of the soil, or the mixture of waste material with the surface soil.

**Increased cost of compliance, as pertains to Flood Damage Prevention. The cost to repair a substantially damaged building that exceeds the minimal repair cost to bring a substantially damaged building into compliance with Section 1104 of this Code.**

**Incubator.** An organization designed to accelerate the growth and success of entrepreneurial, start-up companies through various business-support services.

**Industrial.** The manufacturing, compounding, assembling, processing, packaging, or treatment of raw material or other products.

**Industrial district.** An industrial district is any parcel or parcels of land or water zoned I-1, I-2, or any areas designated and used for industrial purposes within a PUD/MPUD district as defined by the county zoning ordinance enacted November 19, 1975, and as subsequently amended.

**Industrial flex space.** Flex-type or incubator tenant space that lends itself to a variety of uses. ~~The single-story building is designed for multiple tenants and divided into spaces running from front to rear.~~ The proportion of office versus light industrial/warehouse space in each tenant space is not determined until the user occupies the space. The space may subsequently be proportioned to accommodate the current occupant or a new occupant's changing needs. The space may include manufacturing, light industrial, or scientific research functions, as well as accessory-type uses, such as office, wholesale stores, and warehousing.

**Industrial park.** An industrial park is three or more parcels of land zoned I-1, I-2, or designated for industrial purposes within a MPUD district as defined by the county zoning ordinance enacted November 19, 1975, as subsequently amended, and designed, structured, and located so as to result in an integrated industrial subdivision, development, or center. Areas containing a number of industrial facilities. ~~They are~~ characterized by a mix of manufacturing, service, and warehouse facilities.

**Industrial Service Establishment:** any premises where the principal use is the provision of maintenance, cleaning, supply, repair or similar services, such as linen suppliers, or building maintenance where customer visits to the establishment are not commonly necessary.

~~**Industrial sludges.** Industrial sludges means all sludges that are primarily composed of materials generated through manufacturing or other industrial process.~~

**Industrial/technical or trade school.** A school primarily devoted to giving instruction in vocational, technical, or industrial subjects. Offices and classroom facilities are permitted ~~by right~~; however, laboratory or other specialized training facilities are



required to be located and permitted in accordance with restrictions in zoning districts in which the underlying activities may be conducted.

**Industrial use.** An activity carried out for pecuniary gain which involves the extraction, processing, manufacture, compounding, fabrication, packaging or assembly of raw materials into finished goods and the temporary storage of such goods until sale.

**Infill development.** The development of vacant parcels of land in an urbanized area, with complementary land uses; that is, uses of like kind and character.

**Infrastructure.** Those manmade structures which serve the common needs of the population, such as, but not limited to, sewage disposal systems, potable water systems, solid waste disposal systems, stormwater systems, utilities, causeways, bridges, streets, wells, piers, docks, breakwaters, bulkheads, seawalls, channels, and roadways.

**Inordinate burden, inordinately burdened.** An action of one or more governmental entities that has directly restricted or limited the use of real property such that the property owner is permanently unable to attain the reasonable, investment-backed expectation for the existing use of the real property or a vested right to a specific use of the real property with respect to the real property as a whole, or that the property owner is left with existing or vested uses that are unreasonable such that the property owner bears permanently a disproportionate share of a burden imposed for the good of the public, which in fairness should be borne by the public at large. Inordinate burden, or inordinately burdened does not include temporary impacts to real property; impacts to real property occasioned by governmental abatement, prohibition, prevention, or remediation of a public nuisance at common law or a noxious use of private property; or impacts to real property caused by an action of a governmental entity taken to grant relief to a property owner under this section. However, a temporary impact on development, as defined in Section 380.04, Florida Statutes, that is in effect for longer than 1 year may, depending upon the circumstances, constitute an "inordinate burden" as provided in this paragraph.

**Integrated commercial shopping center.** A combination of five or more commercial uses designed, structured, and located so as to result in an integrated shopping plaza, mall, or other acceptable structural configuration.

**Intensity.** The degree to which a parcel of land is developed based upon use, size, or trip (traffic) generation. See "floor area ratio."

**Interceptor.** That part of a sanitary sewer system which forms the junction of branch lines and trunk lines.

**Interchange.** The intersection of two limited access highways in which a traveler is able to change from one highway to the other. An interchange may be "full" or "partial" depending upon whether the traveler is afforded the option to move freely from one highway to the other in either direction of only one way.

**Interim use** shall mean a use of the land in the transportation corridor prior to the date of conveyance of such land to the county for right-of-way, whether such conveyance is by dedication, acquisition, or other means.

**Internal trip.** A trip that has both its origin and destination within the development site.

~~**In-vessel composting.** An enclosed reactor system commonly used in the stabilization of solid waste or wastewater sludge through biological action.~~

**Irrigation.** The controlled application of water to the soil for the purpose of sustaining agriculture, landscape plants, or vegetative ground cover.

**Irrigation system.** A permanent watering system designed to transport and distribute water to plants as a supplement to natural rainfall.

**Irrigation zone.** A control valve circuit containing emitters and/or sprinklers with consistent application rates.

**Junk.** Any worn, cast-off, or discarded article or material which is ready for destruction or which has been collected or stored for sale, resale, salvage, or conversion to some other use. Any such article or material which, unaltered, not needed to be disassembled or unfastened from, or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.

**Junkyard.** The use of more than 3,000 square feet of the area of any lot for the storage, keeping or abandonment of junk, including scrap material from the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof. A "junkyard" shall include an automobile graveyard or motor vehicle graveyard.

**Kenel.** Any building or land used for the boarding, breeding, housing, training, or care of more than nine dogs, cats, or other domestic animals kept for purposes of show, hunting, sale, or personal use. This definition does not include riding stables.

**Land application.** Land application means a process whereby waste material is spread mechanically across or incorporated into the soil or a specific area referred to as the land application area.

**Landfarming.** A process for treating contaminated soil by spreading the contaminated soil in a thin layer over an impermeable liner or surface. Contaminant reduction is achieved through a combination of volatilization, biodegradation, and photo-degradation.

~~**Landfill.** Those lands, public and private, which are used for the purpose of disposing sanitary solid wastes.~~

**Landscape Plant.** Any tree, shrub, or groundcover (excluding ~~T~~turf).

**Landscape plant zone.** A grouping of plants with similar water and cultural (sunlight, soil, etc.) needs. Plant groupings based on water use are as follows: drought-tolerant plants, natural plants, and oasis plants.

**Large-scale, commercial-retail building:** A commercial building whose total gross building area, including outdoor display and sales areas, is equal to or exceeds 25,000 square feet. For determining building area, buildings located closer than 20 feet apart shall be considered one building.

**~~Large-scale~~Large scale, ~~commercial-retail~~commercial retail, development project:** A commercial development project where the project is developed as a common plan of development and contains a large-scale, commercial-retail building.

**Launderette.** A business premises equipped with individual clothes washing machines for the use of retail customers, exclusive of laundry facilities provided as an accessory use in an apartment house or an apartment hotel.

**Leaching.** The removal of water-soluble compounds by the percolation of water.

**Level of service.** The performance level of a public facility as determined by its use-capacity ratio.

**Level of service standard.** The use capacity ratio determined by the county to be the minimum acceptable standard of facility performance.

**Library facilities** shall mean those facilities owned or operated by the ~~e~~County ~~on library land~~ which a need is created for by new residential construction. "Library facilities" include but are not limited to:

1. Buildings and associated site development;
2. Print/audio/video/software materials;
3. Library equipment;
4. Computers/technology; and
5. Furniture.

**Library impact fee.** An impact fee imposed on new residential construction which is calculated to defray all or a portion of the costs of the library facilities required to accommodate the impact to the library system of that new residential construction, and which fee is applied to library facilities that reasonably benefit the new residential construction ~~Library impact fee study. The study by Wade Trim, Inc. entitled "Pasco County Library System Strategic Plan," dated January 2002 and as supplemented pursuant to this Code.~~

**Library land.** The land owned or operated by the ~~county~~County necessary required for the development or expansion of libraries.

**Library system.** The library land and library facilities owned or operated by the county which are used to provide library services.

### **Lighting.**

1. Diffused. That form of lighting wherein the light passes from the source through a translucent cover or shade.
2. Direct or flood. That form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.
3. Indirect. That form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector from which it is reflected to the object to be illuminated.
4. Full-cutoff, light fixture. A light fixture designed such that no light is projected at or above a 90-degree plane running through the lowest point on the fixture where the light is emitted and less than ten percent of the rated lumens are projected between 90 degrees and 80 degrees.
5. Outdoor, light fixtures. All outdoor, illuminating devices, reflective surfaces, lamps, and other devices, either permanently installed or portable, which are used for illumination or advertisement.
6. Semicutoff, light fixture. A fixture that projects no more than five percent of the rated lumens above a 90-degree plane running through the lowest point on the fixture where the light is emitted and less than 20 percent of the rated lumens are projected between 90 degrees and 80 degrees.

~~**Limited access facility.** A roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land (or other persons) have no greater than a limited right or easement of access.~~

**Line, building.** See "Building line"

**Line, building setback.** A building line which determines the location of a building or structure with respect to any street lot line.

**Listed Species.** Those species of flora and fauna as identified in the *Florida Administrative Code Rules 5B-40 and 68A-27* as endangered, threatened, or of special concern.

~~**Littoral zone.** The shore or coastal region. The littoral zone is that part of a sea, lake or river that is close to the shore. In coastal environments the littoral zone extends from the~~

high water mark, which is rarely inundated, to shoreline areas that are permanently submerged.

**Local comprehensive emergency management plan (CEMP).** Those plans developed by the a-county according to the provisions of Florida Administrative Rule~~chapters~~ 9G-6 and (G-7, ~~FAC, as authorized by~~ under the authority provided in F.S. §Section 252.38, Florida Statutes.

**Local Development Agreements.** An agreement pursuant to Section 406.3 of this Code.

**Local road or local roadways.** Those roads in the county not defined as collector roads, arterial roads, or controlled access roads.

~~**Lodging house.** A building in which three or more, but not more than 15 rooms, are rented and in which no table board is furnished.~~

**Lot.** Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this Code, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of the law to be adequate as a condition of the issuance of a building permit for a building on such land.

**Lot, platted.** Tract or parcel ~~and means the least fractional part~~ of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified and having its principal frontage on a street or on such other means of access lawfully adequate to allow the issuance of a building permit.

**Lot area.** The area of a horizontal plane measured at grade and bounded by the front, side, and rear lot lines.

**Lot, corner.** A parcel of land at the junction of and abutting on two (2) or more intersecting streets.

**Lot depth.** The average horizontal distance between the front and rear lot lines.

**Lot, double frontage.** A lot with frontage on two generally parallel streets.

**Lot, flag.** A lot having access from the building site to a street by means of a private right-of-way strip.

**Lot frontage.** The horizontal distance measured along the front lot line between the side lot lines.

**Lot, interior.** A lot other than a corner lot. ~~Lot Lines, A line that marks the boundary of a lot.~~

**Lot lines.** Lines that mark the boundary of a lot.

**Lot width.** The ~~minimum permissible~~ width of a lot as measured horizontally along the front building line.

**Lot, zoning.** A lot or combination of lots shown on an application for a zoning compliance permit which together meet all applicable requirements for development.

**Lot of record.** Either a lot or contiguous lots which exist as a single ownership at the time of adoption of the ~~is~~ Comprehensive Plan and which are part of a subdivision; the plat of which has been recorded in the Office of the Clerk of the Circuit Court of Pasco County; or any parcel of land not part of a subdivision that has been officially recorded by deed in the Office of the Clerk of the Circuit Court, provided such platted lot or parcel was of a size which met the minimum lot area requirement in the zoning district in which the lot or parcel was located at the time of recording or was recorded prior to the effective date of zoning in the area where the lot is located ~~(The lot of record status is only used to determine the density requirements of a parcel.)~~

**Low-moderate income household.** Households whose annual income is less than or equal to 80 percent of the median household income for the county as measured by the latest available decennial census.

**Lowest adjacent grade.** The lowest elevation, after the completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

**Lowest floor.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the nonelevation design standards of this Code section.

**Maintain.** Maintain shall include general servicing and upkeep in a safe, operable, and attractive condition.

**Major County Roads.** Roadways a) ~~classifieds as collector, arterial, controlled access, or freeway roadways on the Comprehensive Plan Future Traffic Circulation Map Series (presently maps 7-22, 7-24, 7-35, and 7-36), b) roadways classified as collector, arterial, controlled access, or freeway roadways pursuant to the functional classification or reclassification procedures and criteria established pursuant to the Comprehensive Plan, or c) major collector roadways required pursuant to Section 901-.1 of this Code.~~

**Major Intersections** are all signalized intersections and/or unsignalized intersections with other ~~major~~ Major County ~~Roadways~~.



~~**Major structure.** Includes, but is not limited to, residential buildings, including mobile homes, commercial, institutional, industrial, and other construction having the potential for substantial impact on coastal zones.~~

~~**“Major Roadway”, “Major Road Network”, or “Regulated Road”** shall include all collector and above-classified roadways per the latest, adopted County Comprehensive Plan Vision Plan Map, County collector and arterial roads required by the County’s adopted Collector and Arterial Spacing Standards, and the major roadways identified in the latest, adopted Metropolitan Planning Organization [MPO] needs plan.~~

~~**Major road network system.** All arterial and collector roads within the county designated or identified in the adopted comprehensive plan, including new arterial and collector roads necessitated by land developments.~~

**Mangrove stand.** An assemblage of mangrove trees which is mostly low trees noted for a copious development of interlacing adventitious roots above the ground and which contain one or more of the following species: black mangrove (*Avicenna nitida*), red mangrove (*Rhizophora mangle*), white mangrove (*Languncularia racemosa*), and buttonwood (*Conocarpus erecta*).

~~**Manufactured home.** A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer, and intended to be improved property; provided that, regardless of the 180 consecutive day criteria, it may be presumed that a travel trailer or park trailer is a vehicle and not a manufactured home for the purposes of national flood insurance program flood plain management criteria if the following are met:~~

~~1. The travel trailer or park trailer has been placed in a travel trailer park, campground, or a storage yard.~~

~~2. The travel trailer or park trailer has current licenses required for highway travel.~~

~~3. The travel trailer or park trailer is highway ready. This means that the travel trailer or park trailer is on its wheels or internal jacking system and attached to its site only by the quick disconnect type utilities commonly used in campgrounds and trailer parks or by security devices. No permanent additions such as Florida rooms would be permitted.~~

**Manufactured Home, a.k.a. as mobile home.** Those dwelling units a minimum of twelve (12) feet wide and forty (40) feet long, fabricated in an offsite manufacturing facility and built to the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development which is evident by the display of a red certification label on the exterior of each transportable section. Manufacture

homes are built in the controlled environment of a manufacturing plat and are transported in one or more sections on a permanent chassis.

**Manufactured home 2.** ~~As~~ As pertains to Flood Damage Prevention: A building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

~~**Manufactured home park or subdivision** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.~~

**Marina.** An establishment with a waterfront location which may provide for the refueling of watercraft used for recreation or commercial purposes, and providing repair services for such craft. A marina may also provide covered or uncovered storage. A marina may include on-shore, as accessory service uses, a food service establishment, laundry or sanitary facilities, sundries store, boat sales and other customary accessory facilities.

**Market value.** The building value, excluding the land (as would be agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal; replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

**Mass transit.** Passenger services ~~such as~~ the following surface transit modes: commuter, rail, rail rapid transit, light rail transit, light guide way transit, express bus, bus rapid transit and local fixed route bus.

**Master-meter.** A single meter or series of meters that supply multiple units for a single customer.

**Master mining plan.** A description of proposed mining activities over the life of the mine, so to allow overall review of the applicant's mining activities.

**Master plan.** A conceptual plan of a proposed development delineating general locations for uses such as streets, residential (single and multiple), commercial, industrial, and recreational.

~~**Master reclamation plan.** A description of the intended use of reclaimed lands including parks, revegetation, and development.~~

**Material alteration or change.** A proposed alteration or change to a development approval shall be considered material when such change is cumulatively greater than five percent or the size of residential lots on the periphery of the site or if adjacent to platted lots under individual ownership are reduced from the size approved by the Board of County Commissioners.

**Mean annual flood.** A naturally occurring inundation of land along the periphery of water bodies or courses at a frequency of once every two and one-half years as defined by the United States Geological Survey.

**Mean high water line.** The intersection of the tidal plane of mean high water with the shore. Mean high water is the average height of high waters over a 19-year period.

**Mean sea level.** The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plain. The term is synonymous with National Geodetic Vertical Datum (NGVD).

**Medical Office.** Office space utilized for providing diagnoses and administering human medical and health related services on a routine basis, including outpatient clinics, but is unable to provide prolonged in-patient medical and surgical care. Medical office uses shall include medical doctors, dentists, psychiatrists, optometrists, osteopaths, chiropractors, naturopaths, nurse practitioners, health maintenance organizations, and similar professional and group practices which are regulated by the State of Florida. Also included are diagnostic centers providing radiology, medical screening and related testing services, outpatient surgery and endoscopy centers, oncology centers, outpatient laboratory centers, physical therapy practices, and other related ambulatory care services.

**Meter equivalents.** Those equivalents based on methodologies recommended by the American Water Works Association (AWWA) as follows:

Meter Size*	ERU Equivalent
5/8", 3/4"	1.00
1"	2.50
1.5"	5.00
2"	8.00
3"	15.00
4"	25.00
6"	50.00
8"	80.00

\*Based on displacement type meters, using standard maximum meter-flows capacity ratios per AWWA standards.

**Micro-irrigation.** An irrigation system with a maximum flow rate per emitter of 30 gallons per hour or less. These systems are not approved for turf grass applications.

**Mine.** An area of land on which mining operations have been conducted, are being conducted, or are planned to be conducted, as the term is commonly used in the trade.

**Mineral extraction.** Mineral extraction shall include all activity which removes from the surface or beneath the surface, of the land some material mineral resource, natural resource or other element of economic value, by means of mechanical excavation necessary to separate the desired material from an undesirable one; or to remove the strata or material which overlies or is above the desired material in its natural condition and position. Open pit mining includes, but is not limited to, the excavation necessary to the extraction of: sand, gravel, topsoil, limestone, sandstone, clay, and oil.

**Mining.** All functions, work, facilities and activities in connection with development extraction, whether primary or secondary (e.g. debris mining or reworking tailings), or processing of mineral deposits on land when the excavation will breach the aquitard, subject to the provisions of this ordinance, and all uses reasonably incident thereto, such as the construction of roads or other means of access, pipelines, waste disposal and storage, and recirculating water systems. The term “processing” shall not include rock drying or the processing of rock in a chemical processing plant.

**Mining unit.** A specified area of land from which minerals are extracted in a specified period of time.

**Minor land excavation.** Any land excavation within the unincorporated areas of the County where the excavation is equal to or less than 30,000 cubic yards and the excavation does not breach the aquitard.

**Mixed use development.**

Mixed use developments are a special class of master planned unit development in which two or more different land uses are physically and functionally integrated on the same site, and which demonstrate conformance with a coherent overall development plan. ~~Such districts provide the ultimate in flexibility and design.~~

~~**Mobile home.** A structure, transportable in one or more sections, 12 body feet or more in width, and over 40 feet in length, which is built upon an integral chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained herein. If fabricated after June 15, 1976, each section shall bear a HUD label certifying that it was built in compliance with Federal Manufacturing Home Construction and Safety Standards 42 USC 5401 and 24 CR 3282 and 3283.~~

**Mobile home park.** A mobile home development consisting of a parcel of land under single ownership which has been, or is proposed to be, planned and improved for the placement of mobile homes for nontransient use.

**Mobile home, subdivision.** A mobile home development consisting of a parcel of land not under single ownership which has been or is proposed to be divided into three or more parcels improved for placement of mobile homes for nontransient use. A mobile home subdivision may include a mobile home condominium.

## Mobility Fee Definitions

For the purposes of Mobility Fees, Section 1302.2 of this Code, the following words shall be defined as follows:~~The words or phrases used in Section 1302.2, Mobility Fees, shall have the meaning prescribed below and as defined in the General Definitions section of the Administrative Procedures Manual. Words not defined below or in the Administrative Procedures Manual shall have the meaning prescribed in this Code.~~

1. "Accessory Building or Structure" shall mean a subordinate Building, or portion of a Building, the use of which is clearly incidental and related to that of the principal Building or use of the land and which is located on the same parcel, or in the same Building, as that of the principal Building or use. A Building, or portion of a Building, that is constructed prior to the principal Building or use, or that has its own outdoor signage, shall not be considered an Accessory Building or Structure, and shall be considered a free-standing independent Building for purposes of ~~this division~~ Section 1302.2.
2. "Administration Fee" shall mean the fee for the administration and implementation of Mobility Fees as set forth in Section 1302.2.G.2.(c).
3. "Administrative Procedures Manual" shall mean the Administrative Procedures Manual adopted by Resolution 07-226, and which may be amended in the future by resolution.
4. "Alteration" shall mean the alteration, expansion, addition to, or replacement of a use, Building or dwelling unit, or the construction of an Accessory Building or Structure.
5. "Assessment Districts" shall mean the urban, suburban and rural districts utilized to calculate the Mobility Fee that a Building Permit or Development Permit is required to pay, as established in Section 1302.2.F.2. ~~NOTE: I think orig reference is type~~
6. "Bicycle/Pedestrian Facilities" shall mean transportation facilities that are primarily intended to be utilized by pedestrians and bicycles, including sidewalks, multi-use paths and trails, as well as the necessary infrastructure to support the construction of such facilities, such as drainage areas, wetland/floodplain mitigation areas, boardwalks, landscaping, bike racks, shelters/kiosks, benches and signage. For purposes of this division, a bicycle/pedestrian crossing area or bicycle lane constructed contiguous to, or within, a vehicular travel lane shall

be considered a Roadway Facility, and not a Bicycle/Pedestrian Facility.

7. "Bicycle/Pedestrian Mobility Fee" shall mean the portion of the Mobility Fee for Bicycle/Pedestrian Facilities, which is in the "Bike/Ped Share" column of the Mobility Fee Schedule.
8. "Budgeted" or "Budgeting" shall mean that funds are allocated or appropriated within the Capital Improvement Plan.
9. "Building" shall mean any structure having a roof and used or built for the enclosure or shelter of persons, animals, vehicles, goods, merchandise, equipment, materials, or property of any kind for a period of time in excess of four weeks in any one calendar year. This term shall include tents, trailers, mobile homes, or any vehicles serving in any way the function of a building. This term shall also include outdoor patio seating provided as part of a restaurant or bar, whether such seating is covered by a roof or not.
- ~~"Building Permit" shall mean an official document or certificate issued by the authority having jurisdiction authorizing the construction of any building. The term shall also include tie-down permits for those structures or buildings that do not require a Building Permit, such as a mobile home, in order to be occupied.~~
10. "Capital Improvement Plan" or "CIP" shall mean a multiyear schedule of Transportation Capital Improvements, including priorities and cost estimates budgeted to fit the financial resources of the County. This plan is incorporated into the Comprehensive Plan as part of the Capital Improvements Element.
11. "Collector and Arterial Roadways" shall mean those roadways classified as collector, arterial, controlled access, or freeway roadways on the Comprehensive Plan Future Traffic Circulation Map Series (presently Maps 7 22, 7 24, 7 35, and 7 36), or classified as a collector, arterial, controlled access, or freeway roadway pursuant to the functional classification or reclassification procedures and criteria established pursuant to the Comprehensive Plan.
12. "Collection/Benefit Districts" shall mean the Mobility Fee expenditure districts established in Section 1302.2 by Subsection 78 39 of this division.



13. "County" shall mean the unincorporated area of Pasco County, a political subdivision of the State of Florida.

9.14. "County Administrator" shall mean the Pasco County Administrator or his designee.

10.15. "Development" shall mean the carrying out of any building activity or the making of any material change in the use or appearance of any structure or land that attracts or produces vehicular or person trip(s) over and above that produced by the existing use of the land.

11.16. "Development Approval" shall mean a Development of Regional Impact (DRI) Development Order, development agreement, PUD Planned Unit Development approval, MPUD Master Planned Unit Development approval, preliminary plan approval, or concurrency Certificate of Capacity.

12.17. "Development Permit" shall mean an official document or certificate, other than a Building Permit, issued by the authority having jurisdiction, authorizing commencement of Development. This term includes any site development permit, mining permit, land filling permit, or other final plan approval for Development not involving construction of a Building.

13.18. "Encumber" or "Encumbered" shall mean an irrevocable commitment through an agreement or purchase order or a contract.

19. "External Trip" shall mean any vehicular or person trip which either has its origins from or its destination to the Development site and which impacts Transportation Capital Improvements.

14.20. "Gas Tax Revenues" shall mean the portion of the gas and fuel taxes expended by the County during a fiscal year for Transportation Capital Expenses, excluding the portion of such taxes for which a revenue credit was given to Development paying a Mobility Fee.

15.21. "Government Buildings" shall mean public schools (including charter schools), and Buildings or Developments leased or owned by the Federal Government, the State of Florida, a State or Federal government agency, Pasco County or a Participating Municipality. For Buildings or Developments with multiple tenants or uses, only the portion of such Buildings or

Developments owned or leased by a governmental entity shall be considered a Government Building.

16.22. "Independent Mobility Fee Study or Studies" shall mean a study or studies conducted pursuant to Section 1302.2.G.3 to calculate the Mobility Fee for a particular land use.

17.23. "Internal Trip" shall mean a vehicular or person trip that has both its origin and destination within the Development site without impacting Transportation Capital Improvements.

18.24. "ITE Manual" shall mean the most recent edition of the Institute of Transportation Engineers Trip Generation Report.

19.25. "Long Range Transportation Plan" or "LRTP" shall mean the Pasco County Metropolitan Planning Organization's most recently adopted Long Range Transportation Plan adopted pursuant to Section 339.175(7), Florida Statutes.

20.26. Master Developer" shall mean the primary person responsible for the planning and implementation of a Planned Development. If more than one person claims to be the Master Developer of a Planned Development, or the Master Developer for a Planned Development cannot be easily determined, the Master Developer shall be the person that has taken the most of the following actions with regard to the Planned Development:

- a. Filed any required annual or biennial reports for the Planned Development;
- b. Requested the most recent modification, change or amendment to the Planned Development;
- c. Established an impact fee credit account with the County for any required mitigation performed for the Planned Development'
- d. Paid the property taxes for the majority of the vacant land in the Planned Development;
- e. Exercised majority voting control of any Community Development District, property owners association or other entity responsible for maintaining any common areas utilized by the entire Planned Development

If the Master Developer cannot be determined based on the actions set forth above, the Master Developer shall be owner of

the majority of the vacant land in the Planned Development, as determined by the Pasco County Property Appraiser's records

24.27. "Mobility Fee" or "Mobility Fees" shall mean the multi-modal impact fees adopted and required to be paid in accordance with ~~this division~~ Section 1302.2. The Mobility Fee is made up of three parts: (1) the Roadway Mobility Fee, (2) the Transit Mobility Fee, and (3) the Bicycle/Pedestrian Mobility Fee. Any reference to the Mobility Fee or Mobility Fees in ~~this division~~ this Code which does not specifically reference one of the parts shall be considered a reference to the total of all three (3) parts.

28. "Mobility Fee Funds" shall mean the funds created pursuant to Section 1302.2.H .

29. "Mobility Fee Schedule" shall mean the fee schedule shown in Figure 1302.2-A .

23.30. "Mobility Fee Study" shall mean the study adopted pursuant to Section 1302.2.D which supports the imposition of Mobility Fees.

31. "Mobility Fee Subsidy" shall mean the amount of Tax Increment Revenues to be transferred from the Pasco County Multi-Modal Transportation Fund into the Mobility Fee Funds to ensure payment for the portion of the Mobility Fees that were subsidized or bought-down with other revenue sources during the prior fiscal year. The Mobility Fee Subsidy is calculated for each Collection/Benefit District as the difference between the total amount of all Mobility Fees collected in the Collection/Benefit District during the prior fiscal year (not including any Administration Fees) and the amount of Mobility Fees that would have been collected in the Collection/Benefit District during the prior fiscal year (not including any Administration Fees) had there not been any subsidy or buy-down, plus the interest on such difference, less (a) the repayment of any bonds issued for Transportation Capital Expenses in the Collection/Benefit District during the prior fiscal year, and (b) Gas Tax Revenues and Sales Tax Revenues expended in the Collection/Benefit District during the prior fiscal year.

32. "Mobility Fee Subsidy Deficiency" or "Deficiency" shall mean there are insufficient Tax Increment Revenues in the Multi-Modal Transportation Fund during any fiscal year to make a Mobility Fee Subsidy transfer to any of the Mobility Fee Funds.

25-33. "Multi-Modal Tax Increment Ordinance" shall mean the County ordinance, adopted concurrently with ~~this ordinance~~ adopting Section 1302.2 (as it may be amended from time to time), which creates the Multi-Modal Transportation Fund, and which provides for the funding of such Fund from Tax Increment Revenues.

26-34. "Multi-Modal Transportation Fund" shall mean the fund created pursuant to the Multi-Modal Tax Increment Ordinance and which is funded from the Tax Increment Revenues.

35. "Opt-Out Procedure" shall mean the procedure set forth in Section 1302.2.J of this Code for a Development to elect to be subject to Transportation Impact Fees in lieu of Mobility Fees.

27-36. "Opt-Out Developments" shall mean Developments or Planned Developments that have utilized the Opt-Out Procedure.

28-37. "Out-parcel" shall mean a parcel that is separate from, but contiguous to, a primary commercial Development. The parcel may or may not share common access and/or common parking areas with the primary commercial Development. Mainly consisting of a single freestanding unit, an out-parcel often is considered secondary in nature to the primary commercial Development. Out-parcels typically involve high convenience land uses, such as banks, high turnover or fast-food restaurants, or gas stations. However, extensions of specific land uses already in existence within the primary commercial Development would not be considered "out-parcels" (e.g., a freestanding Sears automotive repair shop located at a shopping mall that contains a Sears retail store).

29-38. "Participating Municipality" shall mean those Pasco County municipalities that have opted into the Pasco County mobility fee program by (i) adopting a mobility fee ordinance, (ii) repealing any inconsistent municipal ordinances, and (iii) entering into an interlocal agreement with the County governing collection and expenditure of Mobility Fees and Tax Increment Revenues.

30-39. "Participating Municipality Mobility Fees" shall mean those Mobility Fees collected within a Participating Municipality.

31-40. "Participating Municipality Tax Increment Revenues" shall mean the portion of the Tax Increment Revenues that is generated from the real property in the Participating Municipality (excluding

any Community Redevelopment Areas), and calculated in accordance with the Multi-Modal Tax Increment Ordinance.

32.41. "Participating Municipality Transportation Capital Improvements" shall mean Transportation Capital Improvements that benefit the Participating Municipality, as determined by the interlocal agreement between the County and the Participating Municipality.

33.42. "Planned Development" shall mean a Development under unified control designed and planned to be developed in a single operation or by a series of prescheduled Development phases according to an officially approved final master land use plan, including Developments of Regional Impact, PUD Planned Unit Developments, MPUD Master Planned Unit Developments, PD land use classifications or other land use classifications with subarea policies, and other planned developments under a common preliminary site plan approval, plat or unified plan of development. If a Planned Development is part of a larger Planned Development (e.g. a preliminary site plan approval or plat within a larger Development of Regional Impact), the term Planned Development shall mean the larger Planned Development.

34.43. "Planned Development with Credits" shall mean a Planned Development that owns, or that is entitled to, Transportation Impact Fee Credits or Mobility Fee credits based on a Development Approval.

35.44. "Regional Transit Facilities" shall mean light rail, commuter rail, express bus, or bus rapid transit capital facilities included in the most recently adopted Tampa Bay Area Regional Transportation Authority Master Plan or Long Range Transportation Plan.

36.45. "Right-of-Way" shall mean land, property, or interest therein, that is necessary to accommodate all of the required elements for and to support the construction and/or improvement of Transportation Capital Improvements.

46. "Roadway Facility" or "Roadway Facilities" shall mean Collector and Arterial Roadway through-lanes, turn-lanes, bridges, curbs, gutters, medians, and/or shoulders; the construction of drainage facilities and/or mitigation areas for Collector and Arterial Roadways; and the installation of signage, advanced traffic management systems and/or traffic signalization for Collector

and Arterial Roadways. For purposes of this division, the term Roadway Facilities shall not include Bicycle/Pedestrian Facilities and Transit Facilities. However, bicycle/pedestrian crossing areas and bicycle lanes constructed contiguous to, or within, a vehicular travel lane shall be considered a Roadway Facility, and not a Bicycle/Pedestrian Facility.

37.47. "Roadway Mobility Fee" shall mean the portion of the Mobility Fee assessed for impacts to Roadway Facilities, which is identified on the Mobility Fee Schedule as "Road Share".

38.48. "Sales Tax Revenues" shall mean the portion of the local government infrastructure surtax (Penny for Pasco) expended by the County during a fiscal year for Transportation Capital Expenses, excluding the portion of such taxes for which a revenue credit was given to Development paying a Mobility Fee.

39.49. "SIS Mobility Fee" shall mean the portion of the Roadway Mobility Fee assessed for impacts to interstate/freeway Roadway Facilities in Pasco County (excluding freeways with tolls), and which has been reserved for Transportation Capital Improvements that benefit the Strategic Intermodal System. The SIS Mobility Fee is identified in the Mobility Fee Schedule as the "Interstate Share". The SIS Mobility Fee shall be considered a component of the Roadway Mobility Fee, except where this division specifically references the SIS Mobility Fee.

40.50. "Site-access Improvements" shall mean Roadway Facility improvements at or near the Development site which are necessary to interface the Development's External Trips with Collector and Arterial Roadways or which are necessary to interface the Development's Internal Trips with Collector and Arterial Roadways where a portion of such roadways is included within the Development (i.e., project drives, turn-lanes, signalization, etc.) It shall also include improvements designed to ensure safe and adequate ingress and egress to a Development site. For purposes of this division, site-access improvements include, but are not limited to, improvements required by the County's access management regulations and any right-of-way dedications necessary to construct the first four (4) lanes of Collector and Arterial Roadways within the Development site and design and construction of any portion of the first two (2) lanes of Collector and Arterial Roadways within the Development site, including all Roadway Facilities necessary for the design and construction of Collector and Arterial Roadways. Site-access improvements also include



Bicycle/Pedestrian Facilities and Transit Facilities at or near the Development site that are necessary to interface the Development's External Trips or Internal Trips with Bicycle/Pedestrian Facilities and Transit Facilities located outside the Development site, including, but not limited to, sidewalks, multi-use paths, bike racks and transit shelters/kiosks located internal or adjacent to the Development site; however, park and ride lots and Regional Transit Facilities shall not be considered site-access improvements.

41.51. "Square Feet" or "Square Footage" (also referred to as "sf") shall mean the area of a parcel upon which a land use required to pay a Mobility Fee is proposed for occupancy or storage, and which is used to calculate the square footage of the Building, including the gross area measured in square feet from the exterior faces or exterior walls or other exterior boundaries of the Building, excluding areas within the interior of the Building which are utilized for parking. With respect to dwelling units, the square footage shall be calculated as the living area under heat/air conditioning.

42.52. "Strategic Intermodal System" or "SIS" shall mean those transportation facilities identified in the Strategic Intermodal System Plan adopted pursuant to Section 339.64, Florida Statutes, and located within Pasco County.

43.53. "Tax Increment Revenues" shall mean the tax increment revenues calculated, generated and expended pursuant to the Multi-Modal Tax Increment Ordinance.

44.54. "Traditional Neighborhood Development" or "TND" shall mean Development in accordance with the Chapter 600 of this Code. Traditional Neighborhood Development shall also include the Longleaf MPUD and any portion of a Participating Municipality that satisfies the traditional neighborhood development design principles in the Traditional Neighborhood Development Ordinance, as determined by the County and Participating Municipality in the interlocal agreement between the County and Participating Municipality.

45.55. "Transit Facilities" shall mean transit capital infrastructure, including, but not limited to, buses, park and ride lots, bicycle racks, shelters/kiosks, and Regional Transit Facilities, as well as the necessary infrastructure to support the construction of such facilities, such as drainage areas, wetland/floodplain mitigation

areas, landscaping, benches, signage, and Bicycle/Pedestrian Facilities constructed to provide direct access to a transit stop.

46-56. “Transit Oriented Development” or “TOD” shall mean Development in areas identified in the Comprehensive Plan which are reserved for existing or planned Regional Transit Facilities. These areas must be compact, have moderate to high density developments, be of mixed-use character, interconnected, bicycle and pedestrian friendly, and designed to support frequent transit service operating through Regional Transit Facilities.

47-57. “Transit Mobility Fee” shall mean the portion of the Mobility Fee assessed for impacts to Transit Facilities, and which is identified in the Mobility Fee Schedule as “Transit Share.”

48-58. “Transportation Capital Improvements” shall mean Roadway Facilities, Transit Facilities, and Bicycle/Pedestrian Facilities.

49-59. “Transportation Capital Expenses” shall consist of the following expenditures for Transportation Capital Improvements:

- a. The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness then outstanding.
- b. Administrative and overhead expenses necessary or incidental to the implementation of the Transportation Capital Improvements.
- c. Expenses of planning, corridor and alternatives analysis, route studies and pond siting analysis reports, soil borings, tests, surveys, construction plans, and legal and other professional advice or financial analysis relating to Transportation Capital Improvements, including the reimbursement of the County for such expenses incurred before the Transportation Capital Improvements were approved and adopted into the Capital Improvement Plan.
- d. The acquisition of Right-of-Way for the Transportation Capital Improvements, including the costs incurred in connection with the exercise of eminent domain.

- e. The clearance and preparation of any Transportation Capital Improvement site, including the demolition of structures on the site.
- f. All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness.
- g. Costs of design and construction, including maintenance of traffic during construction.

50.60. "Transportation Operation and Maintenance Expenses" shall mean expenses associated with the operation and maintenance of Transportation Capital Improvements, including cleaning, repairs, mowing, landscape maintenance, resurfacing that does not expand transportation capacity, and fuel and salary costs for the operation of transit systems.

51.61. "Transportation Impact Fee" or "Transportation Impact Fees" shall mean the transportation impact fees in effect prior to the adoption of the Mobility Fee Ordinance, and which were adopted pursuant to the Transportation Impact Fee Ordinance.

52.62. "Transportation Impact Fee Credits" shall mean credits against Transportation Impact Fees issued by the County pursuant to the Transportation Impact Fee Ordinance.

53.63. "Transportation Impact Fee Ordinance" shall mean Ordinance No. 07-09, as it existed prior to the adoption of Ordinance No. 11-08, the Mobility Fee Ordinance .

54.64. "Transportation Impact Fee Schedule" shall mean the most recent transportation impact fee schedule adopted pursuant to the Transportation Impact Fee Ordinance, and which is shown in Figure 1302.2-B.

58. ~~"Trip" shall mean a one-way movement of vehicular or person travel from an origin (one trip end) to a destination (the other trip end). For the purpose of this division, trip shall have the meaning that it has in commonly accepted traffic engineering practice and which is substantially the same as that definition in the previous sentence.~~

~~56.65. "Trip Generation" shall mean the attraction or production of Trips caused by a given type of Development.~~

~~57.66. "Villages of Pasadena Hills" or "VOPH" shall mean the J. "Ben" Harrill Villages of Pasadena Hills Stewardship District, a dependent special district. The boundaries of the J. "Ben" Harrill Villages of Pasadena Hills Stewardship District shall be established in the ordinance creating the district.~~

~~58.67. "Villages of Pasadena Hills Financial Plan" shall mean the Financial Plan for the Villages of Pasadena Hills adopted pursuant to Policy FLU 6.5.10 of the Comprehensive Plan, as amended.~~

~~59.68. "Villages of Pasadena Hills Mobility Fees" shall mean those Roadway Mobility Fees and Bicycle/Pedestrian Mobility Fees collected within the Villages of Pasadena Hills.~~

~~60.69. "Villages of Pasadena Hills Tax Increment Revenues" shall mean the portion of the Tax Increment Revenues that is generated from the real property in the Villages of Pasadena Hills, and calculated in accordance with the Multi-Modal Tax Increment Ordinance.~~

~~61.70. "Villages of Pasadena Hills Transportation Capital Improvements" shall mean Transportation Capital Improvements that benefit the Villages of Pasadena Hills, as determined by the Villages of Pasadena Hills Financial Plan.~~

~~**Modular building/housing.** A manufactured structure built to the Florida Building Code and having the Department of Community Affairs insignia. A modular home is not a mobile home.~~

~~**Modular or factory-built home.** A closed structure building assembly or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection, with or without specific components, as a finished residential building or as part of a finished residential building. This definition shall not apply to mobile homes. A manufactured, modular or factory built home may also mean, at the option of the manufacturer, any building of open construction made or assembled in manufacturing facilities away from the building site or installation, or assembly in installation, on the building site.~~

~~**Modular homes.** Those dwelling units that consist of multiple modules or sections which are manufactured in a remote facility and then delivered to their intended site for~~

use where they are assembled on a permanent fixed foundation and constructed to the same Florida, local or regional building codes as site-built homes.

**Monitor.** To inspect, review, or supervise on a regular periodic basis.

**Motel.** Any group of attached or detached buildings containing individual sleeping or housekeeping units designed for transients, including an auto court, motor court, motor lodge, or cabins. A facility offering transient lodging accommodations normally on a daily basis and at a daily rate and typically providing parking adjacent to each sleeping room. Accessory uses such as restaurant, meeting rooms and recreational facilities may be provided. Motels are different from hotels in that each motel room has a separate entry directly from the outside of the building.

**Mulch.** Any material applied to the soil surface to retain soil moisture, control erosion, inhibit weeds, and/or regulate soil temperatures.

**Multimodal transportation.** Pertaining to several modes of transportation, including but not limited to, travel by single-occupant car, car or van pools, demand-response paratransit and fixed route, and fixed schedule mass transit.

**Multiple-occupancy parcel.** Any parcel of property, or parcels of contiguous property, existing as a unified or coordinated project, with a multitenant structure or structures (proposed or existing), or multiple structures (proposed or existing), on the property.

**Multitenant structure.** A building used, designed or constructed for occupation by more than one tenant, business, or entity, including multistory buildings with a residential component.

**Municipal separate storm sewer system:** A conveyance or system of conveyances (including, but not limited to, roads with drainage systems, streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) owned or operated by a local government that discharges to waters of the United States or connects to other municipal separate storm sewer systems, that is designed solely for collecting or conveying stormwater, and that is not part of a publicly owned treatment works as defined by 40 CFR 122.2 or any amendment thereto.

**Musical entertainment festival.** Any overnight gathering of groups or individuals exceeding 500 people on private property for the purpose of listening to, watching, or participating in entertainment which consists primarily of musical renditions conducted in open space not within an enclosed building.

**National ambient air quality standards.** Restriction established by the Environmental Protection Agency pursuant to section 109 of the Clean Air Act to limit the quantity or concentration of an air pollutant that may be allowed to exist in the ambient air for any specific period of time. Those air pollutants for which standards exist are: carbon monoxide, lead, nitrogen dioxide, ozone, sulfur dioxide, and total suspended particulate.

**National geodetic vertical datum (NGVD).** As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the flood plain.

**National pollutant discharge elimination system (NPDES):** The federal program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under sections 307, 402, 318, and 405 of the Clean Water Act.

**Native plants.** A plant species that was present in the state in 1513 when Europeans arrived or if the plant species arrived after 1513 by nonhuman means, such as air, animal, or sea drift.

**Natural ground.** The surface of the earth as it exists prior to the commencement of mining or land excavation, including the surface of any land previously mined by earlier operators, whether reclaimed or not.

~~**Natural plants.** Established plants that survive on natural rainfall without irrigation.~~

~~Natural resources. Biological, geological, or physical features which provide a range of benefits for all citizens of the county. These resources shall include, but not be limited to, bays, rivers, streams, lakes, swamps, springs, marshes, minerals, open water impoundments, groundwater aquifers, forests and all naturally occurring fauna thereof. Navigable water body. A water body in which a small pleasure craft with an outboard motor could be used for recreation. This definition does not include manmade stormwater ponds not platted as lakes.~~

~~**Native vegetation.** Established native plants that survive on natural rainfall without irrigation.~~

~~**Navigable water body.** A water body in which a small pleasure craft with an outboard motor can be piloted. This definition does not include manmade stormwater ponds not platted as lakes.~~

~~**Near Critical Road, a.k.a. "90% Roadway."** A Major County road that is identified in the County's de-minimis road list as having existing but approved development volumes that exceed ninety (90) percent of the service volume of the road.~~

**Neighborhood park.** A park designed to serve the population of a single neighborhood and generally accessible by bicycle or by foot.

~~**New construction.** Structures for which the "start of construction" commenced on or after the effective date of this Code.~~

**New construction** (as pertains to Flood Damage Prevention). Any structure for which the "start of construction" commenced after the effective date (November 18, 1981) of



the floodplain management regulations adopted by Pasco County. The term also includes any subsequent improvements to such structures.

**Nonattainment.** Any area not meeting ambient air quality standards, and designated as a nonattainment area under section 17-2.410, Florida Administrative Code, for any of the National Ambient Air Quality Standards listed pollutants.

**Noncommencement.** Notice to the county of intent not to commence development or the date of expiration of a building permit.

**Nonconforming structure.** A structure meeting the standards in [Chapter Section 1200](#) of this Code. ~~A structure or part of a structure not designed to comply with the applicable use provisions of Article 500 of this Code or amendments heretofore, or hereafter enacted, where such structure lawfully existed prior to the enactment of Article 500 of the Code. Such nonconforming structures include, but are not limited to nonconforming signs.~~

**Nonconforming Use.** The use of land in a nonconforming manner as described in Chapter 1200 of this Code.

**Nonhabitable major structure.** Includes, but is not limited to, swimming pools; parking garages; pipelines; piers; canals, lakes, ditches, drainage structures, and other water retention structures; water and sewage treatment plants; electrical power plants, transmission and distribution lines, transformer pads, vaults, and substations; roads, bridges, streets, and highways; and underground storage tanks.

**Nonpoint source pollution.** Any source of air or water pollution which is not attributable to a discernible, confined, or discrete conveyance.

**Nonresidential district.** A nonresidential district is any parcel or parcels of land or water zoned other than E-R, ER-2, R-MH, R-1MH, R-2MH, R-1, R-2, R-3, R-4, MF-1, MF-2, MF-3 or any areas designated and used within a PUD/MPUD district for residential purposes.

**Non-residential use.** Any use of property other than a residential use as defined by this Code. Non-residential uses include, but are not limited to, commercial, office, institutional and industrial uses.

**Normal Water Level.** The design starting water elevation used when determining stage/storage design computations in a retention or detention area. A retention or detention system may have two designated "normal water levels" associated with it if the system is designed for both water quality and water quantity.

**North American Vertical Datum of 1988 (NAVD88).** The North American Vertical Datum of 1988 (NAVD88) is the vertical control datum of orthometric height established

for vertical control surveying in the United States of America based upon the General Adjustment of the North American Datum of 1988.

**Nuisance.** , ~~Nuisance means the use of any property, facilities, equipment, processes, products, compounds, or the commission of any acts in connection with the disposal of waste material which results in one of the following conditions:~~

~~1. The discharge into any waters, or disposal or land application of any waste materials containing organic or inorganic matter, deleterious substances, or chemical compounds, in such quantities, proportions or accumulations as to create an offensive odor detectable by the human senses at a point one-half mile beyond the property limits of the premises occupied or used by the person responsible for the source thereof so as to cause severe annoyance or discomfort which tends to lessen normal food and water intake, to produce symptoms of nausea; or is offensive or objectionable to; or causes injury or damage to real property, personal property, human, plant, aquatic, or animal life of any kind; or which interferes with the normal conduct of business; or is detrimental or interferes with the health, comfort, living conditions, welfare or safety of the inhabitants of the county.~~

~~2. The creation, maintenance, or causing of any condition resulting in breeding of flies, mosquitoes, or other arthropods capable of transmitting diseases, directly or indirectly to humans.~~

~~3. A violation of the provisions of this Code which becomes detrimental to health or threatens danger to the safety of persons or property, or gives offense to, is injurious to, or endangers the public health and welfare, or prevents the reasonable and comfortable use and enjoyment of property by the public.~~

~~Nursing, convalescent home, or home for the aged. Any dwelling with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire, or a home operated by a nonprofit group and operated as an institution.~~

**Oasis plants.** Established plants that require frequent irrigation.

**Obstruction** includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across, or projecting into any watercourse which may alter, impede, retard, or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

**Odor.** Odor means that property of a substance which materially offends the sense of smell.

**Office Park.** Developments containing general office buildings [for professional offices and medical offices](#) and support services such as banks, savings and loan institutions, restaurants, and service stations arranged in a park or campus-like setting.

**Off-Line Treatment System.** A system only for water quality treatment that collects project runoff and has no direct discharge capability other than percolation and evaporation. A system utilizing detention with effluent filtration is not an off-line treatment system.

**On-Line Treatment System.** A dual purpose system that collects project runoff for both water quality and water quantity requirements. Water quality volumes are recovered through percolation and evaporation while water quantity volumes are recovered through a combination of percolation, evaporation, and surface discharge.

**One hundred year storm or 100-year storm.** A shore incident hurricane or any other storm with accompanying wind, wave, and storm surge intensity having a one percent chance of being equaled or exceeded in any given year during any 100-year interval.

**Open Drainage Basin.** Open drainage basins are all watersheds not meeting the definition of closed drainage basin.

**[Open Space.](#)** Land or water body which provides for physical movement. It is free of structures and equipment. Open space can be of any size, treed, or open grassland. Functions include the providing of flood protection, creating a sense of spatial separation for incompatible land uses, the provision of passive recreation or conservation uses, and historical site preservation.

**Open space, CS-MPUD.** The open space that is created as a part of a rural-residential development where 50 percent or more of the land is designated as undivided, permanent, open space and the remaining developable land is subdivided into buildable lots. Permitted uses may include the following: active recreation areas, which do not exceed ten percent of the required minimum open space or five acres, whichever is less; equestrian facilities utilizing best management practices; bike paths and trails; equestrian trails; agricultural uses (including accessory uses); stormwater-management systems serving the CS-MPUD, provided the stormwater systems are unfenced and are surrounded by or adjoin areas that are improved for use as a recreation area for use by the CS-MPUD residents; and any required landscape buffers.

**[Open space, PD](#)** (planned development) land use. Undeveloped land within an MPUD master planned unit development developed as a requirement of the PD (planned development) land use that consists of common area under common ownership designated, dedicated, reserved, or restricted in perpetuity from further development. Open space associated with the PD (planned development) land use may not include water bodies or category I wetlands or wetland buffers. When residential is used as part of the mixed-use component, the open space shall be contiguous where practical. This

definition shall not apply to commercial MPUD master planned unit developments that do not have a residential component.

**Open space, rural land use classifications** (includes land designated AG/R [agricultural/rural] and RES-1 [residential--1 du/ga] with less than 300 acres). Consists of undeveloped land, wetlands, or water body which is free of structures and equipment, except that incidental to the land's open space uses. Open space can be of any size, treed, open, grassland, or water bodies. Functions include the providing of flood protection; creating a sense of spatial separation for incompatible land uses; the provision of passive recreation, active recreation, or conservations uses; historical site preservation; and areas for agricultural operations. Such open space may be part of an individual residential lot and is not required to be under common ownership. Open space easements and/or buffers will be required and count toward the open space requirement. These easements shall restrict and reserve, in perpetuity, the open space from further development.

**Open space, urban land use classifications** (includes lands designated RES-3 [residential--3 du/ga] and higher, TC [town center], nonresidential land use classifications, MU [mixed use] land use classification, and RES-1 [residential--1 du/ga] land use classification; and where acreage is greater than 300 and is developed as a cluster residential subdivision MPUD master planned unit development). Undeveloped land or water body which is free of structures and equipment, except that incidental to the land's open space uses. Open space must be common area under common ownership that may include flood protection; creating a sense of spatial separation for incompatible land uses; the provision of passive recreation, active recreation, or conservation uses; historical-site preservation; archaeological sites; and areas for agricultural operations (also see "Open space, PD (planned development) land use" for projects utilizing the PD (planned development) provisions of the comprehensive plan and this Code).

**Operating permit.** Written authorization to commence specified minor land excavation, land excavation, mining, land spreading, construction and demolition debris disposal, and yard trash processing activities for a specified period of time, and generally requiring information and analysis.

**Operator.** Operator means a person or business entity engaged, or seeking to be engaged in a minor land excavation, mining, land excavation, construction and demolition debris disposal, land spreading, or yard trash processing operation.

**Outdoor, light fixtures:** All outdoor, illuminating devices, reflective surfaces, lamps, and other devices, either permanently installed or portable, which are used for illumination or advertisement.

**Out-parcel.4.—General:** A parcel that is separate from, but contiguous to, a multioccupancy parcel or a large-scale commercial retail building. The out-parcel may or

may not share common access and common parking areas with the multioccupancy parcel or a large-scale commercial retail building. However, for locating a multioccupancy or large-scale commercial retail building sign on an out-parcel, the out-parcel must be associated with the multioccupancy parcel or the large-scale commercial retail building as evidenced by shared common access.

~~**Out-parcel 2.** For purposes of Transportation Impact Fees: A parcel that is separate from, but contiguous to, a primary commercial development. The parcel may or may not share common access and/or common parking areas with the primary commercial development. Mainly consisting of a single freestanding unit, an out-parcel often is considered secondary in nature to the primary commercial development. Out-parcels typically involve high convenience land uses, such as banks, high turnover or fast-food restaurants, or gas stations. However, extensions of specific land uses already in existence within the primary commercial development would not be considered "out-parcels"; e.g., a freestanding Sears automotive repair shop located at a shopping mall that contains a Sears retail store.~~

**Overburden.** Overburden is the collective term for all earth materials overlying the area to be mined.

**Overflow Elevation.** The design elevation of a discharge structure at or below which water is contained behind the structure, except for that which leaks or bleeds out, through a control device down to the control elevation.

**Overspray.** Water that is delivered beyond the landscape area; wetting pavements, walks, structures, or other nonlandscaped areas.

**Package plant.** A small, usually temporary, wastewater treatment facility.

**Parcel.** Any quantity of land capable of being described with such definiteness that its location and boundaries may be established, and which is designated by its owner or developer as land to be used or developed as a unit.

**Parent parcel.** A parent parcel is:

1. Any unplatted parcel of land recorded by deed as of June 16, 1989; or
2. Any parcel recorded by plat prior to May 1, 1974; or
3. Any lot of unrecorded plat that existed as of June 16, 1989.

**Parking lot.** An open area or plot of ~~paved~~ land used exclusively for the temporary storage or parking of motor vehicles. Does not include an area used exclusively for the display of motor vehicles for sale as part of a vehicle dealership.

**Parking space.** A paved or unpaved area for the storage of a single motor vehicle.

**Parks.** Areas dedicated for recreational use which are characterized by natural and landscape features. They may provide user-oriented and resource-based recreation, depending on size, site characteristics, and use.

**Park land.** The land owned or operated by the county required for the development or expansion of district parks or boat access parks as identified in the parks and recreation impact fee study.

**Parks and recreation facilities.** Those facilities owned or operated by the county on park land including but not limited to: ~~(1)~~ boat ramps, ~~(2)~~ aquatic centers, ~~(3)~~ baseball/softball fields, ~~(4)~~ football fields, ~~(5)~~ soccer fields, ~~(6)~~ tennis courts, ~~(7)~~ basketball courts, ~~(8)~~ bike trails, ~~(9)~~ nature/hiking trails, ~~(10)~~ maintenance buildings, ~~(11)~~ picnic pavilions, ~~(12)~~ picnic shelters, ~~(13)~~ playgrounds, ~~(14)~~ recreation centers, ~~(15)~~ skateboard parks, ~~(16)~~ other active and passive recreational facilities on park land.

**Parks and recreation impact fee.** An impact fee which is imposed on new residential construction which is calculated to defray all or a portion of the costs of the parks and recreation facilities required to accommodate the impact to the parks and recreation system of that new residential construction, and which fee is applied to parks and recreation facilities which reasonably benefit the new residential construction.

**Permanent control point.** A secondary horizontal control monument consisting of a metal pin or pipe not less than three-fourths inch diameter and at least 24 inches in length, or a concrete monument four inches by four inches at a minimum of 24 inches long. The point of reference and the registration number of the surveyor filing the plat of record shall be marked thereon.

**Permanent reference monument.** A monument consisting of a metal rod of one and one-half inches minimum diameter, metal pipe at a minimum of 24 inches long, encased in a solid block of concrete or set in natural bedrock at a minimum of 18 inches below the top of the monument or a concrete monument four inches by four inches a minimum of 24 inches long, with the point of reference marked thereon. A metal cap marker, with the point of reference, the registration number of the surveyor certifying the plat of record, and the letters "PRM" marked thereon shall be placed in the top of the monument as required by F.S. ch. 177, as amended.

**Person.** A corporation, company, association, society, firm, partnership, or joint stock company, as well as an individual, state, all political subdivisions of a state, or any agency or instrumentality thereof, whether singular or plural, as the context may require.

**Personal services.** An establishment that primarily provides services generally involving the care of a person or a person's apparel including, but not limited to, barber shops, beauty salons, seamstress shops, shoe repair shops, dry cleaning, and laundry pickup facilities.



**Physical contact establishment.** A site or premises, or portion thereof, upon which any person who is an owner, proprietor, employee, or independent contractor, in exchange for payment, manipulates the superficial tissues of the body of another person, with any portion of the torso, hand, foot, leg, arm, or elbow, whether or not aided by any device. The definition of physical contact establishment does not include the following:

1. Licensed health-care facilities;
2. Licensed physicians or nurses engaged in the practice of their profession;
3. Educational or professional athletic facilities, if massage is a normal and usual practice in such facility;
4. Establishments, exempted under Chapter 480.0324, Florida Statutes; or
5. Massage establishments licensed under Chapter 480, Florida Statutes.

**Place of religious worship.** ~~means a~~Any building or structure used primarily and regularly for religious services or education of any denomination, and the title, lease, or rental agreement of such building or structure is owned or held by a not-for-profit organization devoted to religious services or education.

**Planned unit development.** An inactive zoning district.

**Planning commission.** The Pasco County planning commission as established pursuant to Chapter 200 of this Code.

**Plat.** As defined in Florida Statutes 177, as amended.

**Point source discharge.** Release of degraded water through a discernible, confined, or discrete conveyance including, but not limited to, pipes, ditches, channels, tunnels, conduits, or wells. This term does not include return flows from irrigated agriculture.

**Pollutant:** Any dredged spoil; solid waste; incinerator residue; filter backwash; sewage; garbage; sewage sludge; munition; chemical wastes; biological materials; radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 [U.S.C. 2011 et. seq.]); heat; wrecked or discharged equipment; rock; sand; and industrial, municipal, and agricultural waste discharged into water.

**Pollution.** The presence of contaminants in the air, water or soil which is known to be harmful or potentially harmful to the health of living beings.

**Porch or stoop.** A covered or uncovered area with floor at a front, side, or rear door.

~~**Port.** A harbor used predominantly for commercial purposes including channels, turning, basins, jetties, breakwaters, landings, wharves, docks, markets, structures, buildings, piers, storage facilities, plazas, anchorages, utilities, bridges, tunnels, roads, causeways, and all other property or facilities necessary or useful in connection with commercial shipping. The county has no ports.~~

**Portable storage unit.** Any container designed, or is used, for the outdoor storage of personal property, including those which are typically rented to owners or occupants of property for their temporary use, and which is typically delivered and removed by vehicle. Containers that are less than 500 cubic feet are not portable storage units within the meaning of this definition. Shipping containers or semi-trailers, shipping containers, or semi-trailer boxes shall not be considered "portable storage containers" in locations and/or zoning districts that otherwise prohibit commercial vehicles or equipment.

**Pot bellied pig.** Commonly referred to as the Vietnamese, Oriental, or Chinese pot bellied pig (*sus scrofa vittatus*) or (*sus scrofa domestica*).

**Potable water.** Water which is satisfactory for drinking, culinary, and domestic purposes, and meets the requirements of the [Florida Department of Environmental Protection](#).

**Potentiometric surface.** The elevation to which water will rise in a tightly cased well.

**Premises.** Any lot, parcel, or tract of land and any building constructed thereon.

**Primary tributaries.** Water bodies shown on the most recent United States Geological Survey quadrangle sheets as having perennial flow which eventually drain into any permanent open water body.

**Principal building.** A building in which is conducted the dominant use of the lot on which it is situated.

**Principal use.** The major dominant use of the lot on which it is located.

~~**Private club.** An organization catering exclusively to members and their guests; or premises and building or recreational or athletic purposes which are not conducted primarily for gain, providing that any vending stands, merchandising, or commercial activities are conducted only as required generally for the membership of such club.~~

**Private water system.** A well, spring, cistern, or other similar source of water and appurtenances of piped water for human consumption and other domestic purposes used only by individual family living units including private homes, duplexes, or multifamily dwellings, ~~four units or less.~~

**Processing.** Processing means the transporting, washing, sizing, flotation, storage, drying, grinding, and shipping of mined material and all activities reasonably related thereto.

**Professional office district.** A professional office district is any parcel or parcels of land or water zoned PO-1, PO-2, or any areas designated and used for professional office purposes within a PUD/MPUD district as defined by the county zoning ordinance enacted November 19, 1975, and as subsequently amended.

**Professional offices or services.** Office uses principally dedicated to the provision of professional services, including, but not limited to, accounting, medical, legal, dental, engineering, land surveying, clerical/bookkeeping, consultant, drafting, research, real estate, investment, tax and financial, title and abstract, stock brokerage, bonding, and other similar services not principally involving the wholesale or retail sale of personal property stored or displayed on the premises.

**Programmed.** A facility which has been officially scheduled for construction in the capital improvement plan and budget.

~~**Project. 1. General:** Any land use or combination of more than one land use, either existing or proposed, for which application for approval has either been submitted or is in the process of being reviewed, or which has been issued a development order. Cultivation or raising of agricultural, other farm, or plant products shall not be considered a project. A project shall also constitute a parcel or tract of land which is proposed or exists as a single development, with all portions of the parcel or tract being contiguous, except where divided by roadways, railroad, streams, rivers, lakes or utility transmission corridors.~~

**Project.** For purposes of the definition of “project” the term “single development shall include any development, parcel of land, lot, and tract; and contiguous or nearby (within one-quarter mile) developments, parcels, lots or tracts that are a) developed by the same or related development or landowner or b) developed as part of the same zoning plan, preliminary development plan, preliminary site plan, plat, or other unified plan of development as determined by the County Administrator or designee. However, parcels of land, lots or tracts, legally subdivided, or that filed a complete application to legally subdivide, prior to June 4, 2004 or that are otherwise exempt from Section 901.2, and not presently owned by a related developer or landowner, shall not be aggregated as a “single development” for purposes of access management. For purposes of this definition, a related developer or landowner shall include a partnership in which any of the same persons or entities are partners; and a corporation in which any of the same persons are officers or directors. If an applicant is in doubt as to whether a particular development, parcel of land, lot or tract will be aggregated with another development, parcel, lot or tract pursuant to this definition, the applicant may request a written determination from the County Administrator or designee. The term “project” shall be liberally construed in favor of the applicability of these access management regulations to all development along collector and arterial roadways within Pasco County.

**Public access.** ~~The ability of the public to physically reach, enter, or use recreation sites including beaches and shores.~~

**Public facilities.** ~~Publicly owned, operated, franchised, licensed, or regulated facilities which provide water, sewer, solid waste drainage, and transportation services to the residents and visitors of the county.~~

**Public/semi public facilities.** Those traditional essential facilities and municipal services which may or may not be provided by the government, including but not limited to, fire protections; law enforcement; recreation service and facilities; utilities including electric and gas; water supplies including, but not limited to, reclaimed water and water from aquifer storage and recovery and desalination systems; garbage and trash collection and disposal; waste and sewage collection and disposal; drainage; transportation; education and healthcare services. Uses which are conducted entirely by the public sector shall be considered public, uses not entirely public shall be considered semi-public. Public/semi public facilities are classified as either major or minor depending upon scale and intensity.

**Public park.** A park, playground, swimming pool, reservoir, golf course, or athletic field, within the County, which is under the control, operation, or management of the County, or any other governmental entity.

**Public place.** Public rights-of-way, any river, channel, lake, bay, body of water, public park, or any adjacent parcel under separate ownership.

**Public right-of-way.** Land reserved for use as a road, street, alley, crosswalk, pedestrian way, or other public purpose.

**Public rights-of-way.** A public right-of-way, public utility easement, highway, street, bridge, tunnel, pier, waterway, dock, wharf, court, lane, path, or alley or any other property for which a governmental entity the county is the authority that has jurisdiction and control and may lawfully grant access to such property pursuant to applicable law, and includes the surface, the air space over the surface and the area below the surface to the extent the entity county holds a property interest therein. "Public rights-of-way" shall not include private property. "Public rights-of-way" shall not include any real or personal county property except as described above and shall not include county buildings, fixtures, poles, conduits, facilities or other structures or improvements, regardless of whether they are situated in the public rights-of-way.

**Public school.** Public school shall consist of kindergarten classes, elementary and secondary school grades, university and community colleges, and special classes authorized by law to be operated under the control of the state system of public education.

**Public service.** Services provided by the county which may or may not be associated with capital infrastructure, such as, but not limited to, police, fire, health, education, library and social service.

~~**Public uses, appropriate.** Includes public and semipublic uses of a welfare and educational nature, such as hospitals, nursing homes, schools, parks, churches, cemeteries, civic centers, historical restorations, fire stations, municipal buildings, essential public utilities that require enclosure within a building, airport, fraternal clubs and homes and nonprofit recreational facilities.~~

**Public water system.** A system for the provision to the public of piped water for human consumption if such system has at least 15 service connections or regularly serves at least 25 individuals daily for at least 60 days out of the year.

~~**Public/quasi-public.** Land uses, such as schools, hospitals, and airports, in which government is a major participant and from which the public benefits. This type of permitted use, as it is used in this Code, does not include an industrial/technical or trade school, or a specialty school unless the industrial, technical, trade, or specialty school otherwise meets the definition of "school" as it is defined in this Code.~~

**Pump stations.** Generally, those components of a water and/or sanitary sewer system which place pipe contents (water or wastewater) under pressure in order to facilitate its travel.

**Radial point.** The center point within the dead-end or bend of a canal equally distant from the shoreline or upland within the dead-end or bend

**Rain sensor device.** A calibrated device that is designed to measure rainfall and override the irrigation cycle of the irrigation system when a predetermined amount of rainfall has occurred. The suggested setting of the rain sensor device for shutoff, as per the University of Florida's Institute of Food and Agricultural Sciences (IFAS), is one-half to three-quarters inch.

**Rational nexus test.** The legal test established by the Florida Supreme Court, upon which all impact fee ordinances in the state are based. This complex test of constitutionality, which has been explained in greater detail by various court opinions, requires, in summary, that in order to be constitutional, an impact fee ordinance must provide that:

- (1) The amount of impact fees charged bears a reasonable relationship to the cost of providing public facilities necessitated by new development; and
- (2) The impact fees collected are earmarked and spent to construct public facilities reasonably benefiting the new development paying the fee.

**Reasonable access.** The minimum number of connections, direct or indirect, necessary to provide safe ingress and egress to the collector and arterial roadway system based on projected connection and roadway traffic volumes and the type and intensity of the land use.

**Reasonable-beneficial use.** The use of water in such quantity as is necessary for economic and efficient utilization, for a purpose and in a manner which is both reasonable and consistent with the public interest.

**Receiving water.** The surface water area into which an industrial, domestic, or stormwater pollution point source enters after appropriate water quality treatment.

**Recharge area.** Any area of porous, permeable geologic deposits, such as deposits of stratified sand and gravel, and sinkhole areas, through which water from any source drains into an aquifer, and including wetlands or water bodies, together with the watershed.

**Reclaimed water.** Water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility, as defined in Rule 62-610, F.A.C., as amended.

**Reclamation.** Reclamation is the restructuring, reshaping, and restoration of mined or excavated lands to a form in which the lands are able to be put to a beneficial use as provided within this Code.

**Recorded county-observed, flooding elevation.** A flooding elevation surveyed by the County and adopted as a standard by the Board of County Commissioners by resolution.

**Recreation.** Leisure activities or pursuits, especially those that are conducted outdoors.

~~**Recreational services.** Organization of leagues for softball, soccer, etc., organization of activities, such as dances, nature walks, etc., maintenance of facilities, and providing security; for example rangers and lifeguards.~~

~~**Recreational vehicle. 1. General:** A recreational vehicle type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own mode of power or is mounted on or drawn by another vehicle. The term recreational vehicle shall include the following types:~~

~~**a. Travel trailer (including fifth-wheel travel trailers).** A vehicular transportable unit identified by the manufacturer as a travel trailer, whether mounted on wheels or not, designed and constructed primarily to provide temporary living quarters for recreational, camping, or travel use. It has a body width of no more than eight and one-half feet and an overall body length of no more than 40 feet, when factory equipped for the road.~~



~~b. Motor home. A vehicular unit built upon a self-propelled motor vehicle chassis primarily designed to provide temporary living quarters for recreational, camping, or travel use.~~

~~c. Pickup coach/truck camper. A portable unit designed to be loaded onto or affixed to a pickup or other truck chassis and constructed to provide temporary living quarters for recreational, camping, or travel use.~~

~~d. Camping trailer. A vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold or collapse for towing by another vehicle to provide temporary living quarters for recreational, camping, or travel use.~~

~~e. Park trailer. A vehicular transportable unit having a body width not exceeding 14 feet built upon a single chassis design to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. Total area in set-up mode shall not exceed 500 square feet when measured from the exterior surface of the exterior walls at the distance of maximum dimension. Bay windows or other extensions reaching the floor level shall be included within area calculations.~~

~~f. Boat. A vessel designed to travel on water.~~

~~g. Boat trailer. A trailer designed to haul a boat as defined above.~~

~~h. Noncommercial utility trailer. A trailer designed to haul items.~~

Recreational vehicle Recreational vehicle. Recreational vehicle means a noncommercial transportation structure or device, self-propelled or towed, that is used or designed to be used for recreational purposes. Vehicles are recreational vehicles when designed or constructed to be towed, or are towable by passenger cars, station wagons, or light pickup or panel trucks, or similar motor vehicles, and are used or intended to be used for recreational purposes.

Recreational vehicles.—include, but are not limited to, the following vehicles: utility-type trailers; boat trailers; trailer coaches; camping trailers; motor homes; pickup (slide-in) campers; chassis mounts; converted vans; chopped vans; mini-motor homes; fifth wheel trailers of recreational vehicle construction, design, and intent; utility trailers; carry-on trailers, with and without a structure mounted thereon; boats; jetskis, airboats; swamp buggies; unlicensed or unregistered dune buggies, racing cars, and racing stock cars; park trailers; and motorized vehicles converted from their original intended use, and presently designed and used for recreational purposes. The requirements of this section apply to such vehicles whether or not such vehicles are motorized, operable, licensed, or otherwise usable, or in use for a different purpose for which they were designed (i.e., a “non-recreational” use).

1. A camping trailer is a portable vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold or collapse for towing by another vehicle to provide temporary living quarters for recreational, camping, or travel use.
2. Pickup (slide-in) campers are recreational vehicles when designed to be mounted temporarily or permanently in the beds of light trucks, or in trucks having either single or double rear wheels and with or without an assisting, extra tag axle, and wheels mounted either on the camper chassis or the truck chassis behind the truck's rear wheels, and is used or intended to be used for recreational purposes. These campers can be readily demountable from truck beds. When removed from their respective truck beds, pickup (slide-in) campers are called unmounted campers.
3. Chassis mounts, motor homes, and mini-motor homes are vehicular units built upon a self-propelled motor vehicle chassis primarily designed to provide temporary living quarters for recreational, camping, or travel use. The chassis may have single or double rear wheels.
4. Converted and chopped vans are recreational vehicles when created by altering or changing an existing auto van for recreational purposes.
5. A carry-on trailer is a recreational vehicle when constructed in such a manner as to place thereon a boat, airboat, swamp buggy, dune buggy, racing cars, racing stock cars, aircraft, golf carts, or vehicles converted for recreational storage or transportation, and which is towable by a passenger car, station wagon, pickup truck, or other mobile recreational vehicle as defined herein.
6. A park trailer is a vehicle having a body width not exceeding 14 feet built upon a single chassis design to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances.

2. As pertains to Flood Damage Prevention: A vehicle that is:

- A1. Built on a single chassis;
- b2. 400 square feet or less when measured at the largest horizontal projection;
- e3. Designed to be self-propelled or permanently towable by a light-duty truck; and
- d4. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

**Regional shopping center.** A commercial center providing shopping goods, general merchandise, apparel, furniture, and home furnishings in full depth and variety. Such center shall contain 30 or more acres, and a minimum gross leasable area of 400,000 square feet.

**Regulated substance.** Any substance, including petroleum or derivatives thereof, or combination of substances which because of their quantity, concentration, physical, chemical, infectious, flammable, combustible, radioactive, or toxic characteristics, may cause or significantly contribute to a present or potential risk to human health, safety, welfare, to groundwater resources or to the natural environment that are regulated by federal, state or local law. ~~Regulated substances include those materials subject to regulation under the laws, and any regulations adopted pursuant to the laws, listed below, all as amended:~~

~~\_\_\_\_\_A.\_\_\_\_\_ Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. §§ 9601--9675;~~

~~\_\_\_\_\_B.\_\_\_\_\_ Clean Water Act (Federal Water Pollution Control Act), 33 U.S.C. §§ 1251--1387;~~

~~\_\_\_\_\_C.\_\_\_\_\_ Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. §§ 136--136Y;~~

~~\_\_\_\_\_D.\_\_\_\_\_ Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), 42 U.S.C. §§ 11001--11050;~~

~~\_\_\_\_\_E.\_\_\_\_\_ Hazardous Materials Transportation Act (HMTA), 49 App. (U.S.C.) §§ 1801--1819;~~

~~\_\_\_\_\_F.\_\_\_\_\_ Hazardous and Solid Waste Amendments of 1984 (HSWA), Pub.L. 98-616, November 8, 1984, Stat. 3221;~~

~~\_\_\_\_\_G.\_\_\_\_\_ Solid Waste Disposal Act and Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §§ 6901--6992K;~~

~~\_\_\_\_\_H.\_\_\_\_\_ Superfund Amendments and Reauthorization Act (SARA), Pub. L. 99-499, as amended by Pub. L. 99-563, Pub. L. 100-102, and Pub. L. 101-144;~~

~~- I. Toxic substances Control Act (TSCA), 15 U.S.C. §§ 2601--2654;~~

~~\_\_\_\_\_J.\_\_\_\_\_ Safe Drinking Water Act, 42 U.S.C. §§ 300f--300j-26;~~

~~\_\_\_\_\_K.\_\_\_\_\_ Hazardous Substances Law, F.S. §§ 501.061--501.121;~~

~~\_\_\_\_\_L.\_\_\_\_\_ F.S. ch. 376; and~~

**Regulatory floodway.** See floodway.

**Repeat violation.** A violation of a provision of a code or ordinance by a person whom was previously found to have violated the same provision within five years prior to the violation.

**Repetitive loss.** Flood-related damages sustained by a structure on two separate occasions during a ten-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25 percent of the market value of the building at the time of each such flood event.

**Residential district.** A residential district is any parcel or parcels of land or water zoned E-R, ER-2, R-MH, R-1MH, R-2MH, R-1, R-2, R-3, R-4, MF-1, MF-2, MF-3 or any areas designated and used within a PUD/MPUD district for residential purposes as defined by article 500 of this Code and as subsequently amended.

**Residential treatment and care facilities.** Any non-governmentally owned and operated building, residence, private home, boarding home, or other place, whether operated for profit or not, which undertakes, through its ownership or management, to provide for a period exceeding 24 hours, housing and food services, personal services, and physical or mental health care services for seven or more persons who require such services and who are not related to the owner or operator by blood, marriage, or adoption. Where consistent with this definition, residential treatment and care facilities shall include, but not be limited to, group homes, adult congregate living facilities, homes for the physically, developmentally, emotionally, or mentally disabled, homes for abused children or spouses, runaway shelters, foster care facilities, [foster care facilities](#), residential centers for drug or alcohol treatment or rehabilitation, orphanages and juvenile detention centers.

**Residential use.** Any occupied structure or part thereof which is designed exclusively for human habitation on a continuous basis; i.e. having hot and cold running water and adequate facilities for heating, cooking, sleeping, and the sanitary elimination of wastes. Hotels, motels, and temporary lodging facilities are specifically excluded.

**Resort condominiums.** A dwelling group of units that may consist of multifamily or attached dwelling units where each unit is owned individually in fee simple or as a condominium and may be rented out for less than six days at a time. This definition does not prohibit rental periods of a longer duration.

**Retention.** The prevention of direct discharge of storm runoff into receiving waters; included as examples are systems which discharge through percolation, exfiltration, and evaporation processes and which generally have residence times less than three days.

~~**Roadway functional classification map.** The assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access and arterial, collector and local roads.~~

**Roof line.** The top edge of the roof or parapet. ~~Whichever~~ that forms the top line of the building silhouette when viewed from ground level

~~**Rooming house.** A building arranged or used for sheltering for compensation with or without meals for more than three and not more than 20 individuals who are not members of the resident manager's family. A "rooming house" shall include a boardinghouse or a lodging house.~~

~~**Row house.** See "townhouses".~~

**Runoff.** Water that is not absorbed by the soil and flows from the area.

**Sand dunes.** Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

~~**Sanitarium, sanatorium.** A private hospital, whether or not such facility is operated for profit.~~

~~**Sanitary landfill.** A lot or land or part thereof used primarily for the disposal of garbage, refuse, and other discarded materials including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, and residential activities. The operation of a sanitary landfill normally consists of:~~

~~\_\_\_\_\_ 1. \_\_\_\_\_ Depositing the discarded material in a planned controlled manner;~~

~~\_\_\_\_\_ 2. \_\_\_\_\_ Compacting the discarded material in thin layers to reduce its volume;~~

~~\_\_\_\_\_ 3. \_\_\_\_\_ Covering the discarded material with a layer of earth; and~~

~~\_\_\_\_\_ 4. \_\_\_\_\_ Compacting the earth cover. Any solid waste land disposal area for which a permit, other than a general permit is required by Section 403.707, Florida Statutes, and which receives solid waste for disposal in or upon land. The term does not include a land-spreading site, an injection well, a surface impoundment, or a facility for the disposal of construction and demolition debris.~~

**Sawmills** or planing mills. Mills intended for the primary processing of timber or saw logs into lumber and shall exclude any secondary processing of the lumber thus produced.

**School. 1.** General: Any use, building, or structure, which is held, used, or controlled exclusively for 1) public educational purposes by the district school board of the county or other governmental entity; 2) a "charter school" as defined by the Florida K-20

Education Code as it may be amended, with a valid charter; or 3) a private school, authorized by the Board of Education, which is defined as an individual, association, co-partnership, or corporation, or department, division, or section of such organizations, that designates itself as an educational center that includes kindergarten, elementary, or secondary schooling below college level and that provides instructional services that meet the intent of sections 1003.01(13)(a-d) and 1003.21 of the Florida K-20 Education Code as it may be amended. A private school may be a parochial, religious, denominational, for-profit, or not-for-profit school.

~~**School board.** The district school board of Pasco County; the body that operates, controls, and supervises all free public schools within the school district of the county as authorized by section 4(b) of article IX of the state constitution.~~

~~**School board attorney.** The person appointed by the school board to serve as its counsel, or the designee of such person.~~

**School facilities.** Those facilities of the school system including ancillary plants, auxiliary facilities, educational facilities, and educational plants (as defined by the state's "State Requirements for Education Facilities 1999", as amended) which a need is created for by new residential construction.

**School impact fee.** An impact fee which is imposed on new residential construction which is calculated to defray all or a portion of the costs of the school facilities and/or school sites required to accommodate the impact to the school system of that new residential construction, and which fee is applied to school facilities and/or school sites which reasonably benefit the new residential construction.

**School system.** The school facilities which are used to provide instruction within the public schools operated by law under control of the District School Board of Pasco County.

**Screen.** Fences, walls, berms, trees, shrubs, or a combination of these located within a buffer to serve as a visual barrier.

**Seasonal high water line.** The line formed by the intersection of the rising shore and the elevation of 150 percent of the local tidal range above mean high water.

**Season High Water Level.** The elevation to which the ground or surface water can be expected to rise due to a normal wet season.

**Seawall.** Manmade wall or embankment, except riprap, which is made to break the force of waves, and to protect the shore from erosion.

**Septage.** Domestic septage which has been properly stabilized.



**Septic tank.** A watertight receptacle constructed to promote separation of solid and liquid components of wastewater; to provide limited digestion of organic matter; to store solids; and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

~~**Service, essential.** See "essential service installation."~~

~~**Service station.** See "automotive service station."~~

**Setback.** Physical distance which serves to minimize the effects of development activity from a structure or natural resource, and for which it may be necessary to restrict activities for the area; or the physical distance between structure and the property line or edge of ingress/egress easement, as applicable.

**Sewerage system.** A network of drains and sewers used to collect liquid and solid wastes for subsequent treatment or disposal.

**Sewerage system, central.** Includes pipe, pumps, tanks, treatment plants, and all other appurtenances which serve three or more lots, or which serve any multifamily, commercial, industrial, instructional, or other use where the total sewage flow exceeds 2,000 gallons per day.

**Sewerage system, individual.** A system of piping, tanks, or other facilities serving only one lot.

**Sexually oriented business means:**

1. Any physical contact establishment;
2. Any premises where members of the public or any person for consideration are offered any live or recorded performance, or any visual images tangibly fixed in any medium, which performance, image, or recording has as its primary or dominant theme subject matter depicting, describing, or relating to specified sexual activities or specified anatomical areas; or
3. Any premises where the presentation or distribution of any performance, recording, or visual image requires the exclusion of minors from the premises pursuant to Chapter 847, Florida Statutes.; [or](#)
4. Any premise where a member of the public, or any person for consideration (including a membership or entry fee) is permitted to view or engage in sexual acts.

**Sexually oriented business:**

1. Any Physical Contact Establishment; or a

2. Any premises where members of the public or any person for consideration are offered any live or recorded performance, or any visual images tangibly fixed in any medium, which performance, image, or recording has as its primary or dominant theme subject matter depicting, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas; or a
3. Any premises where the presentation or distribution of any performance, recording, or visual image requires the exclusion of minors from the premises pursuant to Chapter 847, Florida Statutes, as amended.

~~**Shared or adjacent corridors.** Shared or adjacent corridors means electric bulk transmission corridors that share nonelectric utility uses, such as gas pipelines, telephone conduits, water, or sewer pipelines, or are adjacent to other utility and road corridors.~~

**Shellfish harvesting area.** Coastal waters classified pursuant to Rule 5L-1, Florida Administrative Code ~~by the state department of natural resources for the harvesting of shellfish. Classifications are based upon~~ bacteriological and sanitary surveys which define levels of bacteriological pollution and document all possible sources of pollution, both actual and potential. ~~Waters are classified as follows pursuant to section 16B-28.009, Florida Administrative Code.~~

~~Approved: normally open to shellfish harvesting; may be temporarily closed under extraordinary circumstances (e.g., red tides, hurricanes, sewage spills).~~

~~Conditionally approved: periodically closed to shellfish harvesting based on predictable pollutional events.~~

~~Prohibited: shellfish harvesting is not permitted due to actual or potential pollution.~~

~~Unclassified: shellfish harvesting is not permitted pending bacteriological and sanitary surveys.~~

~~**Shopping center.** An integrated unit of two or more retail business establishments that share common ingress and egress to public rights-of-way.~~

**Shoreline.** Interface of land and water in oceanic and estuarine conditions which follows the general configuration of the mean high water line (tidal water) and the ordinary high water mark (freshwater).

**Shooting range or firing range.** A specialized indoor or outdoor facility designed for firearms practice.

~~**Short-term rental:** A dwelling unit which has been advertised as available more than three times per year for periods of fewer than 30 days at a time for use, occupancy, or~~

~~possession by persons other than the owner, regardless of the form of ownership of the unit. Dwelling units commonly referred to as "timeshares," "vacation rentals," and "holiday rentals" which possess the above characteristics are included within this definition.~~

~~Bed and breakfast establishments are excluded from the definition, and shall not be required to comply with Section 1103. Also excluded from the definition are multiple-family dwellings, other than condominiums, the individual units of which are offered exclusively for rent. The exemption of multiple-family dwellings from the definition of "short-term rental" shall not be construed as authorizing multiple-family dwellings to be operated as hotels, motels, or other transient lodging establishments.~~

### **Short-term rental:**

~~a. **Bed and breakfast:** A dwelling unit occupied by its owner or the owner's agent which is made available for lodging of the public and which customarily offers lodging and a meal for one price. A dwelling unit shall not be considered a bed and breakfast if its owner or the owner's agent does not live on the premises during a majority of the time guests are occupying the unit. A bed and breakfast shall not be considered a short-term rental and shall not be required to comply with the provisions of Section 402.5B.~~

~~b. **Management company:** Any person, firm, partnership, corporation, or other entity which manages or is otherwise responsible for the local operation and maintenance of a short-term rental. This definition shall include the owner of a short-term rental if the owner does not contract with another for the operation and maintenance of his rental.~~

**Side use lines.** Lines extending into the water from the property lines of upland owners adjacent to the water. Side use lines begin at the waterfront property corner and generally extend out perpendicular to the canal centerline, except that side use lines extend to the radial point at dead-ends and bends of canals. Along with the waterward use line, side use lines mark the area (the "canal use zone") where upland property owners may exercise canal use rights in a manner consistent with this [Code section](#).

**Sight triangle.** See "clear sight triangle."

**Sign.** For the purposes of Signs, Section 406.1 of this Code, the following words shall be defined as follows.

1. **Sign.** —Any visual representation intended to advertise, identify, or communicate information to attract the attention of the public for any purpose and includes any symbols, letters, figures, illustrations, graphics or other forms painted or otherwise affixed to any structure or device. Specifically excluded from this definition is any mural or painting or other artistic creation etched or painted on the wall of any structure, provided

that the mural, painting, or artistic creation, contains only noncommercial speech or art work

4.

4.2. **Activated sign.** Any sign which contains or uses for illumination any light, lighting device, or lights which change color, flash, or alternate; or change appearance of said sign or any part thereof automatically; any sign which contains moving parts as part of its normal operation, such as rotating signs, shall be considered an activated sign. Additionally, a sign that depicts or contains copy which moves or appears to be moving, or emits audible sound, vapor, smoke, odor particles, or gaseous matter, or electronic message center(s) or similar technology.

2.3. **Advertiser.** Any person who is a lessee or owner of a sign, an agent of same, or anyone who has beneficial use of a sign.

3.4. **Advertising balloon.** A sign constructed from nonporous material, which is inflated and is designed to rise and float in the atmosphere. Included in this definition are those advertising balloons that represent the form of a person, place, or thing. Aircraft that may meet this definition are not considered advertising balloons. Advertising balloons may be tethered or tied to the ground or may be designed to float freely in the atmosphere.

~~5. **Art work.** Drawings, pictures, symbols, paintings or sculpture which do not identify a product or business and which are not displayed in conjunction with a commercial, for profit or nonprofit enterprise. Drawings, pictures, symbols, paintings, and sculptures which are noncommercial speech protected by the United States Constitution, Amendment 1 and/or the Florida Constitution Article 1, section 4, shall fall within this definition and be considered art work.~~

5. **Architectural feature.** Any construction attending to, but not an integral part of the a sign, such as, by way of example not limitation, landscape, building, or structural forms that enhance the site in general; it also includes, graphic stripes and other architectural painting techniques applied to a structure that serves a functional purpose, or when the stripes or other painting techniques are applied to a sign provided such treatment does not include lettering, logos, or pictures.

6. **Awning sign.** A shelter supported entirely from the exterior wall of a building and composed of nonrigid materials (except for the supporting framework) upon which a sign is indelibly drawn, painted, or printed.

7. **Banner sign.** Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind. "Banner" does not include ground

signs or pole signs regardless of whether the ground signs or pole signs are on-site or off-site.<sup>5</sup>

~~9. **Bench sign.** A bench whose primary purpose is collateral with providing transportation service to the public upon which a sign is indelibly drawn, painted, or printed.~~

~~10. **Billboard.** A type of off-site sign that is required to be registered with the County pursuant to the criteria of this Code~~

10.8. **Canopy sign.** A roof-like cover, attached or unattached, extending from the exterior wall of a building and composed of supporting framework of rigid materials upon which a sign is indelibly drawn, painted, or printed.

11.9. **Changeable copy sign.** Any framed sign, illuminated or not, which is principally devoted to and designed for changeable text and graphics. This definition shall not include activated signs.

12.10. **Colonnade sign.** A sign suspended below the roof of a covered walkway, perpendicular to the facade of the structure, oriented to pedestrians and identifying the premises adjacent to it.

13.11. **Construction sign.** .A ~~temporary ground or wall~~ sign erected on a premise currently undergoing some type of building or construction activity.

14.12. **Copy.** The letters, colors, text, or other graphics which comprise the message displayed upon the sign copy area.

15.13. **Copy area.** The area on a sign containing the copy.<sup>7</sup> The copy area of a sign shall be measured from the outside edges of the copy area frame should such a frame be used.

~~17. **Directional sign.** Any permanent or temporary signs located internally within a development and/or near the development entrances.~~

~~18. **Directory sign.** A permanent sign located, not necessarily at the entrance within a multi-occupancy parcel or multiple parcels developed under a unified plan of development.~~

18.14. **Double-faced sign.** A sign having two display surfaces not necessarily displaying the same copy, which are parallel, back-to-back, and not more than 48 inches apart.

15. **Entrance sign.** A sign located at the entrance to a residential or non residential development.

16. Exempt sign. A sign for which a permit is not required but which must conform to the requirements of this Code.

19.17. Festoon. Fabric, paper, plastic, or foil draped and bound at intervals.

21. Ground level. ~~Ground level shall mean the grade at the base of a sign.~~

21.18. Ground sign/monument sign. Any sign other than a pole sign which is placed upon or supported by structures or supports in or upon the ground and independent of support from any building which has the vertical structural supports concealed within an enclosed base. The width of such enclosed base shall be equal to at least two-thirds of the width of the sign structure measured at its widest point. The finish shall be consistent with materials used on the building that the sign serves. "Ground signs" shall include monument signs.

22.19. Illegal sign. Any sign erected prior to the adoption of the zoning ordinance in 1975 and not conforming to this Code; any sign erected without a permit subsequent to the enactment of the zoning ordinance in 1975; and signs erected prior to or subsequent to the enactment of the zoning ordinance in 1975 in violation of the county, state, or federal regulations shall be considered illegal signs.

23.20. Illuminated sign. An illuminated sign is one which either:

- a. Provides artificial light through exposed bulbs, lamps, or luminous tubes on the sign surface;
- b. Emits light through transparent or translucent material from a source within the sign; or
- ~~(c)~~c. Reflects light from a source intentionally directed upon it.

24.21. Interior sign. A sign that is located in the interior of a structure or is located outside a structure but, because of the sign's placement, design, or orientation, is not readily visible to passersbys.

25.22. Marquee sign. Any sign which is attached to or hung from a permanent, roof-like structure (marquee) which is supported by a building wall and which projects out from the building line usually, but not necessarily, over a public right-of-way such as a sidewalk.

26.23. Multioccupancy sign. A ground sign/monument sign on a multioccupancy parcel or an outparcel that is part of a common plan of development.



**27-24. Multiprism sign.** Signs made with a series of triangular vertical sections that turn and stop to show three pictures or messages in the sign surface area.

**28-25. Nonconforming sign.** Any sign lawfully in existence within the county on December 10, 2002, which does not conform to the requirements of this Code. This definition shall not be construed to include an illegal sign.

**29-26. Off-site sign.** A sign that is displayed for a building, structure, or use that is located on another premise. A registered billboard is an off-site sign.

**30-27. On-site sign** (a.k.a. on-premises sign). A sign displayed on a premises or in the case of a multioccupancy parcel, on a contiguous parcel. Any sign ~~upon~~ containing noncommercial speech is an on-site sign.

**31-28. Pennant.** Any flag-like or streamer-like piece of cloth, plastic, foil or paper attached to any staff, cord, building, or other structure at only one or two edges, the remainder hanging loosely.

**32-29. Permanent sign.** A permanent sign is one which is affixed to a building or the ground in accord with the requirements of ~~the county construction this~~ ~~Code~~ and any other applicable federal, state, or local laws, and in such a manner as to be immobile without the use of extraordinary means such as disassembly.

**33-30. Pole sign.** A sign, independent of support from any building, that is mounted on freestanding poles or other supports.

**34-31. Portable sign.** Any sign other than a sandwich sign, double or single-faced, which is not permanently erected on the site and which may readily be moved from place to place; except that this definition shall not apply to signs painted directly on vehicles or signs displayed through, but not on, windows.

**35-32. Projecting sign.** Any sign which is attached to and which projects from the outside wall of any building or structure, excluding wall signs as defined herein.

**36-33. Real estate sign.** A ~~temporary ground or wall~~ sign erected on a premise for sale, lease or exchange. .

**37-34. Revolving sign** (a.k.a. rotating sign). Any sign so erected or constructed as to periodically or continuously change the direction toward which any plane containing the display surface area is oriented.

**38-35. Roof sign.** Any sign erected, constructed, or maintained on the roof of any building, above the eaves or above mansards, parapets, or other similar architectural features of buildings or structures which are capable of supporting signs.

**39-36. Rotating sign.** See "revolving sign."

**40-37. Sandwichboard/sidewalk sign.** A sign not secured or attached to the ground or surface upon which it is located, but supported by its own frame and most often forming the cross-sectional shape of the letter A when viewed from the side.

**41-38. Sign face.** The part of a sign on which the copy or message is or could be placed.

**42-39. Sign structure.** Any structure which is designed specifically for the purpose of supporting a sign, has supported, or is capable of supporting a sign and/or its copy area. This definition shall include any architectural features, decorative covers, braces, wires, supports, or components attached to or placed around the copy area. This definition shall not include a building or buffer wall to which a sign is attached.

**43-40. Sign Structure Area.** The entire area of the sign including the copy area, the sign surface area and the sign structure. The structure area of the sign shall be measured from the outside edges of the sign structure.

**44-41. Sign surface area.** The surface area of a sign is the entire area within the periphery of a regular geometric form, or combination of regular geometric forms, comprising all of the display area of the sign and including all of the elements of the matter displayed, but not including the sign structure bearing no copy. The surface area of the sign shall be measured from the outside edges of the sign or the sign frame, whichever is greater. The sign surface area shall include the aggregate sign area upon which copy could be placed and shall include the total of a single side of a sign surface upon which copy could be placed.

**45-42. Snipe sign.** A sign made of any material when such sign is tacked, nailed, posted, glued, or otherwise attached to any pole, tree or other natural feature, fence, fence post, bench, stakes, other sign, or other similar objects located on public or private property.

~~47. Development sign. A sign located at the entrances to a neighborhood, residential development or nonresidential development, including, but not limited to, industrial and commercial parks, multifamily projects, and single-family residential development~~

**47.43. Temporary sign.** A sign which is not designed, constructed, or intended to be permanent. This definition shall not include prohibited signs.

**48.44. Vehicle signs.** Any commercial sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers, that is parked on or otherwise utilizing a public right-of-way, public property, or on private property so as to be intended to be viewed from a vehicular right-of-way. This definition is not to be construed to include those signs within the normal unaltered lines of the vehicle, when and during that period of time such vehicle is traversing the public highways during the normal course of business.

**49.45. Wall sign.** A sign which is painted on, fastened to, or erected against the wall of a building with its face in a parallel plane to the plane of the building facade or wall and which does not project more than 18 inches from such building.

**50.46. Window sign.** A window sign is one which is painted on, attached to, or visible through a window (excluding displays of merchandise).

**Significant habitat of ~~threatened and endangered listed~~ species.** Areas which, due to its function and character, provide viable nesting, foraging, or other critical component of a listed species life cycle.

**Silviculture.** Forestry agriculture, tree farming, or harvesting activities which are conducted for commercial use or conservation management

**Single boat docking facility.** Structure for the uncovered storage of watercraft which serves a single residential building containing only one dwelling unit on a single building lot.

**Single-family detached house.** (As pertains to School Impact Fee): A detached dwelling unit and which is not considered to be a mobile home as mobile home is defined by the state.

**Single-family dwelling unit.** A structure designed for occupancy by a single family or household. Single-family dwelling units may be attached to one another as in row or townhouses, or detached from one another as by side yards. All single-family units are characterized by a ground floor entrance, except where flood regulations specify otherwise, and the absence of another dwelling unit above.

**Single occupancy parcel.** Any parcel which is occupied by a single establishment.

**Site.** Site means -I- and all structures and articles appurtenant or attached thereto which are owned, leased, occupied, or controlled by a person.

~~**Site-access improvements.** Improvements to transportation facilities at or near the development site which are necessary to interface the development's external trips with the major road network system or which are necessary to interface the development's internal trips with the major road network system where a portion of the major road network system is included within the development; i.e., project drives, turn lanes, signalization, etc. It shall also include improvements designed to ensure safe and adequate ingress and egress. For purposes of this Code, site-access improvements include, but are not limited to, improvements required by the county's access management regulations and any right-of-way dedications necessary to construct the first four (4) lanes of a roadway on the major road network system within the development site and design and construction of any portion of the first two (2) lanes of a roadway on the major road network system within the development site, including all roadway facilities necessary for the design and construction of the first two (2) lanes of such roadway.~~

**Site area.** The total area of a lot, tract, or parcel which is developed or intended for development for a specific integrated purpose, and shall include all streets and other public rights-of-way and common open space.

**SLOSH (sea, lake, and overland surges from hurricanes).** The storm surge heights resulting from tropical storms and hurricanes.

~~**Slow speed zone.** A designated area within which it has been established that manatees are known to congregate. In a slow speed zone, motorboat operators shall not proceed at a speed greater than is reasonable and prudent to avoid either intentionally or negligently annoying, molesting, harassing, disturbing, colliding with, injuring, or harming manatees, and shall operate such motorboat in accordance with legal requirements and the duty of all persons to use due care under the circumstances.~~

**Small quantity generator (SQG).** A small quantity generator, as defined by the Resource Conservation and Recovery Act of 1976, 40 Code of Federal Regulations 260, is one which generates less than 1,000 kilograms (2,200 lbs. or approximately 250 gallons) of hazardous waste in a calendar month.

**Solid waste. 1. As pertains to waste spreading:** Sludge from a waste treatment works; water supply treatment plant; air pollution control facility; or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. Solid waste does not include scrap or new or used material separated at the point of generation and held for purposes of recycling.

**Solid waste. 2. As pertains to groundwater protection:** Solid waste includes garbage, refuse, white goods, special waste, ashes, wastewater residuals, sludge or other discarded material, including solid, liquid, semi-solid or contained gaseous material

resulting from domestic, industrial, commercial, mining, agricultural or governmental operations. For purposes of this Code, solid waste does not include:

1. Disposal by persons of solid waste resulting from their own activities on their own property, provided such waste is either from their residential property and is not a regulated substance or is rocks, soils, trees, tree remains, and other vegetative matter which normally result from land development operations.
2. Storage of solid waste in containers by persons where such solid waste results from their own activities on their property, leased or rented property, or property subject to a homeowners' or maintenance association for which the person contributes association assessments, if the solid waste in such containers is collected at least once a week.

**Solid waste facility.** Structures or systems designed for the collection, processing, or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

**Special exception.** An approval pursuant to Section 402.4 of this Code..

**Special flood hazard area (SFHA) (see area of special flood hazard).** An area having special flood hazard and shown on a FHBM or FIRM as zone A, AO, A1-A30, AE, A99, AH, V1--30, VE, or V.

**Special protection areas.** Zones delineated around vulnerable features, such as sinkholes, excavations or caves, within which land uses are regulated to protect the quality of the groundwater resource

**Specialty school.** A school primarily devoted to giving instruction in musical, dancing, dramatic, artistic, linguistic, athletic, or other similar special subjects.

**Specified anatomical area.** ~~The term 'specified anatomical area' means a~~Any of the following, alone or in combination:

1. Any less than completely or opaquely covered portion of:
  - a. The human genitals or the pubic region;
  - b. The cleavage of the nates of the human buttocks;
  - c. That portion of the human female breast directly or laterally below a point immediately above the top of the areola; this definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed;

2. Human male genitals in a discernible turgid state, even if completely and opaquely covered;
3. Any covering, tape, pastie, latex spray or paint or other device which simulates or otherwise gives the appearance of the display or exposure of any of the specified anatomical areas listed in subsections (1) and (2) of this definition;

**Specified sexual activity.** Any of the following:~~The term 'specified sexual activity' means:~~

1. Human genitals in a state of sexual stimulation, arousal or tumescence;
2. Acts of anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, fetishism, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sapphism, sexual intercourse, sodomy, urolagnia or zooerasty;
3. Fondling or other erotic touching of human genitals, pubic region, buttock, anus or female breast; or
4. Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3) of this definition.

**Specimen tree.** A ~~specimen tree shall mean a~~ tree which has been determined by the judgment of a professional forester, horticulturist, or other professional plantsman of high value because of its type, size, age, or other professional criteria, and has been officially made and promulgated as part of the official records of the county.

**Spill.** The unpermitted release or escape of a regulated substance directly or indirectly to the ground surface, soils, surface waters, or groundwater.

~~**Spot zoning.** A relatively small and isolated parcel of land which has a different and usually higher intensity zoning classification than the surrounding area in which it lies. It is considered to be spot zoning when: The parcel is singled out for special and privileged treatment; the singling out is for economic gain and not in the public interest; and the action does not conform to the general standards established in the zoning.~~

**Square feet or square footage (also referred to as "sf").** The area under roof used for occupancy or storage that is used to calculate the square footage of the development, including the gross area measured in square feet from the exterior faces or exterior walls or other exterior boundaries of the building, excluding areas within the interior of the building which are utilized for parking. With respect to dwelling units, the square footage shall be calculated as the living area under heat/air conditioning.



**Stabilization, sludge:** Stabilization means the use of a treatment to render sludge or septage less odorous and putrescible, and to reduce the pathogenic content as described in chapter 6 of EPA 625/1-79-011, "Process Design Manual for Sludge Treatment and Disposal." ~~This manual is adopted and made a part of this ordinance by reference. A copy of this document may be obtained by writing the state department of environmental protection, and may be inspected at all state department of environmental protection offices.~~

~~**Stable, private.** An accessory building in which horses are kept for private use and not for hire, remuneration, or sale.~~

~~**Stable, public.** A building in which any horses are kept for remuneration, hire, or sale.~~

**Start of construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act P.L. 97-348),** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Stormwater:** Surface runoff and drainage of water resulting from rainfall.

**Stormwater management system.** All natural and artificial drainage facilities which convey, store, or control the flow of stormwater runoff from one or more drainage basins.

**Stormwater runoff.** That portion of precipitation which is not passed into the soil by infiltration, evaporated into the atmosphere, or entrapped by small surface depressions and vegetation, and which flows over the land surface during, and for a short duration following any rainfall.

**Story.** A complete horizontal section of a building having one continuous floor and ceiling, including a basement but not including a cellar and including an attic if habitable.

**Story, half.** A story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor area immediately below it.

**Story, height of.** The vertical distance from top to top of two successive tiers of beams or finished floor surfaces; and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is no ceiling, to the top of the roof rafters.

**Street.** A way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, freeway, road, avenue, boulevard, lane, place, court, or easement for purposes of vehicular traffic or traffic circulation, or however designated, when any part thereof is used for purposes of vehicular traffic and traffic circulation. The term "street," as defined above, shall include streets created by physical improvement to or alteration of land and shall include streets which are, or may be reasonably construed as having been, created by any instrument reciting a conveyance, dedication, reservation, limitation, or other means of establishing a street. However, the term "street" shall not include easements, private driveways, or parking lots, the sole function of which is to provide off-street access and parking. The term "street" shall also not include limited-purpose easements designed to provide access for maintenance functions such as, but not limited to, the cleaning of drainage ditches

~~**Street, collector.** A street which serves to collect and distribute traffic between arterials and local streets and also to provide access to abutting property. The average daily traffic usually ranges from 1,000 to 4,000 vehicles.~~

**Street frontage.** The length of the property line for a single parcel which runs parallel to and along each public right-of-way (exclusive of alleys) it borders.

**Street grade.** The official established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts, at the midpoint of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

**Street line.** A dividing line between a lot, tract, or parcel of land and a contiguous street.

~~**Street, local.** A street designed and maintained primarily to provide access to abutting property. The average daily traffic is normally less than 1,000 vehicles.~~

**Street, marginal access.** A frontage road parallel and adjacent to an arterial street which serves primarily to provide access to abutting property.

~~**Street, minor arterial.** Serves primarily to move moderate to high volumes of traffic between the major traffic generators in an urban area. The average daily traffic is usually 4,000 to 10,000 vehicles.~~

~~**Street, principal arterial.** Serves primarily to move high volumes of traffic between the larger population centers of a region or state and for major intra-area trips. The average daily traffic normally exceeds 10,000 vehicles.~~

**Structure.1.** That which is built or constructed.**Structure 2 .** As pertains to Flood Damage Prevention: A walled and roofed building, including a gas or liquid storage tank and manufactured homes that are principally above ground.

**Subdivision.** The division of a parent parcel into three or more parcels, or any division of lands platted on or after May 1, 1974, or any division of lands previously divided in accordance with a local development order, for the purpose, whether immediate or future, of transfer of ownership or building development. Subdivision, when appropriate to the context, shall mean the process of subdivision or the land subdivided. When appropriate to the context, subdivision shall include the creation of a street, right-of-way, or public easement.

**Substantial damage.1.** As pertains to Flood Damage Prevention: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. ~~Substantial damage.~~**2.** As pertains to Dock Construction: Damage of any origin sustained by a dock whereby the cost of restoring the dock to its pre-damaged condition would equal or exceed 50% of the market value of the dock before the damage occurred.

**Substantial improvement. 1.** As pertains to Flood Damage Prevention: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds, over a one-year period, a cumulative total of 50 percent of the market value of the structure before the "start of construction" of the improvement.

This term includes structures, which have incurred "substantial damage," regardless of the actual repair work performed.

For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building.

The term does not, however, include either:

A. Any project for improvement of a building required to comply with existing health, sanitary, or safety code violations which have been identified prior to permit issuance by the county administrator, or his designee, and which are solely necessary to ensure safe living conditions; or are required by changes in any health or safety code since the time of original construction; or

B. Any alteration of a "historic structure" provided that the alteration would not preclude the structure's continued designation as a "historic structure."

**Substantial improvement. 2. As pertains to Dock Construction:** The replacement of more than fifty (50) percent of the structure, or the lateral or lineal extension of any dock.

**Substantially improved existing manufactured home parks or subdivisions** is when the repair, reconstruction, rehabilitation or improvement of the streets, utilities, and pads equals or exceeds 50 percent of the value of the streets, utilities, and pads before the repair, reconstruction, or improvement commenced.

**Supermarket.** A retail store ~~employing at the location of sale a minimum of eight full-time employees on the longest working shift~~ and whose primary business is the retail sale of food products, apart from alcoholic beverages, where such business is located in a building, or portion thereof, ~~of~~ greater than 20,000 square feet in size

**Supercenter.** A physically large retail establishment in excess of 100,000 square feet in size, typically part of a chain. Examples include large home improvement centers such as Lowe's or Home Depot or Department Stores such as Wal-Mart, Costco or Target.

**Support commercial/office uses.** Retail and professional office uses that are designed to support the primary businesses and residential that are located within an EC-MPUD (employment center). Commercial and retail uses that serve as regional scale uses, such as department stores, theaters, home improvement centers, and automobile sales, are expressly prohibited in an EC-MPUD (employment center); shall not be permitted as support office/commercial uses; and are subject to the restrictions in this Code.

**Surface water. 1. General:** ~~A recognizable permanent body of water, including swamp or marsh areas, contained within a discernible boundary or bank created naturally or artificially. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.~~

**Surface water 2. As pertains to Water Supply:** Fresh water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth's surface.

**Swimming pool, private.** Any reasonably permanent pool or open tank, not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half feet. Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

~~**Telephone central office.** A building and its equipment erected and used for the purpose of facilitating transmission and exchange of telephone or radio telephone messages between subscribers and other business of the telephone company; but in a~~

~~residential district not to include public business facilities, storage or materials, trucks or repair facilities, or housing of repair crews.~~

**Ten-year storm.** As defined in the Florida Department of Transportation Drainage Manual, Second Edition, for the Tampa Bay Area.

**Theater.** A building or part of a building devoted to the showing of moving pictures or theatrical productions on a paid admission basis.

**Theater, outdoor drive-in.** An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures or theatrical productions, on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

**To plat.** In whatever tense used, to divide or subdivide lands into lots, blocks, parcels, tracts, sites, or other divisions, however designated, and the recording of the plat in the office of the clerk of circuit court of the county in the manner authorized by [Chapter F.S. ch. 177, Florida Statutes](#), and the land development regulations of the county and other laws regulating the platting of land in the county.

**Topping.** The cutting back of tree branches to stubs or lateral branches that are not large enough to assume the terminal role. Other names for topping include heading, tipping, hat-racking, and rounding over.

~~**Tourist cabins.** A group of buildings, including either separate cabins or a row of cabins, which:~~

- ~~1. Contain living and sleeping accommodations for transient occupancy; and~~
- ~~2. Have individual entrances.~~

**Tourist home.** A dwelling in which overnight accommodations are provided or offered for transient guests for compensation.

**Transmissivity.** The rate at which water of the prevailing kinematic viscosity is transmitted through a unit width of the aquifer under a unit hydraulic gradient.

**Transfer station.** A site where used or waste material are collected and stored for relocation or sale on another site.

**Transportation corridors.** All land occupied or used or intended to be occupied or used as a street or roadway and shown on the county comprehensive plan, transportation element, transportation corridor preservation map and table, as amended, which may include areas for medians, shoulders, frontage roads, drainage, buffers, landscaping, sidewalks, bike paths, utilities, and other roadway-related improvements.

**Transportation facilities** shall include transportation planning and design, right-of-way and land acquisition, land improvement, engineering, and construction of any project eligible for inclusion as a transportation or road project in the comprehensive plan. The term does not include routine and periodic maintenance, personnel, training, or other operating costs of transportation facilities or roads.

~~**Transportation improvement program.** A document which lists city, county, and state roadway improvements, expected to be undertaken over a five-year period. The transportation improvement program is updated and adopted annually by the metropolitan planning organization and the state department of transportation.~~

**Travel time.** The time required for groundwater to move from a specific point to the well.

**Travel trailer park/recreational campground.** A tract of land developed under single ownership for the purpose of short-term or temporary use by individually owned recreational vehicles.

**Travel trailer/recreational vehicle subdivision.** A tract of land divided into three parcels or more, or individual lots or parcels which are developed for the purpose of sales or leasing in excess of one year, allowing the placement of park trailers and recreational vehicles for long-term or seasonal occupancy.

**Treatment.** Treatment means the process of altering the character or physical or chemical condition of waste to prevent pollution of the water, air, or soil to safeguard the public health, or to enable the waste to be recycled.

**Tree.** A perennial, woody plant.

**Tree location inventory.** A readable, scale drawing or accurate sketch that provides, at a minimum, the following information: the approximate location of trees, identifying species, size measured by dbh, and whether a tree is to remain or is proposed for removal.

**Trip.** A one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end). For the purpose of this [divisionCode](#), trip shall have the meaning that it has in commonly accepted traffic engineering practice and which is substantially the same as that definition in the previous sentence.

**Trip generation.** The attraction or production of trips caused by a given type of land development.

**Truck.** Any motor vehicle designed or used principally for the carriage of goods and includes a motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers. This definition is adopted from [F.S. § Section 320.01\(9\), Florida Statutes](#).



Any subsequent changes or amendments to the definition of truck found in F.S. § 320.01, are hereby incorporated into this definition.

**Truck-tractor.** A motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently. This definition is adopted from F.S. § 320.01(191). Any subsequent amendments or changes to the definition of truck-tractor found in F.S. § 320.01, are hereby incorporated.

**Turf and/or turf grass.** Continuous plant coverage consisting of grass species appropriately suited to the site where it is planted.

**Turf, Sod, or Lawn.** A piece of grass-covered soil held together by the roots of the grass.

**24-hour/25-year storm.** A storm of 24 hours duration which has a probability of occurring at least once in a 25-year period.

**Unconfined aquifer.** An aquifer that has the water table as its upper boundary and a confining unit as a lower boundary. It is also an aquifer under atmospheric conditions at the water table.

**Unity of title.** A document recorded in the official records, with the clerk of the court, which combines the use of two or more lots or parcels, or portions thereof, in conjunction with each other as if they consisted of one overall parcel of land under the county land use regulations so that the development can be reviewed for compliance under, and be subject to, regulation as if the same were a single combined parcel, rather than separate lots or parts thereof.

**Upland.** Land at a higher elevation, in general, than the alluvial plain or stream terrace; land above the lowlands along streams; land absent of wetlands.

**Use.** The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

**Use development, mixed.** Mixed use developments are a special class of planned unit development in which two or more different land uses are physically and functionally integrated on the same site and which demonstrate conformance with a coherent overall development plan. Such districts provide the ultimate in flexibility and design.

~~**Utility.** Any facility used in rendering service which the public has a right to demand.~~

**Utility structure.** Telephone poles, utility distribution and transmission poles, streetlights and traffic signal stanchions.

**Utilities, major.** Facilities such as electric generation plants, high-power transmission lines and substations, major gas-distribution lines, water-purification plants, water-treatment plants, and sewage-treatment and disposal plants that service multiple developments.

**Utilities, minor.** Facilities, such as pumping and switching stations.

**Vacation rental:** A dwelling unit which has been advertised as available more than three times per year for periods of fewer than 30 days at a time for use, occupancy, or possession by persons other than the owner, regardless of the form of ownership of the unit. Dwelling units commonly referred to as "timeshares," "vacation rentals," and "holiday rentals" which possess the above characteristics are included within this definition. Bed and breakfast establishments are excluded from the definition, and shall not be required to comply with Section 1103. Also excluded from the definition are multiple-family dwellings, other than condominiums, the individual units of which are offered exclusively for rent. The exemption of multiple-family dwellings from the definition of "vacation rental" shall not be construed as authorizing multiple-family dwellings to be operated as hotels, motels, or other transient lodging establishments.

~~**b-Vacation rental management company.** Any person, firm, partnership, corporation, or other entity which manages or is otherwise responsible for the local operation and maintenance of a vacation rental. This definition shall include the owner of a vacation rental if the owner does not contract with another for the operation and maintenance of the rental.~~

**Variance. 1. General:** ~~A request for grant of~~ relief from the strict requirements of ~~Section 407 of~~ this Code. .

~~**Variance 2 .** As pertains to Flood Damage Prevention: is a grant of relief from the requirements of this code, which permits construction in a manner otherwise prohibited where specific enforcement would result in unnecessary hardship.~~

**Vehicle Dealerships.** A land use providing for automobile mechanical services, automobile body repair, parts, and sales. Used car sales, leasing options and truck sales and servicing may also be available.

**Vehicular use area.** All areas used for the circulation, parking, and/or display of any and all types of vehicles, boats, or heavy construction equipment, whether self-propelled or not, and all land upon which vehicles traverse, including parking lot driveways. This shall include, but is not limited to, areas used to accommodate drive-through service. Only driveways and parking spaces serving single-and two-family uses shall be an exception to this definition.

**Vulnerable feature.** A natural or man-made feature of the land that has the potential to discharge directly to the Floridan aquifer. These features include excavations and

solution features such as sinkholes, caves and mine pits that expose the top of the Floridan aquifer.

**Warehouse.** Any premises where the principal use is the storage of merchandise, products or materials in bulk, for a fee or charge or for distribution to other establishments operated by the same business enterprise or establishment. A warehouse may include accessory wholesale sales, but shall not be deemed to include retail sales establishments, mini-warehouses or bulk storage of flammable, explosive, toxic, or noxious materials as a principal use.

**Waste material.** Waste material means sludge, septage, or animal waste material, whether solid, liquid, semisolid, or contained gaseous material, resulting from domestic, industrial, commercial, mining, or agricultural operations.

**Wastewater service facilities.** Those facilities owned or operated by the county which a need is created for by new service connections. The wastewater service facilities include, but are not limited to:

1. Wastewater treatment facilities that generally consist of treatment, reclaimed water and effluent disposal, associated equipment and the land on which the facilities are located.
2. Wastewater transmission facilities that consist of interceptor (trunk) gravity lines, pumping stations, and selected force mains serving as the backbone piping transferring wastewater from localized collection facilities to the treatment facilities.

**Water and wastewater service facilities.** Both wastewater service facilities and water service facilities. These facilities do not include the distribution/collection facilities such as the localized piping and equipment that serve as a conduit for water and wastewater services between the customer's point of connection and the county's transmission facilities.

**Water and/or wastewater service impact fees.** Impact fees which are imposed on new service connections and which are calculated to defray all or a portion of the costs of the water and/or wastewater service facilities required to accommodate the impact to the water and/or wastewater service systems of those new service connections, and which fee is applied to water and/or wastewater service facilities which reasonably benefit the new service connections. ~~An "impact fee" means any impact fee established pursuant to section 110-221 of this article or an independent fee calculated and approved pursuant to section 110-244 of this article.~~

~~**Water and wastewater service impact fees funds.** The separate special revenue funds or accounts created pursuant to section 110-261 of this article.~~

~~Water and wastewater service impact fees schedule. The impact fee amounts due and payable pursuant to section 110-221(b), as may be amended from time to time.~~

~~Water and wastewater service impact fee study. The study by Tetra Tech HAI "Water/Wastewater Service Impact Fee Study", dated August 2006 and as supplemented.~~

**Water body.** For the purpose of determining permitted density, these shall be defined as those naturally occurring water covered lands shown and described in the official soil survey of the county as "perennial streams," or those waters listed in appendix A of the conservation element section of the technical support document. The water covered areas listed above shall extend to the ordinary high water line. This definition shall not apply to coastal shoreline areas, because, in these areas only, those areas above the mean high water tide line are considered for density purposes. In those cases where a question arises regarding the accuracy of the soil survey or any other water boundary, the question shall be referred to southwest Florida water management district for final resolution.

**Watercourse.** Hydrologic connections including, but not limited to, water bodies shown on the most recent United States Geological Survey quadrangle sheets as having perennial flow.

**Water-dependent.** Activities which can be carried out only on, in, or adjacent to water bodies because the use requires access to the water for: waterborne transportation including ports or marinas, recreation, electrical generating facilities, or water supply.

**Water enhanced.** Uses which are not water-dependent, but whose value is increased due to location along the water; unrelated to increased property values of waterfront property.

**Water features.** Features of a site that holds water temporarily or permanently. These may include both natural features (lakes, wetlands, rivers, creeks, etc.) and artificial features (retention and detention ponds, fountains, ditches, and canals).

**Water pollution.** The presence of any substance or condition in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of the water.

**Water quality.** The physical, chemical, and biological characteristics of water which interrelate with the propagation of fish, wildlife, and all aquatic life.

**Water-related.** Activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.

**Water resource.** Any and all water on or beneath the surface of the ground, including natural or artificial watercourses, lakes, ponds or diffused surface water, and water percolating, standing or flowing beneath the surface of the ground.

**Waters of the United States.** As defined by the United States Environmental Protection Agency (USEPA) in title 40, section 122 of the Code of Federal Regulations or any amendments thereto.

**Water service facilities.** Those facilities owned or operated by the county which a need is created for by new service connections. The water facilities include, but are not limited to:

1. Water treatment facilities that generally consist of source of supply, raw water transmission, treatment, storage, and high service pumping, associated equipment and the land on which the facilities are located.
2. Water transmission facilities that consist of selected water mains serving as the backbone piping providing services to the localized distribution facilities.

**Water shortage condition.** Sufficient water is not available to meet present or anticipated needs of persons using the water resource or conditions are such as to require temporary reduction in total water usage within a particular area to protect the water resource from serious harm. A water shortage usually occurs due to drought.

**Water supply.** Any and all fresh water on or beneath the surface of the earth, including fresh water in natural or artificial watercourses, lakes or ponds and fresh water percolating, standing or flowing beneath the surface of the ground.

**Water supply well.** Water supply well means a potable water well which pumps water from an unconfined water table aquifer.

**Water surface elevation.** The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**Water system.** Within the framework of this Code, water system shall mean public or municipal water facilities or a commonly or cooperatively owned central water facility.

**Water system, central.** Includes the water source, pumps, treatment plants, distribution pipes, and other appurtenances which serve three or more lots or which serve any multifamily, commercial, industrial, institutional, or other use.

**Water system, individual.** A water source, distribution system, and other appurtenances supplying only one lot.

**Watershed.** The land area which contributes to the flow of water into a receiving body of water.

**Waterward use line.** A line generally parallel to the shoreline located a distance of one third of the total width of the canal as measured pursuant to [section 1001.5.B.1](#). Waterward use lines shall not extend beyond side use lines. Waterward use lines and side use lines shall be referred to collectively as "canal use lines" and together create the "canal use zone" for an upland owner.

**Wellhead protection areas (WPA).** Zones delineated around a supply well, group of supply wells, and/or wellfields within which land uses are regulated to protect the quality of the groundwater resource.

**Wet Detention System.** A water quality treatment system that utilizes a design water pool in association with water-tolerant vegetation to remove pollutants through settling, absorption by soils, and nutrient uptake by the vegetation. The bottom elevation of the pond must be at least one foot below the control elevation.

**Wetland survey.** Approximate delineation of the extent of wetlands as approved by the appropriate jurisdictional government agency.

**Wetlands.** Those areas defined as class I, II, or III wetlands in the Comprehensive Plan. Lands which are transitional between terrestrial (upland) and aquatic (open water) systems where the water table is usually at or near the surface, or where the land is covered by shallow water; lands which are predominately characterized by hydrophytic vegetation identified in section 17-4.022, Florida Administrative Code.

~~The presence of hydric soils as determined by the United States Soil Conservation Service and other indicators or regular or periodic inundation shall be used as supportive evidence of the presence of a wetland area. The existence and extent of these areas shall be determined pursuant to sections 17-12.030, 17-25.042, Florida Administrative Code, F.S. § 373.414, and section 404 of the Clean Water Act.~~

**Window.** An opening to the outside other than a door which provides all or part of the required natural light, natural ventilation, or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window in regard to the provision of natural light.

**Wireless Facilities.** For the purposes of Wireless Facilities, Section 1002 of this Code, the following words shall be defined as follows:

**Wireless Facility (WF).** Physical structures, equipment and antennas associated with the provision of wireless communications. This definition of wireless facility does not include Personal Wireless Facilities, as defined in section 10.5.15. Placing a wireless facility on a structure/building built primarily for a purpose other than supporting



antennas does not cause the structure/building to become a wireless facility. Wireless Facility related definitions are as follows:

A1. Antenna. A device used for the transmission and/or reception of wireless communications, which may include objects commonly known as a whip (omni-directional antenna, “omni”), panel, or disc (directional antennas).

42. Antenna array. A collection of antenna devices used for a single purpose.

3. Coapplicant. Any person and/or entity joining with an applicant for a permit for a PWSF, including the owners(s) of the PWSF, owner(s) of the subject property and any proposed tenants for the PWSF.

23. Close-mount antenna. An antenna that is mounted flat against or within 18-inches or less of the surface of a tower.

34. Collocation. The sharing of a tower or other structure by two or more communications providers.

45. Communications Provider. A person or entity authorized by the Federal Communications Commission to provide commercial wireless communications, such as broadcasting, mobile, paging, cellular, WiMax and other such uses.

56. Design. The appearance of WFs such as their materials, colors, and shape.

67. Designed service. The configuration and manner of deployment of the service the communications provider has designed for an area as part of its network. The type and level of service to be provided is not part of “designed service” and is not part of the County’s review of the WF.

87. Equipment building/equipment shelter/equipment facility. An enclosed structure or cabinet within which is housed the equipment for the WF.

98. Federal Communications Commission (FCC). An independent Federal agency charged with licensing and regulating wireless communications at the national level.

109. Guyed tower. A type of mount tower that is anchored to the ground or to another surface and stabilized by diagonal cables.

110. Lattice tower. A type of mount tower that consists of multiple legs and cross-bracing.

124. Location. The area where a WF is located or proposed to be located.

132. Mitigation or Mitigated. The reduction or elimination of adverse visual impacts of a WF by:
- A. Enclosing, obscuring, or blocking the view or character of the WF within a natural or manmade feature, object or device (concealing);
  - B. Creating the effect that the WF is part of or similar to its surroundings (camouflaging); or
  - C. Designing the WF to appear to be something other than a WF (disguising); such that the WF is not readily identifiable as a WF or is not aesthetically incompatible with nearby uses. Mitigated WFs can be mitigated towers, with the antennas hidden or obscured, which include, but are not limited to, structures that are or look like a church steeple, a bell tower, a spire, a religious symbol, a clock tower, a light standard, a windmill, a wind turbine, a silo, a flagpole with or without a flag, or a tree; and mitigated antennas, which are located wholly within the structure so as not to be visible, located behind screening, or otherwise located in such a manner that the antenna and ancillary appurtenances are not readily identifiable as such.
134. Monopole. One type of self-supporting tower consisting of a single shaft of wood, steel, or concrete and unmitigated external antennas at the top and/or along the outside of the shaft.
154. Radius. The maximum distance from the center of a tower to a circumference line set by the farthest point of any attachment(s) or antenna array, not including peripheral anchors and guy wires.
165. Search Ring. The geographic area in which and the height at which the communications provider's antennas are to be located to provide the communications provider's designed service.
176. Site, WF. That portion of a subject property where a WF is to be placed, and which contains all associated towers, equipment, equipment buildings and shelters, security fencing, landscaping, access and utility easements, and any guy wires and anchors.
187. Siting. The method and form of placement of WFs on a specific area of a subject property.
198. Standards. Guidelines or measures provided in this section by which acceptability of a WF application is determined. WFs are measured by standards measuring visual impact or safety. Wireless planning generally regulates WFs on three levels: location (where the WF site can go), siting (how the WF is placed within its setting), and design (what the WF looks like).

~~2049.~~ Subject property. The parcel of land within which the site is located.

~~210.~~ Tower. A structure constructed for the primary purpose of supporting antennas and other WF components.

~~224.~~ Wireless communications. The transferring of data and information, through the air using wireless facilities.

~~232.~~ Unlicensed wireless services. Commercial mobile services that operate on frequencies that require no FCC license.

**Withdrawal.** Any and all methods of taking water from a water supply.

~~**Vehicle Dealerships.** A land use providing for automobile mechanical services, automobile body repair, parts, and sales. Used car sales, leasing options and truck sales and servicing may also be available.~~

**Xeriscape or Florida ~~friendly~~ Friendly landscape Landscape** (as provided for in F.S. § 373.185). Quality landscapes that conserve water, protect the environment, are adaptable to local conditions and are drought tolerant. The principles of Xeriscape include planning and design, appropriate choice of plants, soil analysis (which may include the use of solid waste compost), efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

**Yard.** A required open space, unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences and walls and accessory structures and buildings may be permitted in any side or rear yard subject to height limitations and setbacks as allowed by this Code indicated herein.

**Yard, front.** The required open space extending across the entire width of the lot between the front building line and the street right-of-way line. Where double frontage lots exist, the required front yard shall be provided on both streets.

**Yard, rear.** The required open space extending from the rear of the main building to the rear lot line throughout the entire width of the lot.

**Yard, side.** The required open space extending from the side of any building to the side lot line, throughout the entire depth of the building (see illustrations).

**Yard trash facility.** A facility for the processing of vegetative matter resulting from landscaping, maintenance, or land clearing operations including materials such as tree and shrub trimming, grass clippings, palm fronds, trees and tree stumps.

**Zero lot line.** A development in which one or more sides of each structure rests directly upon the property line.

**Zone.** Those geographical areas as identified by the applicable map.