

# City of Dade City

## AGENDA MEMO

**To:** Honorable Camille Hernandez, Mayor and Members of the City Commission  
**THRU:** William C. Poe, Jr., City Manager  
**FROM:** Michael Sherman, AICP, Community Development Director  
**SUBJECT:** First Reading and First Public Hearing, Ordinance 2016-02  
Land Development Code revisions/amendments  
**DATE:** 09 February 2016

### **BACKGROUND:**

In August of 2014, the City adopted its first unified land development code consisting of 9 different Articles. These Articles include the following:

- Article 1, General Provisions
- Article 2, Administration
- Article 3, Zone Districts
- Article 4, Use Regulations
- Article 5, Density & Intensity Standards
- Article 6, Development Standards
- Article 7, Subdivisions
- Article 8, Non-Conformities
- Article 9, Definitions

Tonight for the City Commission's (CCOM's) consideration and for a public hearing is ordinance 2016-02 which adopts revisions to the Dade City Land Development Code. These revisions have been discussed by the Planning Board at workshops and a public hearing to consider the proposed amendments. The Planning Board public hearing was held on January 13, 2016. The recommendations are included within the proposed revisions. No substantive changes have been recommended by the Planning Board that has not been seen by the City Commission (CCOM) in workshop.

The Redevelopment Advisory Committee discussed proposed changes and made recommendations to not change certain allowable uses in the Commercial General (CG) Zoning district regulations.

A few changes could be considered “glitch” amendments while others are more substantive. The proposed changes include:

- Amendment to Table 2.2-1, Required Review Type (revisions)
- Amendment to Table 2.2-2, Timing of Required Notices (revisions)
- Amendment to Table 3.1-1, Base Zone Districts (revisions)
- Amendment to Table 4.1-2, Table of Allowed Uses (revisions)
- Amendment to Table 5.1-3, Dimensional Standards in Business Districts (revisions)
- General commercial design standards (new addition), Article 6
- Revisions to drive-thru standards (revisions), Article 6
- Conservation/Open Space subdivision (revisions), Article 7
- Subdivision updates, fiber optic conduit in all new subdivisions (revisions), Article 7

**ALTERNATIVES:**

1. Adopt Ordinance 2016-02 as proposed by the city staff
2. Recommend revisions of Ordinance 2016-02 and direct staff to revise the ordinance accordingly and bring back to next public hearing.
3. Do not adopt Ordinance 2016-02

**RECOMMENDATION:**

It is recommended that the City Commission either approve Alternative 1 or Alternative 2. If Alternative 1 is approved, then city staff will prepare an agenda item with no changes to the proposed ordinance for the next CCOM meeting on February 23, 2016.

If alternative 2 is chosen, city staff will prepare revisions to the proposed ordinance and staff will prepare an agenda item with changes to the proposed ordinance as directed by the CCOM for the next CCOM meeting on February 23, 2016.

BY THE CITY COMMISSION

ORDINANCE NO.: 2016 - 02

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA AMENDING ORDINANCE NO: 2014-06 OF THE DADE CITY LAND DEVELOPMENT CODE; AMENDING ARTICLE 2. ADMINISTRATION, TABLES 2.2-1, 2.2.2, AMENDING ARTICLE 3, ZONE DISTRICTS, TABLE 3.1-1, AMENDING ARTICLE 4, USE REGULATIONS, TABLE 4.1-2, AMENDING ARTICLE 5, DENSITY, INTENSITY AND DIMENSIONAL STANDARDS, TABLE 5.1.3, AMENDING ARTICLE 6, ADDING SECTION 6.1.7(2)(E), REQUIRING BY-PASS LANES IN DRIVE-THROUGH FACILITIES, DEVELOPMENT STANDARDS, ADDING SECTION 6.6.1., GENERAL DESIGN STANDARDS AND AMENDING ARTICLE 7, SUBDIVISION STANDARDS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission of Dade City, Florida is authorized under Chapters 162, 163, 166, 177, and 380, Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of the City of Dade City; and

WHEREAS, Sections 163.3201, 163.3202, 163.3211, and 163.3213, Florida Statutes, empowers and requires the City Commission 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 Dade City Planning Board held a public hearing to consider the land development code amendments on February 03, and found the amended land development regulations to be consistent with the adopted Dade City Comprehensive Plan; and

WHEREAS, the Local Planning Agency held a public hearing to consider the land development code amendments at their February 09, 2016 meeting, and found the amended land development regulations to be consistent with the adopted Dade City Comprehensive Plan; and

WHEREAS, the City Commission held two public hearings to consider the land development code amendments at their February 09, regular meeting and their February 23, 2016 regular meetings and found the amended land development regulations to be consistent with the adopted Dade City Comprehensive Plan; and

WHEREAS, the citizens of the City of Dade City were provided with ample opportunity for comment and participation in the development of these land development regulations through public meetings and public hearings.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Dade City, Florida as follows:

**SECTION 1. Authority and Findings of Fact.**

This Ordinance and its attachments are enacted pursuant to Chapters 166 and 163, Florida Statutes, and under the home rule power of the City. The foregoing Whereas clauses, incorporated herein, are true and correct.

**SECTION 2. Applicability and Effect on Existing Development Approvals.**

The applicability and effect of this or existing development approvals and requests for substantial modifications shall be as provided for in Section 1.8.3 of the Land Development Regulations adopted herein.

**SECTION 3. Adoption of Land Development Regulations.**

The City of Dade City Land Development Regulations are hereby amended and adopted as described in Composite Exhibit "A" attached hereto and made a part hereof.

**SECTION 4. Repealer.**

All provisions of the Dade City Code of Ordinances, as amended, and ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

**SECTION 5. Severability.**

It is declared to be the intent of the City Commission of the City of Dade City, 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 4. Inclusion in Code.**

It is the intent of the City Commission that the provisions of this Ordinance shall become and be made a part of the Dade City Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "regulation", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 5. Effective Date.**

This Ordinance shall take effect in accordance with the City's Charter.

Adopted by the City Commission after second reading on February 23, 2016 and following public hearings on February 09, 2016 and February 23,2016.

ATTEST:

CITY OF DADE CITY, FLORIDA

\_\_\_\_\_  
Angela Guy, City Clerk

\_\_\_\_\_  
Camille S. Hernandez, Mayor

Approved as to Legal Form and Sufficiency

\_\_\_\_\_  
Karla S. Owens, City Attorney

Composite Exhibit "A"

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

**Article 2 Amendments:**

Amendment to Table 2.2-1

<b>TABLE 2.2-1: REQUIRED PUBLIC HEARINGS</b>				
<b>Q = QUASI-JUDICIAL HEARING (SECTION 2.3.1) S = STANDARD PUBLIC HEARING (SECTION 2.3.2)</b>				
<b>REVIEW TYPE</b>	<b>REVIEW AND/OR DECISION-MAKING BODY</b>			
	<b>DEVELOPMENT REVIEW COMMITTEE (DRC)</b>	<b>PLANNING BOARD (PB)</b>	<b>LOCAL PLANNING AGENCY</b>	<b>CITY COMMISSION</b>
Comprehensive Plan Amendment – General, non-site specific	S		S	S
<u>Comprehensive Plan Future Land Use Map Amendment</u>	S	<u>Q</u>	Q	Q
Site Specific Amendment to Official Zoning Map (Rezone) (Section 2.4.2)	S	Q		Q
Text Amendment and General Amendment to Official Zoning Map (Section 2.4.1)	S	Q		Q
Planned Development (Section 2.4.3)	S	Q		Q
Conditional Use (Section 2.4.4)	S	Q		
Zoning Variance Permit (Section 2.4.5(C))	S			
Subdivision Variance Permit (Section 2.4.5 (D))	S			
<u>Minor Subdivision (Section 2.4.7(F))</u>	S	<u>Q</u>		<u>Q</u>
Major Subdivision Preliminary Plan (Section 2.4.7(G))	S	Q		Q
<u>Major Subdivision Final Plan (Section 2.4.7.(G)5)</u>	S	<u>Q</u>		Q

TABLE 2.2-1: REQUIRED PUBLIC HEARINGS				
Q = QUASI-JUDICIAL HEARING (SECTION 2.3.1) S = STANDARD PUBLIC HEARING (SECTION 2.3.2)				
REVIEW TYPE	REVIEW AND/OR DECISION-MAKING BODY			
	DEVELOPMENT REVIEW COMMITTEE (DRC)	PLANNING BOARD (PB)	LOCAL PLANNING AGENCY	CITY COMMISSION
Conservation Subdivision (Section)	S			Q
Special Permits (Section 2.4.13)	S			S
Appeals of Interpretation and Decision of Community Development Director (Section 2.14.16)	S			
Appeals of Community Development Director Decision on Construction Plans (Section 2.4.8.ZZ)	S			
Appeals of PB Decision (Section 2.4.17)	S			S
Development Agreement (Section 2.5)	S	S		S
Site and Construction Plan	S			

Amendment to Table 2.2-2

TABLE 2.2-2: TIMING OF REQUIRED NOTICE			
APPLICATION TYPE	NOTICE REQUIRED [1]		
	WRITTEN (MAILED) (SECTION 2.2.9(B))	PUBLISHED (SECTION 2.2.9(C))	POSTED (SECTION 2.2.9(D))
Text Amendment	NA		
General Amendment to Official Zoning Map	NA	At least 10 days prior to first and second public hearings	At least 14 days prior to first and second public hearings
Site Specific Amendment to Official Zoning Map (Rezone)			
Planned Development			
<u>Comprehensive Plan, Future Land Use Map and Text Amendments</u>		<u>At least 7 days after the first advertisement</u>	<u>At least 5 days after the second advertisement</u>
Variance Permits	NA	NA	At least 14 days prior to public hearing
Appeals of Interpretations and Decisions of Community Development Director	NA		
Subdivisions (Minor Subdivision, Major Preliminary Plan, Major Final Plat)	At least 14 days prior to public hearing		At least 14 days prior to public hearing
Development Agreement	At least 14 days prior to PB public hearing. At least 14 days prior to first and second City Commission public hearings	At least 10 days prior to first and second public hearings	NA
<b>NOTES:</b> [1] When multiple application types are processed simultaneously, notice requirements for each application type shall apply.			



**Article 3 Amendments:**

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

Amendment to Table3.1-1

TABLE 3.1-1: BASE ZONE DISTRICTS		
District Name	Principal Permitted Uses	Minimum lot size
<b>Agricultural Districts</b>		
Open Use Agriculture (OUA)		43, 560 sq ft
<b>Residential Districts</b>		
Residential Single Family-1 (RS-1)	Single Family detached	10,000 sq feet
Residential Single Family-2 (RS-2)	Single Family detached	8,500 sq feet
Residential Single Family-3 (RS-3)	Single Family residential	6,500 sq feet (sf) 8,400 sq feet
General Residential 1 (RG-1)	Residential General	6,500 sq ft (sf) 4,356 (Town House) 8,000 sf (duplex) 10,000 sf +4,000 sf/du over 2
General Residential 2 (RG-2)	Residential General	6,500 sf ft (sf) 4,356 (Town House) 8,000 sf (duplex) 8,400 sf (3) + 2,000 sf/du over 2
Residential Institutional Office (RIO)		
<b>Business Districts</b>		
<b>Max Intensity Standard</b>		
RIO	Residential /Institutional/Office	.45 FAR/ 60 ' in height
CN	Neighborhood Commercial	.50 FAR/ 35' in height
CG	General Commercial	<del>4.0</del> <u>5.0</u> FAR/ <u>35' 60'</u> in height
CBD	Central Business District	4.0 FAR/ 60' in height
CH	Highway Commercial	.40 FAR/ 60'
ILW	Light and Warehouse Industrial	.60 FAR/ 150' in height
IH	Industrial Heavy	.60 FAR
<b>Planned Development Districts</b>		
PD-R	Planned Development-Residential	See Section 3.5.3 (A)
PD-TND	Planned Development-Traditional Neighborhood Development	See Section 3.5.3 (B)
PD-EC	Planned Development-Employment Center	See Section 3.5.3 (C)
PD-COMM	Planned Development-Commercial	See Section 3.5.3 (D)

**Article 4 Amendments**

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3
		O U S A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D	E C	
<b>RESIDENTIAL USES</b>																				
<b>Household Living</b>	Dwelling, Live/work	P							P	P	C			P	P	A	A	A	A	-
	Dwelling, manufactured home																A	A		Section 4.3.1(A)(1) and (2)
	Dwelling, mobile home												C							Section 4.3.1(A)(1)
	Dwelling, multiple-family					P	P		P			P	P			A	A	A	A	Section 4.3.1(A)(3)
	Dwelling, single-family attached					P	P	P				P	P			A	A	A		Section 4.3.1(A)(3)
	Dwelling, single-family detached	P	P	P	P	P	P					P					A	A		Section 4.3.1(A)(4)
	Dwelling, townhouse			C	C	P	P	P			C		P			A	A	A		Section 4.3.1(A)(3)
	Dwelling, two- to four-family				C	P	P	P								A	A	A		Section 4.3.1(A)(3)
	Mobile home park												C				A			Section 4.3.1(A)(1)
	Upper story dwelling								P		P					A	A	A	A	-
<b>Group Living</b>	Co-housing	C																		Section 4.3.1(B)(1)
	Community residential home (6 or fewer residents)		P	P	P	P	P	P	P								A	A		Section 4.3.1(B)(2) (b)

USE CATEGORY	USE TYPE	RESIDENTIAL						BUSINESS						PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3			
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R		T N D	E C	
	Community residential home (7-14 residents)				C	C	C	P		C										Section 4.3.1(B)(2)(c)	
	Dormitory										C	P	P	C				A	A	Section 4.3.1(B)(3)	
	Group home (15 or more residents)					C	C	C		C	P							A		-	
<b>PUBLIC AND INSTITUTIONAL USES</b>																					
Community Services/facilities	Community center	C			C	C	C	C			P	P	P				A	A	A	Section 4.3.2(A)	
	Cultural facility	C									P	P	P	P	P	P	A	A	A	A	Section 4.3.2(A)
	Library					C	C	P		P	P	P	P	P			A	A	A	A	Section 4.3.2(A)
	Private, public social or fraternal clubs – not for profit only	C				C	C	C			C	P	P	P	P				A		-
	Senior center					C	C	P		C	P	P	P				A	A	A		Section 4.3.2(A)
	Youth club facility	C				C	C	P		P	P	C	P				A	A	A		Section 4.3.2(A)
	Community Gardens	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	
Day Care	Adult care center					C	C	P		C	C	C	C				A	A	A	A	-
	Child care center					C	C	P		P	P	C	P				A	A	A	A	Section 4.3.2(B)(1)
	Day care home (up to and including 6 persons)		P	P	P	P	P	P		C	P		P					A			-
Educational Facilities	College or university	C						P		C			P	P	P		A	A	A	A	-
	School	P	P	P	P	P	P	P					P				A	A	A		Section 4.3.2(C)(1)
	Vocational school	P						P		C	P		P	P	P	P	A	A	A	A	Section 4.3.2(C)(1)

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D	E C	
Government Facilities	Government maintenance, storage, and distribution facility	P						P				C	P	P	P	A			A	Section 4.3.2(D)
	Government office	P						P	P	P	P	P	P	P	A		A	A	Section 4.3.2(D)	
	Post office							P	P	P	P	P	P		A	A	A	A	Section 4.3.2(D)	
Health Care Facilities	Blood collection facility							C	P			P	P	P	A			A	-	
	Hospital							C	P		P		P		A			A	Section 4.3.2(E)(1)	
	Medical and dental clinic							P	P	C	P	P	P		A			A	-	
	Medical and dental lab							C	P			P	P	P	A			A	-	
	Outpatient facility							C	P	C		P	P		A			A	Section 4.3.2(E)(2)	
Institutions	Assisted living facility				C			C	C		P				A	A	A	A	-	
	Auditorium							C		C	P	P	C	P	A			A	Section 4.3.2(F)(1)	
	Convention center	C						C		C	C	P	C	C	A			A	Section 4.3.2(F)(1)	
	Drug and alcohol treatment facility							C	P										-	
	Nursing home							C	P		P	P			A		A		-	
	Psychiatric treatment facility							€	P			P	P		A				-	
	Churches and religious institution, with seating capacity less than 200 in sanctuary or main activity area		C	C	C	P	P	P		P	P	C	P	P	P	A	A	A	A	Section 4.3.2(F)(2)

USE CATEGORY	USE TYPE	RESIDENTIAL						BUSINESS						PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3			
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R		T N D	E C	
	Churches and religious institution, with seating capacity of 200 or greater in sanctuary or main activity area, or with accessory schools, day care centers with more than 50 children, or recreational facilities		C	C	C	C	C	C								A	A	A	A	Section 4.3.2(F)(2)	
Parks and Open Areas	Arboretum	C							P	P	P	P	P			A	A	A	A	-	
	Botanical garden	P	P	P	P	P	P		P	P	P	P	P			A	A	A	A	-	
	New Cemetery, columbaria, mausoleum	C	C	C	C	C	C	C												-	
	Community garden	P	P	P	P	P	P	P		P	P						A	A	A	-	
	Golf course, public/Country Clubs	C	C	C	C	C	C									A	A	A	A	-	
	Park, private and public	P	P	P	P	P	P	P		P	P	P	P	P	P	A	A	A	A	-	
	Public square					C	C	P		P	P	P	P	P	P	A	A	A	A	-	
	Recreational trail	P	P	P	P	P	P	P		P	P		P	P	P	A	A	A	A	-	
	Resource-based recreation uses, passive recreation	P	P	P	P	P	P	P		P	P						A	A	A	A	-
	Resource-based recreation uses, active recreation	P						C									A	A	A	A	-
Public Safety	Fire and EMS	P				C	C	P		P	P	C	P	P	P		A	A	A	A	Section 4.3.2(G)
	Police station	P				C	C	P		P	P	P	P	P	P		A	A	A	A	Section 4.3.2(G)
	Sub-station for fire and city police	P		P	P	P	P	P		P	P	P	P	P	P		A	A	A	A	Section 4.3.2(G)
Transportation	Airport	C													C				A	-	
	Airplane landing strip	C												C	C	A	A		A	Section 4.3.2(H)(1)	

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D	E C	
	Helicopter landing facilities	C						C						C	C	A			A	Section 4.3.2(H)(2)
	Passenger terminal, surface transportation									C	C	P	P	P	P	A				-
Utilities	Wireless Communication tower and/or antenna, freestanding (new)	P						C		C		C	P	P	P	A	A	A	A	Section 4.3.2(I)(1)
	Wireless Communication antenna, Collocation on existing tower	P		P	P	P	P	P		P	P		P	P	P	A	A	A	A	Section 4.3.2(I)(1)
	Wireless Communication antenna, placement on existing building	P		P	P	P	P	P		P	P		P	P	P	A	A	A	A	Section 4.3.2(I)(1)
	Railroad right-of-way	P	P	P	P	P	P	P		P	P	P	P	P	P	A	A	A	A	-
	Utility, major		C	C	C	C	C	C			C	C	C	C	C	A	A	A	A	Section 4.3.2(I)(3)
	Utility, minor		P	P	P	P	P	P		P	P	P	P	P	P	A	A	A	A	Section 4.3.2(I)(4)
<b>AGRICULTURAL USES</b>																				
Agriculture	Citrus Groves	P	P	P	P	P	P			P	P	P	P	P	P		A	A		-
Animal husbandry	General use category	C																		-
Horticulture	General use category																			-
Agriculture Support and Services (Directly Related)	Agricultural processing	C													P					Section 4.3.3 (A)(1) and (2)
	Agri-education	C																		Section 4.3.3 (A)(1)
	Agri-entertainment	C																		Section 4.3.3 (A)(1)
	Custom operator	A													P					Section 4.3.3 (A)(1)

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT			Use Specific Standards Sec. 4.3	
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D		E C
	Direct market business for sale of products produced on site, including but not limited to produce stands or PYO (pick-your-own) establishments	€ P																		Section 4.3.3 (A)(1) and (3)
	Equestrian facility	P											C	C						Section 4.3.3 (A)(1)
	Farm co-op	C																		Section 4.3.3 (A)(1)
	Farm machinery repair	C												P	P					Section 4.3.3 (A)(1)
	Farm market	C														A				Section 4.3.3 (A)(1)
	Farm produce stand	P														A				Section 4.3.3 (A)(1) and (3)
	Feedlot (for on-going, on-site animal husbandry activities)	P																		Section 4.3.3 (A)(1)
	Nursery, commercial	P												P	P	A				Section 4.3.3 (A)(1) and (4)
	Nursery, production	P	€	€	€									P						Section 4.3.3 (A)(1) and (4)
	Pet farm	C																		Section 4.3.3 (A)(1)
	Sawmill	€													P					Section 4.3.3 (A)(1) and (5)

USE CATEGORY	USE TYPE	O U A	RESIDENTIAL						BUSINESS						PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3
			R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D	
	Stable	€ P																	Section 4.3.3 (A)(1) and (6)
Agriculture Support and Services (Not Directly Related)	Agricultural research facility	P											P	P					Section 4.3.3 (B)(1)
	Animal care business												P	P					-
	Auction arena for livestock	C											C	€ P					-
	Central farm distribution hub for agricultural products	C											P	P					Section 4.3.3 (B)(1)
	Equestrian facility/stable	P																	Section 4.3.3 (B)(2)
	Fair grounds	P								C					A				-
	Farm machinery repair	C										P	P	P					-
	Farm machinery sales, rental, and service												P	P	A				-
	Mining	C																	
Animal Sales, Service and Care	Animal hospital											P	€ P		A			Section 4.3.3 (C)(1)	
	Animal shelter											P	P		A			Section 4.3.3 (C)(2)	
	Animal grooming									P	P	P	P	P	A				-
	Kennel, indoor									C	P		C	P	A		A		Section 4.3.3 (C)(3)
	Kennel, outdoor	P										P	P	P	P	A			Section 4.3.3 (C)(4)
	Veterinary clinic									P	P	P	P	P		A			Section 4.3.3 (C)(5)
<b>BUSINESS</b>																			



USE CATEGORY	USE TYPE	RESIDENTIAL						BUSINESS						PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3			
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R		T N D	E C	
Eating Establishments	Ice cream shop								P	P	P	P	P			A	A			-	
	Restaurant, indoor seating only							P	P	P	P	P	P			A	A		A		
	Restaurant, with outdoor seating								P	P	P	C	C			A	A		A	Section 4.3.4(A)(1)	
	Restaurant, with drive-through or drive-in service										P	P	C			A			A	Section 4.3.4(A)(2)	
	Specialty eating establishment								P	P	P	P	P	C	C	A	A		A	-	
Conference and Training Centers	Conference center	C						P			P	P	P	P	P	A			A	Section 4.3.4(B)(1)	
	Rural agricultural corporate retreat	C																		Section 4.3.4(B)(2)	
Industrial Services	Building, heating, plumbing, or electrical contractors										P			P	P	A				-	
	Electric motor repair														P	P				Section 4.3.4(C)(1)	
	Fuel oil distributor															P				-	
	General industrial service										P	P	P	P	P				A	-	
	Heavy equipment sales, rental, or repair													P	P	P				Section 4.3.4(C)(2)	
	Laundry, dry cleaning, and carpet cleaning facilities										C	P	P						A	Section 4.3.4(C)(3)	
	Machine shop												P	P	P	P				Section 4.3.4(C)(1)	
	Repair of scientific or professional instruments												P	P	P	P	A			A	-
	Tool repair												P	P	P	P					Section 4.3.4(C)(1)

USE CATEGORY	USE TYPE	RESIDENTIAL						BUSINESS						PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3	
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R		T N D
Manufacturing and Production	Manufacturing, heavy <sup>1</sup>													P					Section 4.3.4(D)(1)
	Manufacturing, light										P	P	P	P	A			A	-
	Asphalt/concrete batch plant													C					Section 4.3.4(D)(1)
Offices	Business services						P		P	P	P	P	C	P	A			A	-
	Financial services						P		P	P	P	P			A			A	-
	Professional services						P		P	P	P	P		P	A			A	-
	Medical Services						P		P	P	P	P			A			A	-
	Sales								P		P	P	P	P	A			A	-
Parking, Commercial	Parking lot										P	P	P	P	A	A		A	Section 4.3.4(E)(1)
	Parking structure										P	P	P	P	A	A		A	Section 4.3.4(E)(2)
Recreation/ Entertainment, Indoor	Commercial recreation, indoor										P	P	P	P	A	A		A	-
	Neighborhood recreation center			C	C					P					A	A	A		-
	Private club or lodge with seating capacity of less than 300 in main activity area	C	C	C	P	P	P			P	P	P	P	P	A	A	A	A	-
	Private club or lodge, with seating capacity of 300 or greater in main activity area	C				C	C			C	C	P	P	P	A	A	A	A	-
	Theater									C	P	P	P	P	A			A	-
Recreation/ Entertainment, Outdoor	Archery range	C											P					-	
	Arena, amphitheater, auditorium, or stadium	C									C	C	C	C	A	A	A	A	Section 4.3.4(F)(1)

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT			Use Specific Standards Sec. 4.3				
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D		E C			
	Commercial recreation, outdoor																		A			A	-
	Golf course, private	C		P	P	P	P													A	A	A	-
Retail Sales and Services	Auction house											P	P	P					A				Section 4.3.4(G)
	Bar, nightclub, or cocktail lounge									C	P	P	P						A				Section 4.3.4(G)(1)
	Convenience store									P		C	P	C					A	A			Section 4.3.4(G)(2)
	Department or discount store										P	P	P						A				Section 4.3.4(G)
	Drug store or pharmacy (stand-alone)										P	P	P						A				Section 4.3.4(G)(3)
	Crematory												C	P	P							A	Section 4.3.4(G)
	Entertainment establishment											P	P	P					A				Section 4.3.4(G)
	Financial institution							P		C	P	P	P	P	P				A	A		A	Section 4.3.4(G)(4)
	Funeral home							P		C	P	P	P	P					A				Section 4.3.4(G)
	General media store											P	P	P					A	A			Section 4.3.4(G)
	Liquor store											P	P	P					A				Section 4.3.4(G)
	Laundromat												P	P					A				Section 4.3.4(G)(5)
	Pharmacy									P	P	P	P	P									
	Personal services establishment							P			P	P	P	P					A				Section 4.3.4(G)(6)
	Repair establishment										C	P	P	P					A				Section 4.3.4(G)
Sales establishment										C	P	P	P					A	A			Section 4.3.4(G)	

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT			Use Specific Standards Sec. 4.3		
		O U A	R 1	R 2	R 3	R 1	R 2	R O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D		E C	
	Large-scale Retail Establishments ≥20,000 sf but <80,000sf										E	P	P			A				Section 4.3.4(G)(7)	
	Large-scale Retail Establishments ≥80,000sf											C				A				Section 4.3.4(G)(7)	
Self-Service Storage	All uses										C	P	P			A				Section 4.3.4(H)	
Sexually-Oriented Business	Sexually-Oriented Cabaret												C							Section 4.3.4(I)	
	Sexually-Oriented Media Store												C							Section 4.3.4(I)	
	Sexually-Oriented Motion Picture Theater												C							Section 4.3.4(I)	
	Sex Shop												C							Section 4.3.4(I)	
Vehicles, Sales and Services	Automobile body shop													P	P	P				Section 4.3.4(J)(1)	
	Automobile parts sales											C	P	P	P	P	A			-	
	Automobile rental and sales												P	P			A			Section 4.3.4(J)(2)	
	Automobile repair and servicing												P	C	P	P	A			Section 4.3.4(J)(3)	
	Automobile service station											C	P	P			A			-	
	Automobile service station with wash and detail													P	P		A			-	
	Boat and marine rental and sales													P	P	P	A			Section 4.3.4(J)(4)	
	Car wash or auto detailing													P	P		A			Section 4.3.4(J)(5)	
	Gasoline sales												S	P	P	S	S	A			Section 4.3.4(J)(6)
	Recreational vehicle rental and sales														P	P		A			Section 4.3.4(J)(2)
	Taxicab service													P	P		A			-	
	Tire sales and mounting													P	P		A			Section 4.3.4(J)(7)	

USE CATEGORY	USE TYPE	RESIDENTIAL							BUSINESS							PLANNED DEVELOPMENT			Use Specific Standards Sec. 4.3	
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R	T N D		E C
	Towing service											P	P			A				Section 4.3.4(J)(8)
	Transmission or muffler shop											P	P			A				Section 4.3.4(J)(7)
	Truck or tractor rental or sales											P	P	P	P					Section 4.3.4(J)(2)
Visitor Accommodations	Bed and breakfast	C	C	C	C					C	C	C	P			A	A	A		Section 4.3.4(K)(1)
	Bed and breakfast inn	C	C	C	C					C	C	C	C			A		A		Section 4.3.4(K)(2)
	Hotel or motel											C	P	P		A		A	A	Section 4.3.4(K)(4)
Warehouse and Freight Movement	Cold storage plant																		P	-
	Parcel services												P	P	P	P	A			Section 4.3.4(L)(1)
	Truck or freight terminal												P	C	C	P				Section 4.3.4(L)(1)
	Warehouse (distribution)												P	C P	P	P				Section 4.3.4(L)(1)
	Warehouse (storage)													C	P	P	A			Section 4.3.4(L)(1)
	Outdoor Storage (as a principal use)													C	C	C P				Section 4.3.4(L)(2)
Waste-Related Services	Energy recovery plant	C																	C	-
	Hazardous waste collection sites	C																	C	-
	Incinerator	C																	C	-
	Landfill	C																	C	-
	Land spreading of wastes	C																	C	-

USE CATEGORY	USE TYPE	RESIDENTIAL						BUSINESS						PLANNED DEVELOPMENT				Use Specific Standards Sec. 4.3		
		O U A	R S 1	R S 2	R S 3	R G 1	R G 2	R I O	R I O	C N	C B D	C G	C H	I L W	I H	C O M	R		T N D	E C
	Recycling drop-off center	C											C	C	C	A		A	A	Section 4.3.4(M)(1)
	Recycling and salvage center	C												C	€ P					Section 4.3.4(M)(2)
	Salvage and junkyard	C												C	C					Section 4.3.4(M)(3)
	Tire disposal or recycling	C												€	C					Section 4.3.4(M)(3)
	Waste composting	C												C	C					-
Wholesale sales	All uses												P	P	P	P				-

**Article 5 Amendments**

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

TABLE 5.1-3: TABLE OF DIMENSIONAL STANDARDS IN THE BUSINESS ZONING DISTRICTS										
DISTRICT AND USE	LOTS		MINIMUM YARDS AND SETBACKS				MAX. HEIGHT (FT)	MAX. LOT COVERAGE (including accessory structures) [1]	MAX. FAR [2]	
	Min. Area (Sq Ft)	Min. Width (Ft)	Front Yard (Ft)	Side Yard (Ft)	Rear Yard (Ft)	Wetland / Water-course Setback (Ft)				
<b>RIO</b>										
All other Business uses	2 acres	None	20	Combined for 20, no less than 5	15	Sec. 5.2.2(B)	60	45%	.45	
<b>CN</b>										
All other uses	10,000	80	25	30 from residential districts	30 from residential districts	Sec. 5.2.2(B)	35	50%	.50	
<b>CG</b>										
All uses	None	None	25	None	20	Sec. 5.2.2(B)	<u>35-60</u>	100%	<u>4.0-5.0</u>	
<b>CBD</b>										
Multi-family	None	None	25	18 combined, no side less than 7	10, except when adjacent to RIO, RS or RG district, then 20	Sec. 5.2.2(B)	60	100%	4.0	
All other uses	None	None	None	None	None			100%		
<b>CH</b>										
All uses	None	100	25	15	20	Sec. 5.2.2(B)	65	40%	N/A	
<b>ILW</b>										
All uses	None	None	25		20	Sec. 5.2.2(B)	150	60%	N/A	
<b>IH</b>										
All uses	None	None	25		20	Sec. 5.2.2(B)	N/A	60%	N/A	
<b>PD-EC</b>										
	See Section 3.5.3(C)									
<b>PD-TND</b>										
	See Section 3.5.3(B)									
<b>PD-COMM</b>										
	See Section 3.5.3(D)									
NOTES:										

**Article 6 Amendments**

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

**Section 6.1.7(2)(e), Vehicle Stacking Spaces and Drive through Facilities.**

**A full double by-pass lane shall be provided.**



New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

AMENDING 6.5.4(B)(3)(c), TO ELIMINATE 18 FOOT HEIGHT LIMITATION FOR PROJECTING SIGNS

- (c) 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.

**ADDING SECTION 6.1, GENERAL COMMERCIAL DESIGN STANDARDS**

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

**SECTION 6.1 GENERAL COMMERCIAL DESIGN STANDARDS**

**6.6.1 Applicability**

(A) All new buildings, renovations or add-on construction shall be designed to have an exterior appearance of conventionally built structures on walls facing public roads and alleys. Other exterior walls shall have a minimum of 50% of the conventional treatment. Exterior surfaces must include either stucco, plaster, glass, stone, brick, wood or decorative masonry to be considered as conventional treatment. Exterior walls abutting rear alleys are not required to have conventional treatment.

(B) The use of trim bands, wing walls, parapets, fascias, entry recess design elements, pop-outs, reveals, copings, covered entries and window walls are examples of design features that are encouraged to enhance the appearance of new construction or renovated buildings.

(C) Any exposed walls along portions of any building that will be used for vehicular uses such as loading/unloading or drive-through or walk-up windows, shall be treated with design features appropriate to the overall design of the building.

(D) Large wall or roof areas exposed to view from the street or right-of-way shall be designed with architectural relief through the use of various materials, varying setbacks, accent colors and landscaping.

(E) All new construction, renovations or add-on construction shall comply with existing landscaping regulations.

**ARTICLE 7, SUBDIVISION STANDARDS**

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

**Section 7.9: Conservation / Open Space Subdivisions is substantially rewritten to include the following:**

**7.9.1 Purpose and Intent**

The purpose and intent of this section is to provide landowners in the Open Use Agriculture (OUA) and RS-2, RS-2 and RS-3 zone districts a development option that provides additional development flexibility when additional open space is provided, and the development is designed and located in a way that protects the natural and historic features on the site. This is done in order to:

**(A) Conserve Open Land**

Conserve open land, including those areas containing unique and sensitive natural features such as floodplains, wetlands, soils subject to slumping and sinkholes, river and stream corridors, and steep slopes;

**(B) Retain and Protect Natural Resources**

Retain and protect existing environmental, natural, and cultural resources;

**(C) Link Open Spaces**

Create a linked network of open spaces;

**(D) Promote Rural Character**

Promote existing rural character within the OUA, RS-1, RS-2 and RS-3 zone districts; and

**(E) Provide Reasonable Use of Property**

Provide reasonable economic use of the property.

**7.9.2 Applicability**

This conservation subdivision option may be used as a development option for single-family residential development on lands in the Open Use Agriculture (OUA) and RS-1, RS-2 and RS-3 zone districts.

**7.9.3 Procedure**

Development utilizing the conservation subdivision option shall be approved in accordance with the procedures and standards in Section 2.4.7(F), *Minor Subdivision*, after approval of a conservation plan in accordance with this section.

**(A) Yield Plan**

Prior to review of a Minor Subdivision for a conservation subdivision option, an applicant shall have a yield plan for the land reviewed and approved, or approved with conditions by the Technical Advisory Committee (TAC) in accordance with this section and the standards of Section 7.9.4, *Conservation Subdivision Standards*, and Section 7.9.5, *Delineation of Conservation Areas and Development Areas Within the Conservations Subdivision*. Deviation from an approved yield plan

without obtaining prior approval from the Community Development Director shall void the development order for Minor Subdivision.

**(C) Yield Plan Requirements**

**(1) Step 1—Site Analysis Map/ Existing Features Map**

The applicant shall prepare a site analysis/existing features map that provides information about existing site conditions and context, and that comprehensively analyzes existing conditions both on the land proposed for the development site and on land within 500 feet of the site, and submit the site analysis map to the Community Development Director. It is the intent of this section that the information required to be presented in the site analysis map be produced primarily from existing sources, maps, and data.

**(2) Step 2—Site Inspection**

After receipt of the site analysis/existing features map, the Community Development Director shall schedule a site inspection of the land with the applicant. The applicant or the applicant's representative shall attend the site inspection with the Community Development Director. The purpose of this site visit is to:

- (a) Familiarize the Community Development Director, City staff and the TAC with the existing site conditions and natural and historic features of the site;
- (b) Identify potential site development issues; and
- (c) Provide an opportunity to discuss site development concepts, including the general layout of conservation areas and potential locations for proposed structures, utilities, roads, and other development features. Comments made by the Community Development Director or other City staff during the site inspection shall be interpreted as being only suggestive. No official decision on the conservation plan shall be made during the site inspection.

**(3) Step 3—Conservation and Development Areas Map**

Based on the site analysis map and the information obtained during the site inspection, the applicant shall prepare a conservation and development areas map that depicts proposed primary conservation areas, secondary conservation areas, and development areas, in accordance with Section 7.9.5, *Delineation of Conservation Areas and Development Areas Within Conservation Subdivision*.

**(4) Step 4—Yield Plan**

Based on the site analysis map, the information obtained during the site inspection, and the conservation and development areas map, the applicant shall prepare and submit to the Community Development Director a yield plan. The yield plan shall include the following:

- (a) A site analysis / existing features map;
- (b) A conservation and development areas map,
- (c) A preliminary site improvements plan, showing proposed site development, including utilities, roads, other development features, and lot lines located in the proposed development area(s).

**(F) Review of Yield Plan**

The Community Development Director shall review the application in accordance with the procedures and requirements of Section 2.2.13, *Review by Community Development Director*. The yield plan shall comply with the standards of Section 7.9.45, *Conservation Subdivision Standards*, and Section 7.9.56, *Delineation of Conservation Areas and Development Areas Within the Conservation Subdivision*.

**(G) Review and Approval of Conservation Subdivision**

Following review and approval or approval with conditions of the yield plan by the Community Development Director, the application for Minor Subdivision shall be submitted and reviewed in accordance with Section 2.4.7 (F), *Minor Subdivision*.

**7.9.4 Incentives for Conservation Subdivisions**

To encourage the development of Conservation Subdivisions the City is providing the following density bonuses.

**(A) Density Bonuses**

**(1) Encouraging additional open space.**

One additional dwelling unit per each additional 5% of open space preserved.

**(2) Encouraging connected trails**

**(3) Encouraging landscaping between building lots**

One additional dwelling unit for maintenance of natural buffers along parcel lines.

**(B) Reduction of fees and charges**

To encourage the development of Conservation Subdivisions the City is providing the following reductions in fees and charges.

**a. Transportation impact fees.**

**b. Park impact fees.**

**c. Development review fees.**

**7.9.5 Conservation Subdivision Standards**

A conservation subdivision shall:

**(A) Minimum Project Size**

Be at least ten (10) acres in area;

**(B) Required Conservation Area**

Set-aside a minimum of fifty percent (50%) of the total acreage of the site as conservation area to be permanently maintained and protected;

**(C) Maximum Residential Density**

Not exceed a gross density of 0.2 dwelling units per acre;

**(D) Lot Area**

Have no maximum individual lot size, but be subject to a minimum lot area of ~~one (1) acre~~ .25 acres per building lot;

**(E) Setbacks**

**(1) Front Yard Setbacks**

Provide a minimum front yard setback of ~~eighteen (18)~~ fifteen feet, however upon demonstrating good cause, the front setback can be reduced to less than fifteen 15 feet;

**(2) Side and Rear Yard Setbacks**

Not be subject to side yard and rear yard setback standards; and

**(3) Setbacks from Water**

Provide a minimum setback of thirty-five (35) feet from any water body.

**(F) Exempt from Other Development Standards**

Be exempt from the following standards:

**(1)** Minimum off-street parking requirements (Table 6.1-1, *Minimum Off-Street Parking Standards*);

**(2)** Retention of the existing tree canopy outside the primary and secondary conservation areas (Section 6.2.1, *Tree protection Standards*)

**(3)** Site landscaping (Section 6.2.2(D)(1) *General Landscape Standards*);

**(4)** The block standards (Section 7.2.3, *Block Standards*) and

**(5)** The sidewalk standards (Section 7.3.2, *Sidewalks*), provided an internal trail system is developed as part of the subdivision.

**7.9.6 Delineation of Conservation Areas and Development Areas Within the Conservation Subdivision**

The conservation areas and development areas on the conservation and development areas map and within the conservation subdivision shall comply with the following standards:

**(A) Primary Conservation Areas**

**(1) Features to be Preserved**

The following features shall be located and delineated on the conservation and development areas map, and shall be preserved in the following priority order as primary conservation areas:

(a) The 100-year floodplain;

(b) Wetlands having regulatory jurisdiction of the Army Corps. of Engineers, and/or the State of Florida;

(c) Habitat utilized by endangered or threatened species;

(d) Soils subject to slumping and sinkholes;

(e) Areas subject to karst topography;

(f) Non-jurisdictional wetlands not under the jurisdiction of the Army Corps. of Engineers or the State of Florida;

(g) River and stream corridors (including public water reservoirs); and

(h) Steep slopes (slopes greater than 25-8%).

**(2) Amount to be Preserved**

All areas occupied by features comprising a primary conservation area shall be set aside and reserved for conservation purposes in accordance with the following standards:

**(a) Primary Conservation Area is Less Than Fifty Percent of Set-Aside**

In cases where the geographic area occupied by all features comprising the primary conservation area is less than fifty percent (50%) of the site, then all lands comprising the primary conservation area shall be set aside.

**(b) Primary Conservation Area Exceeds Fifty Percent of Set-Aside**

(i) In the event the geographic area of all features identified and prioritized as the primary conservation area results in a primary conservation area exceeding the fifty percent (50%) set-aside requirement (for example, conservation of the preceding prioritized features constitute forty-seven percent (47%) of a site, and the next prioritized feature consists of five percent (5%)), the applicant may identify which portions of the feature exceeding the fifty percent (50%) set-aside will be designated for conversion to development area. To the maximum extent practicable, priority for retention shall be given to the highest quality portion of the features to be conserved.

(ii) Development on lands made available for conversion to development area shall be in accordance with the standards in these LDRs.

**(3) Allowable Uses**

Uses located within a primary conservation area shall be limited to:

- (a) Unpaved pedestrian trails and walkways;
- (b) Docks and other water-related features as allowed in these LDRs;
- (c) Above and below ground public utilities and associated easements, provided no feasible alternative exists; and
- (d) Street and/or driveway crossings provided such crossings do not violate these LDRs, or other state or federal laws.

**(B) Secondary Conservation Areas**

**(1) Features to be Preserved**

In addition to primary conservation areas, the conservation and development areas map shall also depict secondary conservation areas, which shall be preserved in the following priority order:

- (a) Historic, archeological, and cultural resources;
- (b) Existing and mature woodland forests, natural fields, and meadows (especially those greater than 5 acres);
- (c) Prime agricultural lands, including existing pastures (whether in use or otherwise);
- (d) Scenic corridors and views; and
- (f) Areas that could serve to extend existing greenways, trails; parks or recreation areas.

**(2) Locations to be Preserved**

All areas occupied by features comprising a secondary conservation area shall be set aside and reserved as a part of the conservation area in accordance with the following standards:

(a) *Primary Conservation Area Occupies Fifty Percent of Site Area*

In the event that the geographic area set aside as the primary conservation area is fifty percent (50%) or more of the total site area, no additional lands occupied by secondary conservation features shall be required to be included in the conservation area.

(b) *Primary Conservation Area Occupies Less Than Fifty Percent of Site Area*

In the event the geographic area set aside as the primary conservation area is less than fifty percent (50%) of the total site area, then lands containing secondary conservation features shall be set aside as part of the conservation area in priority order based upon the following:

(c) *Connect Primary Resource Areas*

To the maximum extent practicable, the geographic area containing secondary conservation features shall be set aside so as to connect and surround the primary resource area.

(iii) *Primary and Secondary Conservation Areas Do Not Equal Fifty Percent of Site Area*

In the event the combined area occupied by the primary conservation area and geographic area occupied by all secondary resource conservation features does not equal the fifty percent (50%) set-aside requirement, then additional lands necessary to meet the fifty percent (50%) set-aside requirement for the conservation area shall be designated for set-aside. Such lands may be selected by the applicant in accordance with the standards in Section 6.7.4 (G), *Design Standards*, and shall be designated for inclusion within the conservation area.

(iv) *Primary and Secondary Conservation Areas Exceed Fifty Percent of Site Area*

In the event the area occupied by the primary conservation area and the geographic area of all features identified and prioritized as the secondary conservation area results in a combined conservation area exceeding the fifty percent (50%) set-aside requirement, the applicant may identify which portions of the secondary conservation feature(s) will be designated for conversion to development area. To the maximum extent practicable, priority for retention shall be given to the highest quality portion of the feature(s) to be conserved. In no instance shall any portion of the primary conservation area be designated for conversion to development area.

**(3) Allowable Uses**

Uses located within a secondary conservation area shall be limited to:

- (a) All uses allowed in a primary conservation area;
- (b) All uses allowed in open space set-asides



- (c) Uses allowed in the Agriculture, Animal Husbandry, and Horticulture Use Classifications in Table 4.1-1, *Table of Allowed Uses*;
- (d) Individual or community water supply and septic systems;
- (e) Stormwater management systems, where no feasible alternative exists;
- (f) Required drainage or other utility easements;
- (g) Mitigation of development activities, including restoration of disturbed or degraded areas to enhance habitat and scenic value.

**(C) Ownership/Management Plan for Open Space**

1. The conservation area shall be considered as an open space set-aside

**(D) Development Areas**

After identifying the primary and secondary conservation areas, the development area shall be identified. It is the area within which development may occur, and shall include the area within the site where:

- (6)** Any clearing or grading activities will take place;
- (7)** Ingress and egress will be located;
- (8)** Individual or community wells and septic systems may be located (if not located within the secondary conservation area); and
- (9)** Where roads, utilities, and other similar structures will be located.

Nothing in this section shall prevent a series of multiple and non-contiguous development areas from being established, provided the development standards in these LDRs are met.

New language is underlined and highlighted in yellow

Deletions of existing language is ~~struck thru and highlighted in yellow~~

Section 7.3.11, Utilities, Subsection (B)(1)Fiber Optic Conduit

For each new subdivision the subdivider or the subdivider's developer shall install fiber optic conduit within the public right-of-way along the entire frontage of each property in the subdivision which adjoins a public street. Such construction shall meet all specifications of the City Engineer, shall be designed to allow adjacent properties to access the fiber optic conduit and shall be designed and constructed at the subdivider's expense or at the expense of the subdivider s developer.