

TABLE OF CONTENTS

ARTICLE I. GENERAL PROVISIONS

- Sec. I-101. Title
- Sec. I-102. Comprehensive Plan
- Sec. I-103. General Purposes and Authority
- Sec. I-104. Jurisdiction and Applicability
- Sec. I-105. Transitional Rules
- Sec. I-106. Severability

ARTICLE II. DEFINITIONS AND RULES OF CONSTRUCTION

Division 1. Rules of Construction

- Sec. II-101. Rules of Construction

Division 2. Definitions

- Sec. II-201 . Definitions

Division 3. Description of Use Categories

- Sec. II-301. Purpose
- Sec. II-302. Category Titles
- Sec. II-303. Classification of Uses
- Sec. II-304. Residential Use Categories
- Sec. II-305. Commercial Categories
- Sec. II-306. Industrial Use Categories
- Sec. II-307. Institutional Use Categories
- Sec. II-308. Other Use Categories

ARTICLE III. DECISION MAKING AND ADMINISTRATIVE BODIES

Division 1. City Commission

- Sec. III-101. Powers and Duties
- Sec. III-102. Meetings, Quorum and Required Vote
- Sec. III-103. Rules and Records

Division 2. Planning Board

- Sec. III-201. Powers and Duties
- Sec. III-202. Membership; Terms; Transition; Vacancies; Removal
- Sec. III-203. Meetings, Quorum and Required Vote
- Sec. III-204. Officers and Staff
- Sec. III-205. Rules and Records

Division 3. Board of Adjustment

- Sec. III-301. Powers and Duties
- Sec. III-302. Membership; Terms; Transition; Vacancies; Removal
- Sec. III-303. Meetings, Quorum and Required Vote
- Sec. III-304. Officers and Staff
- Sec. III-305. Rules and Records

Division 4. Historic Preservation Board

- Sec. III-401. Powers and Duties
- Sec. III-402. Membership; Terms; Transition; Vacancies; Removal
- Sec. III-403. Meetings, Quorum and Required Vote
- Sec. III-404. Officers and Staff
- Sec. III-405. Rules and Records

Division 5. Public Art Committee

- Sec. III-501. Powers and Duties
- Sec. III-502. Membership; Terms; Transition; Vacancies; Removal
- Sec. III-503. Meetings, Quorum and Required Vote
- Sec. III-504. Officers and Staff
- Sec. III-505. Rules and Records

Division 6. Development Review Committee

- Sec. III-601. Membership
- Sec. III-602. Responsibilities
- Sec. III-603. Procedures

Division 7. Planning and Development Department

- Sec. III-701. Powers and Duties
- Sec. III-702. Creation and Appointment
- Sec. III-703. Jurisdiction, Authority and Duties

Division 8. City Auditor and Clerk

- Sec. III-801. Powers and Duties
- Sec. III-802. Creation and Appointment
- Sec. III-803. Jurisdiction, Authority and Duties

Division 9. Building, Zoning and Code Enforcement Department

- Sec. III-901. Powers and Duties
- Sec. III-902. Creation and Appointment
- Sec. III-903. Jurisdiction, Authority and Duties

Division 10. Engineering Department

- Sec. III-1001. Powers and Duties
- Sec. III-1002. Creation and Appointment
- Sec. III-1003. Jurisdiction, Authority and Duties

Division 11. Special Masters

- Sec. III-1101. Powers and Duties
- Sec. III-1102. Appointment
- Sec. III-1103. Rules, Staff and Records

ARTICLE IV. DEVELOPMENT REVIEW PROCEDURES.

Division 1. Required Permits and Approvals; Fees

- Sec. IV-101. Development Approvals.
- Sec. IV-102. Schedule of Fees and Charges

Division 2. General Procedures

- Sec. IV-201. Applications and Administrative Review
- Sec. IV-202. Notices and Public Hearings
- Sec. IV-203. Concurrency Certificate
- Sec. IV-204. Certificate of Occupancy

Division 3. Permitted Uses

- Sec. IV-301. Purpose and Applicability
- Sec. IV-302. Application Requirements/Building Permit.
- Sec. IV-303. Action on the Application
- Sec. IV-304. Changes to Zoning Approvals and Building Permits
- Sec. IV-305. Expiration or Revocation of Building Permits

Division 4. Adult Use Permits

- Sec. IV-401. Intent and Findings
- Sec. IV-402. Adult Use Permits Required
- Sec. IV-403. Review of Application
- Sec. IV-404. Prohibitions and Locations Regarding Adult Uses
- Sec. IV-405. Grant, Denial of Permit
- Sec. IV-406. Permit Fees
- Sec. IV-407. Inspection
- Sec. IV-408. Expiration of Permit
- Sec. IV-409. Suspension of Permit
- Sec. IV-410. Revocation of Permit
- Sec. IV-411. General Requirements
- Sec. IV-412. In-Store Viewing Booth Regulations
- Sec. IV-413. Hours of Operation
- Sec. IV-414. Penalty Provisions
- Sec. IV-415. Appeal
- Sec. IV-416. Transfer of Permit
- Sec. IV-417. Change of Business Name
- Sec. IV-418. Nonconforming Adult Uses
- Sec. IV-419. Enforcement
- Sec. IV-420. Consent
- Sec. IV-421. Immunity From Prosecution
- Sec. IV-422. Notice
- Sec. IV-423. Conflict
- Sec. IV-424. Preservation of Existing Ordinances

Division 5. Site Plan

- Sec. IV-501. Purpose and Applicability
- Sec. IV-502. Application Requirements
- Sec. IV-503. Staff Review and Report
- Sec. IV-504. Planning Board Review
- Sec. IV-505. City Commission Review
- Sec. IV-506. Standards for Review
- Sec. IV-507. Effect of Decision
- Sec. IV-508. Changes to Site Plans
- Sec. IV-509. Expiration or Revocation of Approval

Division 6. Variances

- Sec. IV-601. Purpose and Applicability
- Sec. IV-602. Application Requirements
- Sec. IV-603. Staff Review and Report
- Sec. IV-604. Board of Adjustment Review
- Sec. IV-605. Special Master Review

- Sec. IV-606. Standards for Review
- Sec. IV-607. Appeal of Decision
- Sec. IV-608. Expiration or Revocation of Approval

Division 7. Administrative Appeals

- Sec. IV-701. Authority and Purpose
- Sec. IV-702. Application/Notice of Appeal
- Sec. IV-703. Action by Board of Adjustment
- Sec. IV-704. Action by Special Master
- Sec. IV-705. Appeal of Decision

Division 8. Historic Designation

- Sec. IV-801. Purpose and Applicability
- Sec. IV-802. Application Requirements
- Sec. IV-803. Staff Review and Report
- Sec. IV-804. Historic Preservation Board Review
- Sec. IV-805. City Commission Review
- Sec. IV-806. Standards for Review
- Sec. IV-807. Appeals of Decision
- Sec. IV-808. Changes to Structures with Historic Designation/Certificate of Appropriateness
- Sec. IV-809. Criteria for Issuance of Certificates of Appropriateness
- Sec. IV-810. Appeals to City Commission
- Sec. IV-811. Removal of Designation
- Sec. IV-812. Nondesignated Residential Structures
- Sec. IV-813. Relief From Certain Building Code Regulations
- Sec. IV-814. Major Conditional Use Approval for Uses of Historic Structures
- Sec. IV-815. RESERVED
- Sec. IV-816. Relief Contingent Upon Designation
- Sec. IV-817. Demolition Stay -- Florida Master Site File Structures
- Sec. IV-818. Demolition by neglect
- Sec. IV-819. Ordinary maintenance
- Sec. IV-820. Danger to life, health or property
- Sec. IV-821. Revocation of certificates of appropriateness

Division 9. Conditional Uses

- Sec. IV-901. Purpose and Applicability
- Sec. IV-902. Application Requirements
- Sec. IV-903. Staff Review and Report
- Sec. IV-904. Planning Board Review
- Sec. IV-905. City Commission Review
- Sec. IV-906. Standards for Review
- Sec. IV-907. Effect of Decision

- Sec. IV-908. Conditions
- Sec. IV-909. Changes to Conditional Uses
- Sec. IV-910. Expiration or Revocation of Approval

Division 10. Subdivisions/Plats

- Sec. IV-1001. Purpose and Applicability
- Sec. IV-1002. Application Requirements
- Sec. IV-1003. Staff Review and Report
- Sec. IV-1004. Planning Board Review
- Sec. IV-1005. City Engineer's Certification
- Sec. IV-1006. City Commission Review
- Sec. IV-1007. Standards for Review
- Sec. IV-1008. Effect of Decision
- Sec. IV-1009. Changes to Plats
- Sec. IV-1010. Recording
- Sec. IV-1011. Expiration of Approval

Division 11. Rezonings

- Sec. IV-1101. Purpose and Applicability
- Sec. IV-1102. Application Requirements
- Sec. IV-1103. Staff Review and Recommendations
- Sec. IV-1104. Planning Board Review
- Sec. IV-1105. City Commission Review
- Sec. IV-1106. Standards for Review
- Sec. IV-1107. Effect of Decision
- Sec. IV-1108. Changes to Rezonings and Rezonings with Proffered Site Plans
- Sec. IV-1109. Expiration of Approval

Division 12. Zoning Text Amendments

- Sec. IV-1201. Purpose and Applicability
- Sec. IV-1202. Application Requirements
- Sec. IV-1203. Staff Review and Recommendations
- Sec. IV-1204. Planning Board Review
- Sec. IV-1205. City Commission Review
- Sec. IV-1206. Standards for review

Division 13. Vacation of Streets And Rights-of-Way

- Sec. IV-1301. Purpose and Applicability
- Sec. IV-1302. Application Requirements
- Sec. IV-1303. Staff Review and Report
- Sec. IV-1304. Planning Board Review
- Sec. IV-1305. City Commission Review

- Sec. IV-1306. Standards for Review
- Sec. IV-1307. Changes to Vacations
- Sec. IV-1308. Expiration or Revocation of Approval

Division 14. Comprehensive Plan Amendments

- Sec. IV-1401. Purpose and Applicability
- Sec. IV-1402. Application Requirements
- Sec. VI-1402.1. Public participation
- Sec. IV-1403. Staff Review and Report
- Sec. IV-1404. Planning Board Review
- Sec. IV-1405. City Commission Review
- Sec. IV-1406. Guidelines for Review
- Sec. IV-1407. Effect of Decision
- Sec. IV-1408. Changes to Land Use Amendments

Division 15. Development Agreements

- Sec. IV-1501. Purpose and Applicability
- Sec. IV-1502. Application Requirements
- Sec. IV-1503. Staff Review and Report
- Sec. IV-1504. Planning Board Review
- Sec. IV-1505. City Commission Review
- Sec. IV-1506. Standards for Review
- Sec. IV-1507. Contents of Development Agreement/Recording
- Sec. IV-1508. Effect of Decision
- Sec. IV-1509. Changes to Development Agreements
- Sec. IV-1510. Expiration or Revocation of Approval
- Sec. IV-1511. Enforcement

Division 16. Developments of Regional Impact

- Sec. IV-1601. Purpose and Applicability
- Sec. IV-1602. Application Requirements
- Sec. IV-1603. Staff Review and Report
- Sec. IV-1604. Planning Board Review
- Sec. IV-1605. City Commission Review
- Sec. IV-1606. Standards for Review
- Sec. IV-1607. Effect of Decision
- Sec. IV-1608. Changes to Development Orders

Division 17. Government (G) Zone Waivers

- Sec. IV-1701. Purpose and Applicability
- Sec. IV-1702. Application Requirements
- Sec. IV-1703. Staff Review and Report

- Sec. IV-1704. Planning Board Review
- Sec. IV-1705. City Commission Review
- Sec. IV-1706. Standards for Review
- Sec. IV-1707. Expiration of Approval
- Sec. IV-1708. Changes to Government (G) Zone Waivers.

Division 18. Provisional Use Permit

- Sec. IV-1801. Purpose and Applicability
- Sec. IV-1802. Application Requirements
- Sec. IV-1803. Review Procedures

ARTICLE V. VESTED RIGHTS AND NON-CONFORMITIES.

Division 1. Vested Rights and Non-conformities

- Section V-101. General Purposes
- Section V-102. Vested Rights For Lawful Existing Uses and Structures
- Section V-103. Regulations That Apply to All Non-conforming Uses or Structures
- Section V-104. Non-conforming Uses
- Section V-105. Non-conforming Structures
- Section V-106. Non-conforming Characteristics of Uses and Structures
- Section V-107. Non-conforming Accessory Uses and Accessory Structures
- Section V-108. Non-conforming Zoning Lots
- Section V-109. Non-conforming Non-residential Uses Located in Residential Zone Districts

Division 2. Nonconformities Resulting from Exercise of Power of Eminent Domain

- Sec. V-201. Intent
- Sec. V-202. Existing nonconformities preserved
- Sec. V-203. Eminent domain - No creation of new nonconformities
- Sec. V-204. Relocating of a building or structure
- Sec. V-205. Destruction of Building or Structure
- Sec. V-206. Future right-of-way and fire safety regulations

ARTICLE VI. ZONE DISTRICTS

Division 1. General

- Sec. VI-101. General
- Sec. VI-102. Zone District Map, and General Regulations
- Sec. VI-103. Split Zoning

Sec. VI-104. Use of Two or More Zoning Lots, Lots of Record or Parcels to Satisfy Zoning Requirements

Sec. VI-105. Establishment of Minimum Building Finished Floor Elevations

Division 2. Residential Single Family

Sec. VI-201. Intent and Purpose

Sec. VI-202. Uses

Sec. VI-203. Development Standards

Sec. VI-204. Institutional Development Standards

Division 3. Residential Multiple Family

Sec. VI-301. Intent and Purpose

Sec. VI-302. Uses

Sec. VI-303. Development Standards

Sec. VI-304. Institutional Development Standards

Division 4. Office

Sec. VI-401. Intent and Purpose

Sec. VI-402. Uses

Sec. VI-403. Development Standards

Sec. VI-404. Special SMH Development Standards

Division 5. Commercial

Sec. VI-501. Intent and Purpose

Sec. VI-502. Uses

Sec. VI-503. Development Standards

Sec. VI-504. Special CBN, NT and CP Development Standards

Division 6. Production Intensive Commercial

Sec. VI-601. Intent and Purpose

Sec. VI-602. Uses

Sec. VI-603. Development Standards

Division 7. Special Purpose

Sec. VI-701. Intent and Purpose

Sec. VI-702. Uses

Sec. VI-703. Development Standards

Sec. VI-704. Special CRT and C-CBD Development Standards

Division 8. Open Space, Recreation and Conservation

- Sec. VI-801. Intent and Purpose
- Sec. VI-802. Uses
- Sec. VI-803. Development Standards
- Sec. VI-804. Special MP Development Standards

Division 9. Special Public Interest Overlay Districts

- Sec. VI-901. Intent and Purpose
- Sec. VI-902. General
- Sec. VI-903 Creation of Special Public Interest Overlay Districts
- Sec. VI-904 Mapping of Special Interest Overlay Districts
- Sec. VI-905 Fruitville Gateway Corridor Overlay District
- Sec. VI-906 Downtown Residential Overlay District
- Sec. VI-907 Conservation Overlay District

ARTICLE VII. REGULATIONS OF GENERAL APPLICABILITY

Division 1. Signs

- Sec. VII-101. Purpose and Intent
- Sec. VII-102. Applicability and Scope
- Sec. VII-103. General Requirements
- Sec. VII-104. Computation of Sign Number and Area
- Sec. VII-105. Removal of Signs Improperly in the Right of Way
- Sec. VII-106. Exemptions from a Permit Requirement
- Sec. VII-107. Permits Required
- Sec. VII-108. Signs Permitted in all Zoning Districts
- Sec. VII-109. Signs Prohibited in all Zoning Districts
- Sec. VII-110. Sign Requirements in Particular Zoning Districts

Division 2. Off-Street Parking and Loading

- Sec. VII-201. Purpose and Intent
- Sec. VII-202. Applicability and Scope
- Sec. VII-203. General Parking Requirements
- Sec. VII-204. Number of Parking Spaces Required and Bicycle Standards
- Sec. VII-205. Handicapped Parking Requirements
- Sec. VII-206. Off-Street Parking Requirements in Specific Zone Districts
- Sec. VII-207. Use of Vacant Zoning Lots
- Sec. VII-208. Grass Parking
- Sec. VII-209. Dimensional Standards

- Sec. VII-210. Off-Site Parking
- Sec. VII-211. Joint Use Parking
- Sec. VII-212. On-Site Location of Parking
- Sec. VII-213. Off-Street Loading
- Sec. VII-214 Commercial Vehicles and Commercial Trailers Restricted Off-Street
Parking in Residential Zone Districts
- Sec. VII-215 Advertising Vehicles – Off-Site Parking Prohibited in All Zone Districts

Division 3. Transitional Buffers, Landscaping and Vegetation

- Sec. VII-301. Purpose
- Sec. VII-302. Applicability
- Sec. VII-303. Buffer Requirements and Installation Standards
- Sec. VII-304. Parking Lot Landscaping
- Sec. VII-305. Preservation Standards
- Sec. VII-306. Maintenance Standards
- Sec. VII-307. Landscaping Plan Requirements
- Sec. VII-308. Plant Material and Installation Standards

Division 3.1. Tree Protection

- Sec. VII-309. Administration and Purpose
- Sec. VII-310. Grand Trees
- Sec. VII-311. Prohibited Trees
- Sec. VII-312. Protection of Trees During Development
- Sec. VII-313. Trees Abutting Public Property
- Sec. VII-314. Trees Within Utility Easements
- Sec. VII-315. Suspension During Emergency
- Sec. VII-316. Tree Removal – Permit Required
- Sec. VII-317. Licenses and Insurance Required
- Sec. VII-318. Exempt Trees
- Sec. VII-319. Permit Procedure
- Sec. VII-320. Criteria for Granting Permits
- Sec. VII-321. Permit Denial
- Sec. VII-322. Permit Conditions
- Sec. VII-323. Revocation of Permits
- Sec. VII-324. Schedule of Fees and Charges
- Sec. VII-325. Penalty for Non-Compliance
- Sec. VII-326. Withholding of Permits and Imposition of Stop Work Orders
- Sec. VII-327. Removal of Dead or Damaged Trees

Division 4. Areas of Special Flood Hazard

- Sec. VII-401. Purpose
- Sec. VII-402. Applicability
- Sec. VII-403. Designation of Manager
- Sec. VII-404. Disclaimer of Liability
- Sec. VII-405. Establishment of Areas of Special Flood Hazard - Applicability to Zone Districts
- Sec. VII-406. Interpretation of District Boundaries
- Sec. VII-407. Permit Procedures
- Sec. VII-408. Conformity of Construction to Application, Plans to Permits
- Sec. VII-409. Construction Standards
- Sec. VII-410. Floodproofing of Buildings, Structures
- Sec. VII-411. Lowest Floor Elevation
- Sec. VII-412. Subdivision, New Development Proposals
- Sec. VII-413. Manufactured Homes
- Sec. VII-414. Variances
- Sec. VII-415. Nonconforming Structures
- Sec. VII-416. Rules of Interpretation
- Sec. VII-417. Public Records

Division 5. RESERVED**Division 6. Use Standards**

- Sec. VII-601. Purpose
- Sec. VII-602. Specific Standards for Certain Uses
- Sec. VII-602A. Quick Vehicle Servicing /_Motor Vehicle Service Uses
- Sec. VII-602B. Motor Vehicle Sales Agency /_Lots (new or used)
- Sec. VII-602C. Accessory Drive-Through Facilities
- Sec. VII-602D. Stadiums and Auditoriums
- Sec. VII-602E. Automobile Wrecking Yards, Junkyards and Recycling Facilities
- Sec. VII-602F. Accessory Outdoor Restaurants
- Sec. VII-602G. Child Care and Family Day Care Facilities
- Sec. VII-602H. Commercial Wireless Telecommunication Towers and Antennas
- Sec. VII-602I. Accessory Outdoor Sales and Displays in Connection With Retail Uses
- Sec. VII-602J. Outdoor Commercial Recreational Facilities
- Sec. VII-602K. Outdoor Equipment Storage Facilities
- Sec. VII-602L. Religious Institutions
- Sec. VII-602M. Cluster Housing Development
- Sec. VII-602N. Motor Vehicle Fuel Pumps
- Sec. VII-602O. RESERVED
- Sec. VII-602P. Motor Vehicle Showroom
- Sec. VII-602Q. Motor Vehicle Storage Lot

- Sec. VII-602R. Sale of Alcoholic Beverages
- Sec. VII-602S. Bed and Breakfast Inns
- Sec. VII-602T. Schools, kindergarten, elementary, secondary, vocation & trade
(public/private)
- Sec. VII-602U. Car Washes, Self Service and Non-Self Service
- Sec. VII-602V. Sidewalk Cafes
- Sec. VII-602W. Non-Profit Bingo
- Sec. VII-602X. Open Air Market/Bazaar
- Sec. VII-602Y. Townhouses
- Sec. VII-602 Z. Alcoholism & drug receiving & treatment center
- Sec. VII-602 AA. Group Living
- Sec. VII-602 BB. Convenience Store
- Sec. VII-602 CC. Accessory Dwelling Units
- Sec. VII-602 DD. Manufactured Home Parks
- Sec. VII-602 EE. Temporary Uses and Activities
- Sec. VII-602 FF. Accessory Home Occupations
- Sec. VII-602 GG. Flag Lots
- Sec. VII-602 HH. Short Term Housing and Mass Shelters

Division 7. Public Art

- Sec. VII-701. Public Art Required
- Sec. VII-702. Removal or Replacement -- Prohibited of Public Art
- Sec. VII-703. Additional Work of Public Art -- Permitted
- Sec. VII-704. Public Art Fund
- Sec. VII-705. Application of Building Permits

Division 8. RESERVED

Division 9. Accessory Structure and Uses

- Sec. VII-901. General Requirements
- Sec. VII-902. Residential Accessory Uses, Generally
- Sec. VII-903. Residential Accessory Buildings and Structures, Generally
- Sec. VII-904. Non-Residential Accessory Uses, Buildings and Structures, Generally

Division 10. Environmental Performance Standards

- Sec. VII-1001. Application of Standards
- Sec. VII-1002. Noise
- Sec. VII-1003. Vibration
- Sec. VII-1004. Smoke and Other Particulate Matter
- Sec. VII-1005. Radiation Hazards
- Sec. VII-1006. Odorous Matter
- Sec. VII-1007. Toxic or Noxious Matter
- Sec. VII-1008. Fire and Explosive Hazards

- Sec. VII-1009. Humidity, Heat or Glare
- Sec. VII-1010. Electromagnetic Interference
- Sec. VII-1011. Protection of Water and Submerged Land

Division 11. Fences

- Sec. VII-1101. Fences and Walls

Division 12. Encroachments

- Sec. VII-1201.
 - A. Encroachments into required setbacks
 - B. Encroachments into the Public Right of Way
- Sec. VII-1202. Encroachments into Required Recess
- Sec. VII-1203. Sight Triangles

Division 13. Waterfront Property and Docks

- Sec. VII-1301. Waterfront Property
- Sec. VII-1302. Docks
- Sec. VII-1303. Dredging and Filling
- Sec. VII-1304. Seawall, Groins and Beach Protective Devices

Division 14. Miscellaneous Standards

- Sec. VII-1401. Refuse and Recycling Storage Areas
- Sec. VII-1402. Non-Residential Site Lighting

Division 15. RESERVED

Division 16. Annexation

- Sec. VII-1601. Annexation
- Sec. VII-1602. Urban Service Boundary -- Annexation

ARTICLE VIII. ENFORCEMENT PROCEEDING AND PENALTIES

Division 1. Enforcement

- Sec. VIII-101. Enforcement
- Sec. VIII-102. Violations, Penalties and Remedies, Generally
- Sec. VIII-103. Prosecutions Under Prior Zoning Codes

APPENDIX

Appendix A Concurrency Calculation Methodology

Appendix B Ownership Identification Procedures

Appendix C Public Participation Activities

Appendix D Advisory Community Design Guidelines