



AGENDA ITEM COVER SHEET

Meeting Date: March 20, 2017

Contact Name: Jim Gleason
Department: Administration

Reviewed By:
Department Director: Yes
City Manager: Jim Gleason

Subject: ORDINANCE 2017-04-561 “OFF-STREET PARKING REQUIREMENTS” AND CREATING OFF-STREET PARKING REGULATIONS IN NON-RESIDENTIAL DISTRICTS”

Background Summary:

Staff and City Council discussed a few months ago the issue of Semi-Parking in Non-Residential Districts. The City Council gave staff and the city attorney direction to prepare an ordinance to prohibit the Off-Street Parking in non-residential districts. In researching this matter it was determined the city since 1975 has not authorized the off-street parking of vehicles unless the vehicles were a direct use of the permitted business.

Issue:

Should the City of Mascotte Council approve an ordinance in clarifying the city council's position to eliminate off-street parking in non-residential districts of vehicles? The city has an ordinance that covers the prohibition of parking of commercial and utility vehicles in residential districts.

The goal and purpose of the ordinance is to prevent off-street parking as part of the city council's efforts to improve the aesthetics and quality of life for both commercial and residential neighborhoods in order to make the city conducive for economic development and redevelopment.

Recommendations:

Motion to approve the First Reading of Ordinance 2017-04-561 Amending an Ordinance of the City of Mascotte, Florida, Amending Chapter 22, “Off-Street Parking Requirements” and Creating Off-Street Parking Regulations in Non-Residential Districts.

Attachments:

Ordinance 2017-04-561
Zoning article I Sec. 19-1 Definitions-13 pages
City Comprehensive Plan-definitions-8 pages
Comprehensive Plan Data & Analysis-Littlejohn-5 pages

Financial Impact:

None to the City other than the cost of Code Compliance for violations.

Type of Item:

- Public Hearing
- Ordinance First Reading
- Ordinance Second Reading
- Resolution
- Discussion & Direction

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- Original Document/Contract Attached for Execution by City Clerk
 - Original Document/Contract Held by Department for Execution

Reviewed by City Attorney: Yes _____ N/A

Reviewed by: _____ N/A

46 E. As a result of the Great Recession of 2008, the City saw a complete downturn in
47 development within the City, including the CRA.

48
49 F. When development applications began to be submitted to the City, Council
50 approved budgets for fiscal years 2014-15 and 2015-16 to retain a planning consultant firm to
51 review, study, and begin the process of amending the City's Comprehensive Plan to provide for
52 more meaningful development within the City consistent with current trends. The City adopted a
53 substantially rewritten Comprehensive Plan on May 2, 2016 (Ordinance 2016-03-543). The City
54 Council will soon be considering revisions to its Land Development Code consistent with this
55 amended Comprehensive Plan.

56
57 G. Beginning in 2016, the City began a process of amending its Code and Land
58 Development Code, focusing on aesthetics of properties within the City and enforcement of its
59 codes, as follows:

60
61 1. The City amended its Code and Land Development Code to prohibit the use
62 of chain link fences except in certain circumstances (Ordinance 2016-01-542 adopted January 4,
63 2016).

64
65 2. With a goal of actively engaging in the enforcement of its code and land
66 development code and consistent with the Community Redevelopment Plan, the City Council
67 authorized the hiring of a code compliance officer in its budget for fiscal year 2016-17.

68
69 3. The City Council updated its code enforcement processes and procedures
70 and provided the option of imposing civil citations when the City's codes are violated (Ordinance
71 2016-11-551 adopted November 21, 2016).

72
73 4. The City Council adopted regulations requiring that properties which are in
74 foreclosure and vacant properties must be registered with the City to prevent such properties from
75 becoming neglected and unsecured, having a negative impact on the City, and ensuring that owners
76 or local agents of such properties comply with the property maintenance codes of the City
77 (Ordinance 2016-11-552 adopted November 21, 2016).

78
79 5. The City Council adopted the Mascotte Residential Rental Program
80 requiring that non-exempt residential properties be licensed and periodically inspected by the City
81 to eliminate substandard housing and prevent residential blight and public nuisances, and to ensure
82 compliance with the City's building, housing, health, and property maintenance codes (Ordinance
83 2017-02-559 adopted February 6, 2017).

84
85 6. The City Council hereby reaffirms and restates the City's Community
86 Redevelopment Plan:

87
88 Commercial properties along SR 50 in general also seem to be
89 in a state of disrepair both aesthetically and functionally with
90 numerous vacancies and inadequate site improvements. The primary
91 concern in the Redevelopment Area is deterioration in context and

92 setting, which will discourage long-term sustainability and lead to a
93 reduction in useful life more rapidly than would be the case in a
94 stable commercial environment (City of Mascotte Community
95 Redevelopment Plan p. 3).

96 ...
97 Code violations is a perpetual situation wherein [a] few violators can
98 cause other property owners to lose a ‘sense of community’ thereby
99 causing more violations....This situation needs to be mitigated with
100 top priority to improve the “quality of life” and perception of the
101 Redevelopment Area (City of Mascotte Community Redevelopment
102 Plan p. 4).

103
104 H. Section 3.8.F)2) of the Land Development Code states:

105 Uses not designated as permitted by right or not permitted as a
106 conditional use in a district shall be prohibited from that district.
107 Conditional uses are permitted subject to additional regulations
108 imposed. The conditional uses may be approved only by the City
109 Council following proper application as described within this Code.

110 (Ordinance 2008-03-460 adopted April 21, 2008).

111 I. The current definition of “accessory use” under Section 2.1 of the Land
112 Development states: “No accessory structure will be allowed unless the principal use is in place or
113 permitted.”

114 J. Consistent with the City Council’s goals set forth in paragraph G above, the City
115 finds it to be in the best interests of the City and its citizens to reaffirm that the parking
116 requirements of the Code and Land Development Code do not allow or recognize vehicular
117 parking as a principal use of property, and parking as a principal use of property is and has been a
118 prohibited use of property. Alternatively, if parking under the current Code and Land Development
119 Code would be considered an accessory structure, parking is not allowed unless a principal use is
120 in place and permitted.

121 K. The City Council reaffirms that parking garages, parking lots, and parking areas as
122 principal uses of property are inconsistent with the vision of the Comprehensive Plan and the
123 character of the Mascotte community. Further, such uses contribute to the blighted conditions in
124 the Downtown Mixed Use Zoning District (DMU)/CRA and detract from the development of
125 property along the Highway 50 corridor.

126
127 **NOTE:** Underlined words constitute additions to the City of Mascotte Code of Ordinances
128 and Land Development Code, asterisks (***) indicate an omission from the existing text which is
129 intended to remain unchanged, and ~~strikethrough~~ constitutes deletions from the original Code of
130 Ordinances and Land Development Code.

131
132 **SECTION 2.** Section 22-3 of Chapter 22, “Off-Street Parking Requirements,” of the Code of
133 Ordinances is hereby amended as follows:

136 **Sec. 22-3. - Detailed parking space requirements.**

137
138

Parking requirements are as follows:

- 139 (a) Auditoriums, theaters or other places of assembly. One and one-half (1½) spaces for each
140 four (4) seats.
- 141 (b) Bowling alleys. Four (4) spaces for each alley.
- 142 (c) Business or commercial buildings. One (1) space for each three hundred (300) square feet
143 of gross floor area, or fraction thereof.
- 144 (d) Churches, temples or places of worship. One (1) space for each four (4) seats in the
145 auditorium.

146 ***

147 (x) Uses not specifically named. The requirements for off-street parking for use or uses not
148 specifically named in this section shall be the same as provided in this section for the
149 named use most similar in nature and character, it being the intent of the city council to
150 require all uses to provide off-street parking spaces required to be provided for a particular
151 use of property, the required number shall be determined and fixed pursuant to the City's
152 land development code under ~~by a board comprised of the building inspector, city clerk,
153 and fire chief of the City of Mascotte, which board shall appear and be governed by,~~ the
154 following guidelines and criteria in making such determination:

- 155 (1) Off-street parking requirements for similar uses of property in the city.
- 156 (2) Off-street parking requirements for buildings and improvements having similar
157 physical characteristics.
- 158 (3) Intensity of vehicular and pedestrian traffic in the area.
- 159 (4) Foreseeable requirements for police, fire and other emergency vehicle services to
160 and in the vicinity of the property.
- 161 (5) The size and physical characteristics of abutting streets.
- 162 (6) Availability of alternative parking areas.
- 163 (7) Foreseeable requirements for deliveries and public services to and in the vicinity of
164 the property.
- 165 (8) The aesthetic quality of the property and its vicinity.
- 166 (9) Other considerations involving the health, safety, and welfare of occupants of the
167 property and welfare of occupants of the property and citizens of the city.

168 Parking garages and parking areas or lots as a principal use of property shall not be
169 allowed.

170 ***

171 **SECTION 3.** Section 22-7 of Chapter 22, "Off-Street Parking Requirements," of the Code of
172 Ordinances is hereby created to read:

173 **Section 22-7. – Parking regulations in non-residential districts.**

174 (a) Definitions. The following words and terms are defined for the purposes of this section:

175 Commercial motor vehicle means any self-propelled or towed vehicle of any size or weight
176 that is typically used for business or commerce. The term includes commercial motor vehicles
177 which are not currently in use for business or commerce. The term includes and is not limited to
178 heavy equipment including farm or industrial, wreckers, construction or earth-moving equipment;
179 and truck tractors having dual rear wheels.

180 Owner means any person or other entity in whose name the legal title of a commercial motor
181 vehicle or equipment is registered or, in the event the vehicle or equipment is the subject of a lease
182 or conditional sales agreement, the lessee or person or other entity with the right of purchase upon
183 performance of the conditions stated in the agreement and with the immediate right of possession.

184 (b) Off-street parking of commercial motor vehicles. Except for the temporary parking of vehicles
185 conducting business on the premises or engaged in providing services or loading or delivering of
186 materials, no parking of vehicles or commercial motor vehicles as defined in subsection (a) of this
187 section shall be permitted on any property or off-street parking area within non-residential zoning
188 districts. Commercial motor vehicles owned by the owner of the business located on the property
189 or premises in such districts may be parked overnight provided that they are parked behind the
190 business or, if sufficient rear lot space is not available, in the least visible space from any right-of-
191 way and abutting property. If the non-residential property is adjacent to or abuts any residential
192 district or a residential area of a planned unit development, such commercial motor vehicles must
193 be completely screened from view such that the vehicles are not visible from any public right-of-
194 way or the adjacent or abutting properties.

195 (c) Excepted and exempted vehicles. The provisions of this section shall not apply to:

196 (1) Property where construction is underway, for which a current and valid building permit
197 has been issued as to temporary construction trailers or vehicles and equipment actively
198 engaged in such construction.

199 (2) Those vehicles and equipment being used to perform lawful work upon the premises
200 where the vehicle is parked, when such parking is necessary for a temporary period of
201 time, not to exceed 36 hours.

202 (3) Vehicles of public or private utility companies, for the period of time required in the
203 location, for the purpose of servicing, testing, repairing, or constructing the equipment of
204 such companies. Utility vehicles shall include those vehicles required for construction,
205 repair, or maintenance of any road, street, or alley.

206 (d) Waiver. Any owner who cannot meet the requirements of this section and would suffer a
207 hardship if not allowed to park a commercial motor vehicle as defined herein may apply to
208 the city manager or designee for a waiver from the restrictions imposed by this section for a
209 specified period of time not to exceed 90 days. The decision of the city manager or designee
210 shall be in writing. If the city manager or designee denies the request for a waiver, the
211 applicant may, within 15 calendar days of the denial, file a written notice of appeal with the
212 city clerk. If no such notice of appeal is received within the 15-day period, then the city
213 manager or designee shall be final. If an appeal is taken, such appeal shall be heard by the city

214 council at its next available regular meeting. The decision of the city council on appeal shall
215 be final.

216 (e) *Grace period.* Owners of commercial motor vehicles parked in violation of this section prior
217 to the effective date of this ordinance shall have ninety (90) days to come into compliance
218 with this section.

219 **SECTION 4.** Section 2.1 of Article II, "Definitions and Acronyms," of the Land Development
220 Code, shall be amended as follows:

221 **Section 2.1. - Definitions.**

222 ***

223 *Accessory Structure.* A ~~detached~~ structure on the same lot with, and of a nature customarily
224 incidental and subordinate to, the principal structure, ~~such as the following:~~

225 a) ~~Air conditioners, satellite dishes, solar panels, or other similar accessory structures.~~

226 b) ~~Antennas.~~

227 c) ~~Boat Docks.~~

228 d) ~~Carports for Vehicles and Cars, Boats, RV's.~~

229 e) ~~Detached structure that does not exceed two hundred (200) square feet of floor space.~~
230 ~~(Mobile homes and trailers may not be used as storage buildings or as alternate living~~
231 ~~quarters.)~~

232 f) ~~Garages, detached.~~

233 g) ~~Gazebos.~~

234 h) ~~Playhouses, garden storage units.~~

235 i) ~~Private Boat Ramps.~~

236 j) ~~Sheds/Storage buildings.~~

237 k) ~~Swimming pools.~~

238 l) ~~Screen pool enclosure.~~

239 Accessory Structures must blend/match the principal structure they are subordinate to, except
240 for rubber/plastic types of playhouses and garden storage units. All Accessory Structures must
241 go through the required building and permitting process. Accessory Structures under 144
242 square feet are required to obtain a free "Zoning Only" permit. No accessory structure will be
243 allowed unless a principal structure is in place and permitted. Parking garages and parking
244 areas or lots are accessory uses and are not accessory structures.

245 *Accessory Use.* The use of land or a structure thereon of a nature customarily incidental and
246 subordinate to the principal use permitted within the zoning district wherein the land is located.
247 No accessory use structure will be allowed unless the principal use is in place ~~or~~ and permitted.

248 ***

249 Commercial motor vehicle means any self-propelled or towed vehicle of any size or weight
250 that is typically used for business or commerce. The term includes commercial motor vehicles
251 which are not currently in use for business or commerce. The term includes and is not limited to
252 heavy equipment including farm or industrial, wreckers, construction or earth-moving equipment;
253 and truck tractors having dual rear wheels.

254 ***

255 Off-Street Parking. A parking area lot or parcel of land or structure designed, constructed, or
256 utilized for the temporary storage or parking of motor vehicles. Required off-street parking shall
257 be so designed, maintained, and regulated that no parking or maneuvering incidental to parking
258 shall be on any public street, walk, or alley.

259 ***

260 Parking areas. Any area, excluding public rights-of-way, dedicated for motor vehicular
261 parking used in conjunction with the permitted principal development on the parcel. The terms
262 parking areas and parking lots are used interchangeably. Parking areas are uses accessory to the
263 principal uses of the parcels on which the parking areas or lots are located.

264 ***

265 Parking lot. See parking area.

266 ***

267 Principal structure. Any structure occupied by the principal use.

268 Principal use. The primary purpose for which the premises is intended to be used.

269 Structure.

270 (1) Anything constructed or erected with a fixed location on the ground or attached to
271 something having a fixed location. Among other things, structures include buildings, boat
272 docks, boat ramps, mobile homes, walls, fences, roads, walkways, paths, swimming
273 pools, tennis courts, pipelines, underground transmission lines, sheds, and other accessory
274 structures, but excluding parking areas, which are accessory uses.

275 ***

276 **SECTION 5.** Section 3.11 of Article III, "Zoning," of the Land Development Code, shall be
277 amended as follows:

278 Section 3.11. - Use Regulations.

279 A) *Permitted Uses:* Table 3-2 lists the principal uses which will be permitted on a parcel or lot in
280 the zoning districts established in this Article.

281 B) *Planned Unit Developments Uses:* Uses that can be developed as a Planned Unit Development
282 (PUD) are:

283 ***

284 C) *Prohibited Uses:* Without limiting the generality of the foregoing provision, the following
285 uses are specifically prohibited in all districts:

- 286 1) Any use that involves the manufacture, handling, sale, distribution or storage of any
287 highly combustible or explosive materials in violation of the City's Fire Prevention Code.
- 288 2) Stockyards, slaughterhouses, and rendering plants.
- 289 3) Use of a travel trailer as a temporary or permanent residence.
- 290 4) Use of a commercial motor vehicle, ~~vehicle~~, trailer, mobile food unit or any other motor
291 vehicle or temporary structure placed or parked on a lot ~~as a structure~~ in which, out of
292 which, or from which any goods, including food are sold or stored, any services are
293 performed, or other business conducted without obtaining special permission of the City
294 Council pursuant to subsections D) through F) of this section.
- 295 5) Bars or cocktail lounges offering alcoholic beverages for consumption on the premises
296 that are not incidental to or within a portion of a building used for a bonafide restaurant
297 seating not less than forty-five (45) patrons.
- 298 6) Adult Entertainment Establishments except as permitted by these regulations.
- 299 7) Parking of passenger vehicles or commercial motor vehicles when such parking is
300 operated as a commercial enterprise on the property or premises. Commercial motor
301 vehicles owned by the owner of the business located on the property or premises in non-
302 residential districts may be parked overnight provided that they are parked behind the
303 business or, if sufficient rear lot space is not available, in the least visible space from any
304 right-of-way and abutting property. If the non-residential property is adjacent to or abuts
305 any residential district or a residential area of a planned unit development, such
306 commercial motor vehicles must be completely screened from view such that the vehicles
307 are not visible from any public right-of-way or the adjacent or abutting properties. The
308 nonconforming use provisions of section 3.20 of this Land Development Code shall not
309 apply to this subsection (7).

310 **SECTION 6. Severability.** If any portion of this Ordinance is declared invalid or unenforceable,
311 then to the extent it is possible to do so without destroying the overall intent and effect of this
312 Ordinance, the portion deemed invalid or unenforceable shall be severed herefrom, and the
313 remainder of this Ordinance shall continue in full force and effect as if it were enacted without
314 including the portion found to be invalid or unenforceable.

315
316 **SECTION 7. Conflicts.** All ordinances or parts of ordinances in conflict herewith are hereby
317 repealed.

318 **SECTION 8. Codification.** It is the intent of the City Council of the City of Mascotte that the
319 provisions of this Ordinance shall become and made a part of the City of Mascotte Code.

320 **SECTION 9. Effective Date.** This Ordinance shall become effective immediately upon
321 adoption.

322
323 **PASSED and ADOPTED** at a regular meeting of the City Council of the City of Mascotte,
324 Florida, this _____ day of _____, 2017.

325

326

327

328

329

330 Attest:

Barbara Krull, MAYOR

331

332 Michelle Hawkins, CMC, City Clerk

ARTICLE I. IN GENERAL**Sec. 19-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use or structure means a use or structure customarily incidental and subordinate to, and located on the same lot with, the principal use or structure.

Dwelling, multiple-family means a residence designed for or occupied by three (3) or more families, with separate cooking and housekeeping facilities for each, with individual outside entrances to units, and with only structural maintenance services furnished by the management.

Dwelling, single-family means a detached residence designed for or occupied by one (1) family only.

Dwelling, two-family means a residence designed for or occupied exclusively by two (2) families, with separate housekeeping and cooking facilities for each.

Family means one (1) or more persons occupying a single housekeeping unit and using common cooking facilities.

Lot includes the words "plot" or "parcel."

Lot width, for purposes of establishing compliance with this chapter, shall be measured at the rear line of the required front yard, but at no portion of the lot shall the width be less than eighty (80) percent of the required minimum.

Off-street parking space means that one (1) off-street parking space shall comprise not less than one hundred eighty (180) square feet plus necessary maneuvering space. Space for maneuvering incidental to actual parking in off-street spaces shall not encroach upon any public way. Every off-street parking space shall be accessible from a public way.

Structure means all permanent or temporary, fixed or movable construction comprising buildings, house trailers, fences, walls, stands, and signs and billboards erected independently or affixed to exterior walls; provided, that utility lines and poles shall not be considered structures for the purpose of this chapter.

Used or occupied, as applied to any land, building or other structure, shall be construed to include the words "intended," "arranged" or "designed" to be used or occupied.

Yard means an open space on the same lot with a building, unoccupied and unobstructed from the ground upward except for vegetation, drives, walkways and the like, except as otherwise provided in this chapter.

Yard, front means a yard across the full width of the lot, extending from the foremost part of the principal building to the nearest point on the front line of the lot.

Yard, rear means a yard, which may be occupied with accessory buildings and uses except as otherwise provided in this chapter, extending from the rearmost point of the principal building to the nearest point on the rear line of the lot, and across the full width of the lot.

Yard, side means a yard extending from the front yard to the rear yard, and from the nearest portion of the principal building, including carports as portions of principal buildings when attached thereto, to the adjacent side lot line.

(Code 1975, § 22-1)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 19-2. Compliance with chapter and district regulations.

Except as hereinafter provided:

- (1) No building, structure or land shall be used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered unless in conformity with the regulations specified in this chapter for the district in which it is located.
- (2) No building or other structure shall hereafter be erected or altered:
 - a. To exceed the height set forth in this chapter;
 - b. To accommodate or house a greater number of families than is set forth in this chapter;
 - c. To occupy a greater percentage of lot area than is set forth in this chapter;
 - d. To have narrower or smaller rear yards, front yards, side yards or other open spaces than required in this chapter; or
 - e. In any other manner contrary to the provisions of this chapter.
- (3) No part of a yard, other open space or off-street parking space required about or in connection with any building for the purpose of complying with this chapter shall be included as part of a yard, open space or off-street parking space similarly required for any other building.

(Code 1975, § 22-4)

Sec. 19-3. Nonconforming uses and structures.

(a) *Continuation.* Any lawful use of land or buildings or other structures on January 11, 1957, or at the time of any change by amendment thereafter, may be continued subject to the limitations set forth below, and no change of title or profession, or right to possession, of property involved shall be construed to prevent the continuance of such nonconforming use.

(b) *Use of nonconforming lots of record.*

- (1) Notwithstanding the limitations imposed by any other provisions of this chapter, any single lot of record on January 11, 1957, which contains an area or width or depth less than that required for the erection of a one-family residence in the district in which located, and such lot is located in a district in which residential construction is

mayor and attested by the city clerk. No amendment to this chapter which involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on the map.

(d) No changes shall be made in the official zoning map or in any matter shown thereon in any manner or by any person except pursuant to the procedures set forth in this chapter, and any unauthorized change by any person whatever shall be considered to be a violation of this chapter, punishable by the penalties set forth herein.

(e) Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map in the office of the city clerk shall be the final authority as to the current zoning status of lands, buildings and other structures in the city.

(Code 1975, § 22-2)

Sec. 19-77. Interpretation of boundaries.

Where uncertainty exists with respect to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- (1) When district boundaries are indicated as approximately following the centerlines of streets, highways or alleys, such centerlines shall be construed to be such boundaries.
- (2) When district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.
- (3) When district boundaries are indicated as approximately following city limits, such city limits shall be construed to be such boundaries.
- (4) When district boundaries are indicated as following railroad lines, the boundary shall be construed to be midway between the main tracks.
- (5) When district boundaries are indicated as following the borders or centerlines of lakes or watercourses, such borders or centerlines shall be construed to be such boundaries.
- (6) When district boundaries are indicated as being parallel to or extensions of any of the above, they shall be so construed, and if distances involved are not specifically indicated such distances shall be determined by the scale of the map.
- (7) Where the street or property layout existing on the ground is at variance with that shown on the map, or in other circumstances not covered by the rules above, the board of adjustment shall interpret the district boundaries.

(Code 1975, § 22-3)

Sec. 19-78. Use and structures regulations.

(a) *Comprehensive plan implementation.* In order to implement the adopted comprehensive plan in a manner consistent with F.S. § 163.3201, the following zoning regulations are hereby established. These regulations are intended to assist in implementing comprehensive planning issues surrounding the uses and/or development of specific lots, parcels, and tracts of land or any combination thereof within the city.

(b) *Generally.*

- (1) Dimensional requirements for each zoning district are specified in the table later in this chapter entitled "schedule of dimensional requirements".
- (2) Accessory uses and structures for each zoning district are those customarily associated with, dependent on, and incidental to, the principle uses permitted in that district. Provisions regarding accessory uses and structures are addressed in a separate chapter of this Code.
- (3) Special exception uses for each district shall be permitted in accordance with provisions for such in a separate chapter of this Code.

(c) *Zoning districts and official zoning map.*

- (1) *Establishment of districts.* The incorporated land and water area of the city, is hereby divided into zones or districts as set forth in this chapter and as shown on the official zoning map.
- (2) *Official zoning map.*
 - a. *Adoption.* The official zoning map of the city is hereby adopted and incorporated by reference and declared to be a part of this Code. The official zoning map shall bear the date of its adoption and the signature of the mayor, attested to by the city clerk. The boundaries of each district shall be as shown on the official zoning map and the district symbols as set out in this Code shall be used to designate each district.
 - b. *Authority as to current zoning status.* The official zoning map shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the city, and shall supersede and replace any and all previously adopted zoning maps. The city shall be the custodian of the official zoning map.
 - c. *Interpretation of district boundaries.* Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:
 1. Boundaries indicated as approximately following the center lines of public or private rights-of-way shall be construed to follow such center lines.
 2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines as they exist at the time of the establishment of the district boundary.
 3. Boundaries indicated as approximately following city limits shall be construed as following city limits as they existed at the time of the establishment of the district boundary.
 4. Boundaries indicated as following a shoreline shall be construed to follow such shorelines, and in the event of change of the shoreline, shall be construed as moving with the actual shoreline.

5. Submerged lands, including waters over such submerged land, unless specifically zoned otherwise, are to be construed as being zoned the same as the abutting upland.
6. Boundaries indicated as parallel to or extensions of features indicated in items above, shall be so construed.
7. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
8. Where the street or property layout existing on the ground is at variance with that shown on the official zoning map, or in other circumstances not covered by items above, the city, or its designee, shall interpret the district boundaries.

d. *Zoning district boundary changes.* After an amendment has been approved by the city commission, changes in district boundaries shall be promptly entered on the official zoning map stating the date of change, signed by the mayor and attested by the city clerk.

(3) *Compliance with district regulations.*

- a. No building or structure shall be erected, reconstructed or structurally altered, nor shall any building, land or water be used for any purpose other than a use permitted in the district in which such building, land or water is located.
- b. No building or land shall be used so as to produce greater heights, smaller yards, less unoccupied areas, or higher density or intensity than is prescribed in the regulations for the district in which the building or land is located.
- c. No lot, which is now or which may hereafter be built upon shall be so reduced in area so that it will be smaller than prescribed by this Code.

(d) *Zoning district uses.* This section presents the basic purpose and intent of each zoning district. For specific criteria pertaining to those uses allowed as a special exception use upon approval, refer to the conditional uses and special exceptions chapter.

(1) *A, agriculture.* This district is established to provide for the protection of interim agricultural pursuits in transitional or urbanizing areas. The density shall not exceed one (1) unit per five (5) acres.

a. *Permitted uses.*

1. Agriculture. A minimum of five (5) acres is required for use as pasture.
2. Accessory structures and uses incidental to agricultural activity provided structures for keeping and raising of livestock shall not be located within two hundred (200) feet of a property zoned residential or one hundred (100) feet of any lot line.
3. Single-family dwelling units.

4. Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to miscellaneous regulations chapter of this Code.
 5. Customary accessory structures and uses incidental to the principal structure not to exceed fifteen (15) percent of living area of the principal dwelling unit.
 6. Horses, commercial stables, dude ranch, riding academy, boarding stable.
 7. Community residential homes with one (1) to six (6) residents.
 8. Home occupations pursuant to regulations of this Code.
 9. Family child care home.
- b. *Uses permitted as special exception use upon approval.*
1. Veterinary clinics.
 2. Retail nurseries and garden supplies.
 3. Agriculture: processing (except for packing and slaughter houses).
 4. Bed and breakfast inns: small homestay.
 5. Farmers markets.
 6. Flea markets.
 7. Dairies.
 8. Kennels: boarding.
 9. Kennels: breeding.
 10. Horse breeding farms.
 11. Poultry ranches.
 12. Mushroom farms.
 13. Hog farms.
- c. *Uses expressly prohibited.*
1. Single-family attached dwelling units.
 2. Multi-family residential dwelling units.
 3. Two-family (duplex) dwelling units.
 4. Any use prohibited by city, state or federal law.
 5. Agriculture: processing - packing and slaughter houses.
 6. Educational facilities.
- d. *Design standards.*
1. Minimum lot size shall be five (5) acres. Residential projects may be designed to allow clustering of dwelling units, however, overall density cannot exceed one (1) dwelling unit per five (5) acres.

2. Minimum lot width shall be one hundred fifty (150) feet measured along the building setback line. Minimum lot widths may be waived if clustering of units is provided.
 3. Maximum building height shall be thirty-five (35) feet.
 4. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Collector roadway: Thirty (30) feet.
 - C. Arterial roadway: Fifty (50) feet.
 - ii. Side yard setback when adjoining:
 - A. Another lot: Ten (10) feet.
 - B. Local roadway: Twenty-five (25) feet.
 - C. Collector roadway: Thirty (30) feet.
 - D. Arterial roadway: Fifty (50) feet.
 - iii. Rear yard setback: Twenty (20) feet.
 5. The maximum impervious surface ratio (which includes building coverage) shall not exceed twenty-five (25) percent.
 6. Minimum floor area for dwellings shall not be less than one thousand (1,000) square feet which excludes porches, garages or utility rooms.
 7. Minimum setback requirements for horse/cattle stables/barns:
 - i. Front yard setback: One hundred (100) feet
 - ii. Side yard setback: One hundred (100) feet
 - iii. Rear yard setback: One hundred (100) feet
- (2) *SF Low, single-family low density residential.* This district is established to implement comprehensive plan policies for managing low-density, single-family residential development at a density not to exceed three (3) single-family dwelling units per acre. The SF Low district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments and natural features of the land, as well as existing and projected public services and facilities within the area.
- a. *Permitted uses.*
 1. Single-family detached dwelling units.
 2. Guest/servant quarters not to exceed thirty (30) percent of living area of the principal dwelling unit pursuant to miscellaneous regulations chapter of this Code.
 3. Customary accessory structures and uses incidental to the principal structure not to exceed fifteen (15) percent of living area of the principal dwelling unit.

4. Community residential homes with one (1) to six (6) residents.
 5. Home occupations pursuant to miscellaneous regulations chapter of this Code.
 6. Neighborhood recreational facilities.
 7. Agriculture. A minimum of five (5) acres is required for use as pasture. (See subsection (1).)
 8. Family child care home.
- b. *Uses permitted as special exception use upon approval.*
1. (Licensed) community residential homes with more than six (6) residents.
 2. Public use recreation facilities, including marinas.
 3. Educational facilities limited to elementary schools.
- c. *Uses expressly prohibited.*
1. Single-family attached dwelling units.
 2. Multi-family residential dwelling units.
 3. Two-family (duplex) dwelling units.
 4. Commercial land uses.
 5. Industrial land uses.
 6. Any use prohibited by city, state or federal law.
 7. Mobile homes.
 8. Bed and breakfast inn.
- d. *Design standards.*
1. Minimum lot area shall be eleven thousand five hundred (11,500) square feet. Projects may be designed to allow clustering of residential dwelling units, however, overall density may not exceed three (3) units per acre.
 2. Minimum lot width at the building setback line shall be one hundred (100) feet. Minimum lot widths may be waived if clustering of units is provided.
 3. Maximum building height shall not exceed thirty-five (35) feet.
 4. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Collector roadway: Thirty (30) feet.
 - C. Arterial roadway: Fifty (50) feet.
 - ii. Side yard setback when adjoining:
 - A. Another lot: Ten (10) feet.
 - B. Local roadway: Twenty-five (25) feet.
 - C. Collector roadway: Thirty-five (30) feet.
 - D. Arterial roadway: Fifty (50) feet.

- iii. Rear yard setback: twenty (20) feet.
 - 5. The maximum impervious surface ratio (which includes building coverage) shall not exceed thirty-five (35) percent.
 - 6. Minimum floor area shall be not less than one thousand (1,000) square feet which does not include porches, garages, utility rooms, etc.
- (3) *SF Medium, single-family medium density.* This district is established to implement comprehensive plan policies for the establishment of single-family dwellings in urban environments. It is also intended to provide relatively affordable, urban housing at a density not to exceed four (4) dwelling units per acre. Where an application to construct medium density residential development proposes more than forty (40) units, a central sewer system or package plant shall provide sanitary sewer service to the development at or before the time the unit breaching this threshold receives its building permit.
- a. *Permitted uses.*
 - 1. Single-family detached dwelling units.
 - 2. Guest/servant quarters not to exceed thirty (30) percent of the living area of the principal dwelling unit pursuant to miscellaneous regulations chapter of this Code.
 - 3. Customary accessory structures and uses incidental to the principal structure not to exceed fifteen (15) percent of living area of the principal dwelling unit.
 - 4. Community residential homes with one (1) to six (6) residents.
 - 5. Home occupations pursuant to miscellaneous regulations chapter of this Code.
 - 6. Agriculture. A minimum of five (5) acres is required for use as pasture. (See subsection (1).)
 - 7. Neighborhood recreational facilities.
 - 8. Family child care home.
 - b. *Uses permitted as special exception use upon approval.*
 - 1. (Licensed) community residential homes with more than six (6) residents.
 - 2. Public use recreation facilities, including marinas.
 - 3. Educational facilities limited to elementary and middle schools.
 - c. *Uses expressly prohibited.*
 - 1. Single-family attached dwelling units.
 - 2. Two-family (duplex) dwelling unit.
 - 3. Multi-family residential dwelling units.
 - 4. Commercial land uses.
 - 5. Industrial land uses.

6. Bed and breakfast inn.
 7. Any use prohibited by city, state or federal law.
- d. *Design standards.*
1. Minimum lot area shall be ten thousand nine hundred (10,900) square feet or eight thousand eight hundred (8,800) square feet with central sewer system. Projects may be designed to allow clustering of residential units. Minimum lot areas shall be waived if clustering of units is provided, however, with or without clustering, overall density cannot exceed four (4) dwelling units per acre.
 2. Minimum lot width at the building setback line shall be seventy-five (75) feet. Minimum lot widths may be waived if clustering of units is provided.
 3. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Collector roadway: Thirty-five (35) feet.
 - C. Arterial roadway: Fifty (50) feet.
 - ii. Side yard setback when adjoining:
 - A. Another lot: Ten (10) feet.
 - B. Local roadway: Twenty-five (25) feet.
 - C. Collector roadway: Thirty-five (35) feet.
 - D. Arterial roadway: Fifty (50) feet.
 - iii. Rear yard setback: Twenty (20) feet.
 4. The maximum impervious surface ratio (which includes building coverage) shall not exceed forty-five (45) percent.
 5. Minimum floor area shall be one thousand (1,000) square feet exclusive of porches, garages, utility rooms, etc.
 6. Maximum building height is thirty-five (35) feet.
- (4) *SF/MF, single-family/multi-family.* This district is established to implement comprehensive plan policies for the establishment of single-family dwellings in urban environments. It is also intended to provide relatively affordable, urban housing at a density not to exceed two (2) dwelling units per acre or single-family units at two and one-half (2½) units per acre with timeliness, central water and septic tank, or multi-family at six (6) units per acre with central water and sewer.
- a. *Permitted uses.*
 1. Single-family detached dwelling units.
 2. Townhouses (with central water and sewer).
 - b. *Uses permitted as special exception use upon approval.*
 1. (Licensed) community residential homes with more than six (6) residents.

2. Public use recreation facilities, including marinas.
 3. Educational facilities limited to elementary and middle schools.
 4. Multi-family residential dwelling units (with water and sewer).
- c. *Uses expressly prohibited.*
1. Two-family (duplex) dwelling unit.
 2. Commercial land uses.
 3. Industrial land uses.
 4. Bed and breakfast inn.
 5. Mobile homes.
 6. Any use prohibited by city, state or federal law.
- d. *Design standards.*
1. Minimum lot area for single-family homes shall be ten thousand nine hundred (10,900) square feet or seven thousand (7,000) square feet with central sewer system. Projects may be designed to allow clustering of residential dwelling units. Minimum lot areas shall be waived if clustering of units is provided. However, with or without clustering, overall density shall not exceed two (2) units per acre.
 2. Minimum lot area for townhouses shall be four thousand five hundred (4,500) square feet with central sewer. Projects may be designed to allow clustering of residential dwelling units. Minimum lot area shall be waived if clustering of units is provided. However, with or without clustering, overall density shall not exceed six (6) units per acre.
 3. The minimum lot area for multi-family units shall be fifteen thousand (15,000) square feet.
 4. Minimum lot width for single-family homes at the building setback line shall be seventy (75) feet. Minimum lot widths shall be waived if clustering of units is provided.
 5. Minimum lot width for townhouses at the building setback line shall be forty-five (45) feet. Minimum lot widths shall be waived if clustering of units is provided.
 6. The minimum lot width shall be one hundred (100) feet for multi-family units.
 7. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Local roadway: Twenty (20) feet (for townhouses).
 - C. Collector roadway: Thirty-five (35) feet.
 - D. Arterial roadway: Fifty (50) feet.

- ii. Side yard setback when adjoining:
 - A. Another lot: Seven (7) feet, six (6) inches.
 - B. Another lot: Zero (0) feet (for townhouses).
 - C. Local roadway: Twenty-five (25) feet.
 - D. Local roadway: Fifteen (15) feet (for townhouses).
 - E. Collector roadway: Thirty-five (35) feet.
 - F. Arterial roadway: Fifty (50) feet.
 - iii. Rear yard setback:
 - A. Twenty (20) feet.
 - B. Five (5) feet (for townhouses).
 - 6. The maximum impervious surface ratio (which includes building coverage) shall not exceed forty-five (45) percent for single-family and sixty (60) percent for townhouses.
 - 7. Minimum floor area for single-family and townhomes shall be one thousand (1000) square feet exclusive of porches, garages, utility rooms, etc.
 - 8. The minimum floor area for multi-family units shall be five hundred fifty (550) square feet for one (1) bedroom units, seven hundred (700) square feet for two (2) bedroom units and eight hundred fifty (850) square feet three (3) or more bedroom units, all exclusive of garages, screened porches, utility rooms, etc.
 - 9. Maximum building height is thirty-five (35) feet.
- (5) *MF, Multi-family.* This district is established to implement comprehensive plan policies for managing high density residential development which shall accommodate two (2) or more attached units at a density not to exceed four (4) units per acre unless central sewer facilities are available which will allow up to six (6) units per acre. This district is established to ensure that sufficient land is available for high density residential development.
- a. *Permitted uses.*
 - 1. Single-family attached residential dwelling units.
 - 2. Single-family detached residential dwelling units.
 - 3. Two-family (duplex) residential dwelling units.
 - 4. Multi-family residential dwelling units.
 - 5. Manufactured homes.
 - 6. Customary accessory structures and uses incidental to the principal structure not to exceed fifteen (15) percent of living area of the principal dwelling unit.
 - 7. Home occupations pursuant to regulations of this Code.
 - 8. (Licensed) community residential homes with more than six (6) residents.

9. Bed and breakfast inn: small and medium homestays.
 10. Agriculture. A minimum of five (5) acres is required for use as pasture. (See subsection (1).)
 11. Neighborhood recreational facilities.
 12. Family child care home.
- b. *Uses permitted as special exception use upon approval.*
1. Adult congregate living facilities.
 2. Nursing homes.
 3. Day care center.
 4. Mobile home.
 5. Offices.
 6. Small scale commercial land uses, five thousand (5,000) square feet (GFA) or less.
 7. Educational facilities limited to middle and high schools.
- c. *Uses expressly prohibited.*
1. Industrial land uses.
 2. Uses prohibited by city, state or federal law.
- d. *Design standards for bed and breakfast inns.*
1. There must be no appearance of commercial activity and the structure must maintain its residential character.
 2. The number of rental rooms shall be limited to three (3) for a small homestay and five (5) for a medium homestay.
 3. Parking requirements: Two (2) parking spaces for the dwelling, plus one (1) space per guest room must be provided. The parking must be in the rear yard.
 4. Signs: One (1) sign not to exceed three (3) square feet may be permitted to identify the establishment in residential zoning districts. The sign must be constructed of sand-blasted wood, ornamental iron, or other materials as approved. Portable and neon signs shall not be allowed.
 5. Food preparation: The only meal to be provided to guests shall be breakfast and it shall be served only to guests taking lodging in the facility.
 6. The facility must be owner occupied and managed.
 7. The architectural integrity of the interior of the existing structure must be maintained. The interior may not be structurally altered except as required to meet health, building, fire, safety and sanitation requirements.
 8. Other conditions may be deemed necessary by the city commission to protect the health, safety and welfare of the general public.

percent or more of the subdivision units for purposes of rental or lease shall be subject to the regulations of the city governing all aspects of manufactured home rental parks.

i. *Design standards.*

1. The minimum lot area shall be five thousand (5,000) square feet if central water and sewer facilities are provided. Should septic tanks be utilized then the minimum lot area shall be twelve thousand five hundred (12,500) square feet. Projects may be designed to allow clustering of residential units, however, overall density may not exceed six (6) units per acre. The lot shall be clearly defined by permanent markers.
2. The minimum lot width shall be fifty (50) feet measured along the building setback line if central sewer is provided. If septic tank is used, minimum width is one hundred (100) feet. Minimum lot widths may be waived if clustering of units is provided.
3. The maximum building height shall be thirty-five (35) feet.
4. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local platted roadway: Twenty (20) feet.
 - B. Collector roadway: Thirty-five (35) feet.
 - C. Arterial roadway: Fifty (50) feet.
 - D. Local private paved streets: Twenty-five (25) feet off edge of pavement.
 - ii. Side yard setback when adjoining:
 - A. Another lot: Five (5) feet.
 - B. Local roadway: Twenty-five (25) feet.
 - C. Collector roadway: Thirty-five (35) feet.
 - D. Arterial roadway: Fifty (50) feet.
 - E. Interior paved streets: Twenty (20) feet.
 - iii. Rear yard setback: Ten (10) feet.
5. The minimum living area shall be eight hundred (800) square feet exclusive of garages, screen porches, utility rooms, etc.
6. The maximum impervious surface ratio (which includes building coverage) shall not exceed sixty (60) percent.

(6) *OR, commercial residential.* This district is established to implement comprehensive plan policies for managing transitional areas where existing residential structures can be utilized for personal and professional services and not adversely affect adjacent property. The density cannot exceed four (4) units per acre.

a. *Permitted uses.*

1. Single-family detached dwelling units.

2. Two-family (duplex) dwelling units.
 3. Customary accessory structures and uses incidental to the principal structure not to exceed fifteen (15) percent of the living area of the principal dwelling unit.
 4. Business services.
 5. Offices.
 6. Financial services.
 7. Personal services.
 8. Multi-family dwelling units.
 9. Medical office/clinic.
 10. Bed and breakfast inn: small and medium homestays (see design standards for bed and breakfast inns in the MF-12 zoning section).
 11. Agriculture. A minimum of five (5) acres is required for use as pasture. (See subsection (1).)
 12. Family child care home.
- b. *Uses permitted as special exception use upon approval.*
1. Banks.
 2. Day care center.
 3. Health/exercise clubs.
 4. Office/warehouse facilities.
 5. Veterinary clinics.
- c. *Uses expressly prohibited.*
1. Manufactured homes.
 2. Wholesalers and distributors.
 3. Industrial land uses.
 4. Retail sales.
 5. Adult entertainment.
 6. Commercial recreational facilities.
 7. Educational facilities.
 8. Uses prohibited by city, state or federal law.
- d. *Design standards.*
1. The maximum impervious surface ratio (which includes building coverage) shall be limited to seventy-five (75) percent.
 2. The maximum building height is thirty-five (35) feet unless adequate fire protection measures are provided.

3. The minimum lot area shall be ten thousand (10,000) square feet if central sewer facilities are provided. Should septic tanks be utilized the minimum lot area shall be twelve thousand five hundred (12,500) square feet. Projects may be designed to allow clustering of residential units, however, overall density may not exceed twelve (12) units per acre.
 4. The minimum lot width shall be one hundred (100) feet. Minimum lot widths may be waived if clustering of units is provided.
 5. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Collector roadway: Thirty (30) feet.
 - C. Arterial roadway: Fifty (50) feet.
 - ii. Side and rear setbacks shall be equivalent to those used for proposed land use as identified in the individual sections.
- (7) *CG, commercial general.* This district is established to implement comprehensive plan policies for managing transitional areas between residential land uses and more intense commercial and industrial uses.
- a. *Permitted uses.*
 1. Offices.
 2. Personal services.
 3. Foodstore without fuel operations.
 4. Laundry and dry cleaning retail stores.
 5. Day care centers.
 6. Adult congregate living facilities.
 7. (Licensed) community residential homes with more than six (6) residents.
 8. Clubs, lodges and fraternal organizations.
 9. Educational facilities.
 10. Financial services.
 11. Office supply.
 12. Retail sales and services.
 13. Business services.
 14. Bed and breakfast inn: small and medium homestays. (See design standards for bed and breakfast inns in the MF-12 zoning section.)
 15. Office complex.
 16. Maintenance contractor.
 17. Medical office/clinic.
 18. Manufactured home sales and services.

- 19. Office condominiums.
- 20. Agriculture. A minimum of five (5) acres is required for use as pasture. (See subsection (1).)
- 21. Agriculture: processing (except for packing and slaughter houses).
- b. *Uses permitted as a special exception use upon approval.*
 - 1. Foodstore with fuel operations.
 - 2. Restaurants.
 - 3. Banks.
 - 4. Athletic/sports facility.
 - 5. Commercial recreation facility.
 - 6. Health/exercise club.
 - 7. Mini-storage warehouses.
 - 8. Veterinary clinics.
 - 9. Offset printing.
 - 10. Wholesalers and distributors.
 - 11. Office/warehouse facilities.
 - 12. Accessory structures, which may include a residence, and uses incidental to agricultural activity.
 - 13. Manufacturing: craftsman shop.
- c. *Uses expressly prohibited.*
 - 1. Manufacturing: processing.
 - 2. Adult entertainment.
 - 3. RV parks.
 - 4. Uses prohibited by city, state and federal law.
 - 5. Agriculture: processing - packing and slaughter houses.
- d. *Design standards.*
 - 1. The maximum impervious surface ratio (which includes building coverage) shall be limited to eighty (80) percent.
 - 2. Maximum building height of thirty-five (35) feet unless adequate fire protection measures are provided.
 - 3. No minimum lot size is required.
 - 4. No minimum lot width is required.
 - 5. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Collector roadway: Thirty-five (35) feet.

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- C. Arterial roadway: Fifty (50) feet.
 - ii. Rear yard setback: Fifteen (15) feet.
 - iii. Side yard setback when adjoining:
 - A. Another lot: Five (5) feet
 - B. Local roadway: Twenty-five (25) feet.
 - C. Collector roadway: Thirty-five (35) feet.
 - D. Arterial roadway: Fifty (50) feet.
- (8) *IND, industrial.* This district is established to implement comprehensive plan policies for managing industrial development and to provide development for wholesale commercial uses and limited industrial operations engaged in fabricating, repair, or storage of manufactured goods where no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to loading, unloading, and handling of goods and materials) are noticeable beyond the lot on which the facility is located. No hazardous materials may be utilized by the industrial operations permitted in this district. The location of such districts shall take into consideration access to rail and terminal facilities, major arterial roadways, labor markets and necessary urban services. Such districts shall be accessible to major thoroughfares and buffered from residential neighborhoods.
- a. *Permitted uses.*
- 1. All permitted CG district uses.
 - 2. Agriculturally related industry.
 - 3. Boat repair.
 - 4. Commercial/industrial service.
 - 5. Construction contractor's yard and storage.
 - 6. Distribution centers.
 - 7. Laboratory/research and development.
 - 8. Laundry/dry cleaning plants.
 - 9. Manufacturing: craftsman shop.
 - 10. Manufacturing: fabrication.
 - 11. Manufacturing: processing.
 - 12. Motor vehicle repair facility.
 - 13. Motor vehicle towing and impoundment facility.
 - 14. Trucking terminal.
 - 15. Warehousing.
 - 16. Offset printing.
 - 17. Wholesalers and distributors.
 - 18. Accessory structures and uses incidental to agricultural activities.

- b. *Uses permitted as a special exception use upon approval.* One (1) single-family residential dwelling unit on the site of a permitted use to be used exclusively by a caretaker.
 - c. *Uses expressly prohibited.*
 - 1. Residential dwelling units except as allowed above.
 - 2. Adult entertainment.
 - 3. Uses prohibited by city, state and federal law.
 - 4. Used motor vehicle parts yard.
 - 5. Agriculture: processing - packing and slaughter houses.
 - 6. Educational facilities.
 - b. *Design standards.*
 - 1. The maximum impervious surface ratio (which includes building coverage) shall be limited to seventy-five (75) percent.
 - 2. Maximum building height is thirty-five (35) feet unless adequate fire protection measures are provided.
 - 3. No minimum lot size is required.
 - 4. No minimum lot width is required.
 - 5. Minimum setback requirements:
 - i. Front yard setback:
 - A. Local roadway: Twenty-five (25) feet.
 - B. Collector roadway: Thirty (30) feet.
 - C. Arterial roadway: Fifty (50) feet.
 - ii. Rear yard setback: Twenty (20) feet.
 - iii. Side yard setback when adjoining:
 - A. Another lot: Twenty (20) feet.
 - B. Local roadway: Twenty-five (25) feet.
 - C. Collector roadway: Thirty (30) feet.
 - D. Arterial roadway: Fifty (50) feet.
- (9) *PUD, planned unit development.* The PUD district is established to implement comprehensive plan policies for encouraging affordable housing by allowing a variety of housing types with a broad range of housing costs. This district is designed to encourage innovative development concepts to provide design amenities and to manage natural features of the land. The location of such PUDs will be dictated by the type of development that will be provided. (Residential PUDs will be located in residentially designated areas of the future land use map of the comprehensive plan, commercial PUDs will be located in commercially designated areas of the future land use map, etc.) Densities and intensities cannot exceed those which are permitted in

that area on the future land use map. Conceptual development plans or a memorandum of agreement and bubble plan are required to be submitted along with the rezoning application.

a. *Permitted uses.*

1. *Residential PUD.* Single- and multi-family residential dwelling units provided, however PUDs located within the single-family overlay district of the future land use map utilizing multi-family units within the PUD cannot exceed forty-nine (49) percent of the housing stock, on-site recreational facilities and on-site day care facilities, convenience store and personal services intended to service the principal use.
2. *Mixed use PUD.* All uses as permitted under the AG, SF Low, SF Medium, SF/MF, MF, OR and CG zoning districts and other uses deemed appropriate and incidental to the primary use by the city manager.
3. *Commercial PUD.* Commercial uses as permitted under the OR and CG zoning districts and other uses deemed appropriate and incidental to the primary use by the city manager.
4. *Industrial PUD.* Industrial uses as permitted under the I zoning district, commercial uses intended to service the primary uses and other uses deemed appropriate and incidental to the primary use by the city manager.

b. *Maximum density/intensity.* The maximum density/intensity allowed within the PUD shall be as allowed within the overlay land use districts as delineated on the future land use map. A density bonus may be permitted as outlined in section below.

c. *PUD land uses.* Land uses proposed within a PUD must conform to uses allowed within the land use designations of the future land use map of the comprehensive plan.

d. *Minimum parcel size.* The minimum size of any parcel shall be five (5) acres. A lesser minimum area may be approved if the city commission determines that the intent and purpose of the PUD district and expressed municipal development policy would be served in such case.

e. *Unified ownership.* All land within the PUD shall be under the ownership or control of the applicant at the time of execution of the development agreement whether the applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations.

f. *Setbacks and buffering.* Setback requirements within the PUD shall be flexible however, in no case shall the setback be less than ten (10) feet between structures or zero-lot-line if structures abut. Buffering requirements shall be those set out later in this chapter.

- g. *Pre-application conference (optional)*. It is recommended that a pre-application conference be held with the administrative official by the developer or the developer's representatives in order to verify the steps necessary for application and review, and to discuss potential issues regarding the PUD proposal.
- h. *Application*. Application shall be made to the city utilizing the rezoning application form provided by the city. The application shall be accompanied by the appropriate review fee and six (6) copies of the conceptual development plan or a memorandum of agreement and bubble plan prepared in accordance with the requirements of this Code.
- i. *Conceptual development plan*. In order to implement the goals and policies of the comprehensive plan and to streamline the development review process, the applicant may prepare a conceptual development plan to be submitted prior to the first rezoning hearing for review by the TRC. The conceptual plan shall include the following:
 - 1. Boundary of subject property.
 - 2. Major natural features such as lakes, streams, wetlands, and natural communities.
 - 3. Existing or proposed streets abutting the project.
 - 4. Generalized location map and legal descriptions, including acreage.
 - 5. Proposed land use types and their location.
 - 6. Gross densities.
 - 7. Typical lot sizes showing setbacks and dimensions.
 - 8. Number of units and type.
 - 9. Floor area for commercial or industrial.
 - 10. Adjacent zoning.
 - 11. Anticipated internal major road network.
 - 12. Maximum building heights.
 - 13. Anticipated phasing plan.
 - 14. A statement of the proposed method of providing water service, fire protection, sewage disposal and stormwater management.
 - 15. Percentage of open space and location.
 - 16. Acreage of parks/recreation and location.
 - 17. Typical road section.
 - 18. Soils and one-hundred-year flood prone areas.
 - 19. Project name.
 - 20. Existing topography at one-foot contours based on Lake County or St. Johns River Water Management District datum.
 - 21. Net living area for each type of dwelling unit.

Sec. 22-1. General requirements.

There shall be provided at the time of the erection of any main building or structure, or at the time any main building or structure is converted for the below-listed uses, enlarged or increased in capacity by adding dwelling units, guest rooms, floor area or seats, minimum off-street automobile parking space, which shall be either paved, clay or rock-surfaced, with adequate provisions for ingress and egress in accordance with the following requirements. (Ord. No. 248, § 1(1), 11-8-93)

Sec. 22-2. Interpretation.

In the interpretation of this chapter, the following rules shall apply:

- (a) The floor area of a building or structure shall be the sum of the gross horizontal area of every floor of a building, using exterior wall dimensions.
- (b) The seating capacity is the number of seating spaces permitted by the fire code and approved by the fire chief.
- (c) Fractional numbers shall be increased to the next whole number if the fraction is five-tenths (0.5) or more and when the fraction is less than five-tenths (0.5), the next lower whole number shall apply.

(Ord. No. 248, § 1(2), 11-8-93)

Sec. 22-3. Detailed parking space requirements.

Parking requirements are as follows:

- (a) Auditoriums, theaters or other places of assembly. One and one-half (1½) spaces for each four (4) seats.
- (b) Bowling alleys. Four (4) spaces for each alley.
- (c) Business or commercial buildings. One (1) space for each three hundred (300) square feet of gross floor area, or fraction thereof.
- (d) Churches, temples or places of worship. One (1) space for each four (4) seats in the auditorium.
- (e) Clubs or lodges. One (1) space for each four (4) seats or one (1) space for each two hundred (200) square feet of gross floor area, or fraction thereof, whichever is greater.
- (f) Dwelling structures. Two (2) spaces for each single-family residence townhouse or dwelling unit in a duplex. Two and one-half (2½) spaces for each dwelling unit within a multiple-family complex of three (3) dwelling units or more. Group care facilities having more than three (3) clients, adult congregate living facilities (ACLF), and treatment and recovery facilities shall have one (1) off-street parking space for every three (3) beds in the facility. In case of fractional spaces, round to the next parking space as per section 22-2(c).

- (g) Furniture and major-appliance stores. One (1) space per five hundred (500) square feet of floor area devoted to storage for the first four thousand (4,000) square feet, and one (1) space per seven hundred fifty (750) square feet floor area of the remaining storage area, plus one space per three hundred (300) square feet of floor area devoted to any use other than for storage.
- (h) Hospitals, sanitariums. Three (3) spaces for each bed.
- (i) Hotels. One (1) space for each suite or sleeping unit.
- (j) Libraries, museums. One and one-half ($1\frac{1}{2}$) spaces for each three hundred (300) square feet of gross floor area or fraction thereof, or one and one-half ($1\frac{1}{2}$) spaces for each four (4) seats, whichever is greater.
- (k) Manufacturing and industrial uses. One (1) space for each three hundred (300) square feet of gross floor area, or fraction thereof.
- (l) Marinas, commercial docks and piers. Two (2) parking spaces for each boat docking slip or mooring accommodation provided by the marina, plus the required spaces for the marina building or buildings associated therewith. Ten (10) spaces for each charter boat operating marinas, commercial docks and piers.
- (m) Medical or dental clinics. One (1) space for each two hundred (200) square feet of gross floor area, or fraction thereof, plus one and one-half ($1\frac{1}{2}$) spaces for each three (3) employees.
- (n) Mortuaries. One and one-half ($1\frac{1}{2}$) spaces for every four (4) seats.
- (o) Motels. One (1) space for each unit plus one (1) space for manager or owner.
- (p) Nursing or convalescent homes. One (1) space for each two (2) beds, plus one and one-half ($1\frac{1}{2}$) spaces for every three (3) employees on the largest shift.
- (q) Office and professional buildings. One (1) space for each two hundred (200) square feet of gross floor area, or fraction thereof.
- (r) Restaurants or other eating places. One (1) space for each two (2) seats, chairs, or stools.
- (s) Rooming, boardinghouses. Two (2) spaces for each apartment.
- (t) Schools. One (1) space for every thirty (30) students, plus one (1) space for every two (2) employees.
- (u) Service stations. One (1) space per three hundred (300) feet involving vehicle repair, or three (3) spaces per stall.
- (v) Warehouse (other than mini-warehouse). One (1) space per each four hundred (400) square feet.
- (w) Warehouse (mini-warehouse). When used for storage with no live occupancy, a minimum twenty-four-foot drive-driveway.

- ✓ (x) Uses not specifically named. The requirements for off-street parking for use or uses not specifically named in this section shall be the same as provided in this section for the named use most similar in nature and character, it being the intent of the city council to require all uses to provide off-street parking spaces required to be provided for a particular use of property, the required number shall be determined and fixed by a board comprised of the building inspector, city clerk, and fire chief of the City of Mascotte, which board shall appear and be governed by, the following guidelines and criteria in making such determination:
 - (1) Off-street parking requirements for similar uses of property in the city.
 - (2) Off-street parking requirements for buildings and improvements having similar physical characteristics.
 - (3) Intensity of vehicular and pedestrian traffic in the area.
 - (4) Foreseeable requirements for police, fire and other emergency vehicle services to and in the vicinity of the property.
 - (5) The size and physical characteristics of abutting streets.
 - (6) Availability of alternative parking areas.
 - (7) Foreseeable requirements for deliveries and public services to and in the vicinity of the property.
 - (8) The aesthetic quality of the property and its vicinity.
 - (9) Other considerations involving the health, safety, and welfare of occupants of the property and welfare of occupants of the property and citizens of the city.

(Ord. No. 248, § 1(3), 11-8-93)

Sec. 22-4. Handicap parking space requirements.

(a) Handicap parking spaces shall be conveniently located with respect to main and secondary entrances and ramps to sidewalks shall be provided and conveniently located in relationship to the handicap spaces.

(b) The required number of handicap parking spaces shall be:

- (1) Zero (0) to twenty (20) required spaces: One (1) handicap space.
- (2) Twenty-one (21) to fifty (50) required spaces: Two (2) handicap spaces.
- (3) Required parking which exceeds fifty (50) spaces shall include a minimum of four (4) percent of those spaces as handicap spaces.

(Ord. No. 248, § 1(4), 11-8-93)

Sec. 22-5. Off-street parking specifications.

(a) *Construction requirements:*

- (1) All parking areas shall be either paved, clay, or rock surfaced, adequately drained and maintained in a condition free of accumulated dirt and debris as long as the use is continued.

- (2) Parking space dimensions shall be a minimum of ten (10) feet by twenty (20) feet.
- (3) The minimum width for one-way driveway aisles shall be twelve (12) feet and the minimum width for two-way driveway aisles shall be twenty-four (24) feet.
- (4) Off-street turning and maneuvering space shall be provided for each lot so that no vehicle will be required to back onto a public street or alley.
- (5) A parking area shall be no closer than four (4) feet to any established street or alley right-of-way or from the perimeter property line and all spaces shall have tire stops or curbs.
- (6) Handicap parking spaces shall have a minimum width of twelve (12) feet.

(b) *Location:*

- (1) Parking spaces for all dwellings shall be located on the same property with the main building to be served, where feasible.
- (2) Parking spaces for uses other than dwellings shall be located on the same property with the main building to be served by such parking facilities, or not more than two hundred (200) feet distant from the nearest lot line of the property upon which said main building is situated, such distance to be measured along the center line of the right-of-way of the shortest and most direct route by public street between the street frontage line of the property constituting the off-street parking site.
- (3) Parking requirements for two (2) or more uses of the same or different types may be satisfied by the allocation of the required number of spaces of each use in a common parking facility.
- (4) Off-street parking spaces required for a use or uses other than dwellings, and which parking spaces are not on the same lot, parcel, or tract of land with the main building to be served by such spaces shall not be situated or located upon property in a zoning district different from the zoning district of the main building to be served.

(c) *Off-street loading.* The following off-street loading spaces shall be provided for the uses indicated:

- (1) Every hospital, institution, motel, single-occupancy commercial or industrial building or similar use having a floor area in excess of ten thousand (10,000) square feet, requiring the receipt or distribution by vehicles of materials and merchandise, shall have at least one (1) permanent maintained off-street loading space for the first ten thousand (10,000) square feet, and one additional space for each twenty thousand (20,000) square feet of gross floor area or fraction thereof, over and above the first ten thousand (10,000) square feet.
- (2) Single-occupancy retail operations, wholesale and industrial operations with a gross floor area of less than ten thousand (10,000) square feet shall provide sufficient receiving space on the property so as not to hinder the face movement of vehicles and pedestrians over a sidewalk, street or alley.



City of Mascotte

Comprehensive Plan

Goals, Objectives and Policies

Amended May 2, 2016

Effective June 13, 2016

Ordinance No. 2016-03-543

and

Amended Jan. 17, 2017

Effective _____, 2017

Ordinance No. 2016-12-550

Objective A1-2: Land Use Compatibility. Future development must be consistent with the adopted Future Land Use Map and existing incompatible uses shall not be allowed to expand and shall be eliminated, when feasible.

Policy A1-2.1: Inconsistencies. Proposed land use amendments which are inconsistent with the character of the community or inconsistent with adjacent future land uses shall not be approved by the City.

Policy A1-2.2: Redevelopment/Demolition. The City's LDC shall continue to contain provisions that prohibit the repair or rehabilitation of an inconsistent structure that is abandoned or damaged (even if by natural causes) beyond fifty (50) percent of its appraised value and shall require demolition of the structure. Redevelopment of the property will only be allowed if it is consistent with the Future Land Use Map.

Policy A1-2.3: Adequate Services. No future land use plan amendments or changes shall be approved unless adequate public facilities and services, including water supply, are available or will be available to meet projected growth demands.

Objective A1-3: Agriculture. The City shall designate land for Agriculture.

Policy A1-3.1: Purpose of Agriculture Future Land Use Designation. This designation is intended to provide opportunities for agricultural activities and rural residential development to be located on the fringes of the urban areas.

Policy A1-3.2: General Uses. Agriculture-designated areas may include uses such as vegetable farms, livestock ranches, fruit groves, plant nurseries and silvicultural activities, as well as kennels, farm equipment storage and sales, and other more intensive uses based upon location criteria. This designation will also allow for necessary supporting services such as utilities and parklands, and civic facilities.

Policy A1-3.3: Location of Agriculture Future Land Use Designation. The following criteria shall be used for determining appropriate locations for the Agriculture future land use designation and the type of development allowed:

- Raising livestock and commercial farming activities shall not be allowed in the downtown area or adjacent to established residential neighborhoods.
- Agricultural lands should be served primarily by major roads that do not traverse residential neighborhoods.
- Agricultural activities that involve livestock and commercial farming should not be permitted to locate along roadways that serve residential developments that are greater than 1 dwelling unit per acre.
- More intensive agricultural uses, such as kennels and livestock veterinarians, wood chipping, fruit packaging, etc., which create noise, glare or odor that may impact adjacent properties, must provide a buffer and setback large enough to prevent the nuisance from impacting the adjacent properties.
- Agricultural uses should generally be discouraged from locating adjacent to professional office and light retail uses, except for retail and office uses that support the agricultural industry, such as feed and seed stores, hardware, tractor stores, etc.
- Alternative roadways (truck routes) should be proposed to serve agricultural future land use designations if any type of production is proposed that actively requires a truck distribution network for either exporting or importing of goods.

- Grid street networks are highly encouraged to serve residential developments and provide connectivity throughout the City.
- Gated communities (residential or mixed use) are discouraged because of the limitations their design creates for road connectivity.
- Parks, public open spaces, community centers and/or other public realm gathering spaces are required to be strategically located in residential developments to encourage social activity and recreation for the citizens.
- Cohesive streetscape design, signage, landscape architecture and streetscape furniture are encouraged to create an identity for new neighborhoods in the City.

Policy A1-5.5: Density and Intensity. The residential density for land designated Low-Density Residential shall be a maximum of four dwelling units per one acre (4 du/1 ac). The maximum intensity of non-residential uses shall not exceed a floor area ratio of 0.4.

Objective A1-6: Medium-Density Residential. *The City shall designate land for Medium-Density Residential.*

Policy A1-6.1: Purpose of Medium-Density Residential Future Land Use Designation. This designation provides for a range of housing types in a medium density setting.

Policy A1-6.2: General Uses. Typical uses may include single family detached, zero lot line, duplexes, triplexes, quadplexes, garage apartments, villas, cluster housing, townhouses, mobile homes, modular/manufactured homes and small apartment complexes at medium densities. Accessory dwelling units are allowed in this designation as well.

Policy A1-6.3: Location of Medium-Density Residential Future Land Designation. The following criteria shall be used for determining appropriate locations for the Medium-Density Residential future land use designation:

- Medium density residential uses are primarily encouraged within the downtown area, as well as in mixed use planned communities.
- The medium density residential category serves as a transition between low density residential uses and retail/office/high density uses.

Policy A1-6.4: Development within Medium-Density Residential Future Land Use Designation. The following criteria shall be used for determining appropriate development within the Medium-Density Residential Future Land Use Designation:

- Appropriate performance standards shall be adopted for medium density residential zoning districts to reduce impacts on adjacent low density residential uses.
- Lower densities shall be located along the perimeter adjacent to lower density development.
- Direct access to collector or arterial roads shall be required for medium density residential developments, unless located within a mixed use planned unit development.
- Provision of central potable water service is required.
- Provision of wastewater service is required for all medium density residential developments that exceed 4 dwelling units an acre.

Policy A1-6.5: Density and Intensity: The residential density for land designated Medium-Density Residential shall be a maximum of eight dwelling units per one acre (8 du/1 ac). The maximum intensity of non-residential uses shall not exceed a floor area ratio of 0.4.

Objective A1-7: High-Density Residential. *The City shall designate land for High-Density Residential.*

Policy A1-7.1: Purpose of High-Density Residential Future Land Use Designation. *This designation also provides for a wide range of housing types, but at higher densities than other residential categories.*

Policy A1-7.2: General Uses. This designation allows for small multi-family complexes in addition to very dense single family dwelling subdivisions, such as zero lot line. Typical uses may include single family dwellings, duplexes, triplexes, quadplexes, villas, cluster housing, townhouses, mobile homes, manufactured homes and small apartment complexes.

Policy A1-7.3: Location of High-Density Residential Future Land Use Designation. The following criteria shall be used for determining appropriate locations for the High-Density Residential future land use designation:

- High density is primarily encouraged within the downtown area, particularly along State Road 50 and County Road 33, as well as in mixed use planned communities.
- High density residential uses are to be used as transitional areas between medium density residential uses and retail, office and light industrial uses.
- Proximity of one mile to existing or designated commercial areas or employment centers shall be required for high density residential.

Policy A1-7.4: Development within High-Density Residential Future Land Use Designation. The following criteria shall be used for determining appropriate development within the High-Density Residential future land use designation:

- Lower densities shall be located along the perimeter adjacent to lower density development.
- Building heights must be stepped down if adjacent to sites with a lower intensity and density future land use designation.
- Direct access to collector or arterial roads shall be required for high density residential developments, unless located within a mixed use planned unit development.
- Provision of central potable water and wastewater is required for all high density residential development.

Policy A1-7.5: Density and Intensity: The residential density for land designated High-Density Residential shall be a maximum of twelve dwelling units per one acre (12 du/1 ac). The maximum intensity of non-residential uses shall not exceed a floor area ratio of 0.4.

Objective A8: Downtown Mixed-Use. *The City shall designate land for Downtown Mixed-Use.*

Policy A1-8.1: Purpose of the Downtown Mixed-Use Future Land Use Designation. *The Downtown Mixed-Use future land use designation is intended to accommodate a variety of uses in a compact mixed-use development setting appropriate for the downtown/CRA area. The intensity/density of the development and location of land uses within the downtown mixed use category will vary depending upon the compatibility of land uses, internally within the site and with surrounding uses.*

Policy A1-8.2: General Uses. The Downtown Mixed-Use Future Land Use Designation permits low, medium and high density residential; commercial uses (retail and office); light industrial; educational facilities; recreation facilities and compatible public facilities.

Policy A1-8.3: Location of the Downtown Mixed-Use Future Land Use Designation. The Downtown Mixed-Use Land Use Designation will be allowed only in the downtown Community Redevelopment Area (CRA). Other future land use designations may be utilized within the CRA, as appropriate.

Policy A1-8.4: Development within the Downtown Mixed-Use Future Land Use Designation. The City shall adopt detailed standards in the land development code to direct the location of more intensive developments to activity center nodes, allowing a mix of uses and higher densities and intensities at those nodes. The areas between nodes may be developed with single uses at lower densities and intensities. The following general criteria shall be used for determining appropriate development within the Downtown Mixed-Use Future Land Use Designation:

- Activity center nodes shall be located along arterials and collectors, must be two (2) acres in size or greater. Residential uses within those nodes shall not occupy more than 75% of the total floor area of each development.
- The Downtown Mixed-Use Planned Unit Development (PUD-DM) zoning district is available, but not required, for development within the Downtown Mixed-Use land use designation.
- The Land Development Code shall maintain performance standards for the location and the types of uses that will be allowed in the Downtown Mixed-Use land use designation.
- The City shall encourage a compact and walkable living environment and workplace in the Downtown Mixed-Use land use designation.
- This designation shall allow an assortment of building types to be developed at a pedestrian scale for satisfying residential and non-residential needs.
- Low density residential uses will not be allowed adjacent to State Road 50.
- Private stormwater ponds shall be designed as amenities and to provide buffering when appropriate.
- New development shall use a grid pattern for efficient traffic circulation with at least two points of access and clustering homes away from natural resources.
- All large scale new developments over five (5) acres in size within the Downtown Mixed-Use will be required to provide unified architectural and streetscape themes.
- Redevelopment and new development shall be encouraged to create a balanced transportation system that accommodates pedestrians and bicyclists, as well as motorists.
- Strip commercial development shall be discouraged in the Downtown Mixed-Use.
- Mixed use buildings will be highly encouraged in this category.
- The City shall coordinate proposed future land use amendments and rezoning in the Downtown Mixed-Use with the Community Redevelopment Agency.

Policy A1-8.5: Density and Intensity. The residential density for land designated Downtown Mixed-Use shall be a maximum of twelve dwelling units per one acre (12 du/1 ac). Mixed-use developments at activity nodes shall have a *minimum* density of four dwelling units per acre (4 du/ac). The maximum intensity of non-residential uses shall not exceed a floor area ratio of 4.00 and an impervious surface area ratio of 0.90.

Policy A2-7.6: Schools shall be located in close proximity to existing or anticipated concentrations of urban residential development.

Policy A2-7.7: New school sites should be well drained and education buildings should be located away from floodplains, wetlands, and other environmentally sensitive lands.

Policy A2-7.8: Education facilities should not have an adverse impact on historic or archaeological resources.

Policy A2-7.9: New school sites should have frontage on or direct access to a collector or arterial road and should have suitable ingress and egress for pedestrians, bicycles, cars, buses, service vehicles, and emergency vehicles.

Policy A2-7.10: To the extent possible, during pre-development program planning and school site selection activities, the City shall coordinate with the Lake County School Board to collocate public facilities, such as parks, libraries, and community centers, with schools.

Policy A2-7.11: Portions of new schools should be constructed to serve adequately as emergency shelters in case of natural disasters.

Policy A2-7.12: Schools will be developed consistent with the City's Comprehensive Plan and Land Development Code, as well as any mutual agreement between the City and the Lake County School Board.

Goal A3: Discourage Urban Sprawl and Encourage Redevelopment. The City will maintain regulations and procedures to limit the proliferation of urban sprawl and encourage redevelopment and revitalization of blighted areas through the year 2035.

Objective A3-1: *Discourage Urban Sprawl. The City shall discourage urban sprawl by promoting development patterns that are planned and designed to do so.*

Policy A3-1.1: The City shall promote economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

Policy A3-1.2: The City shall promote the efficient and cost-effective provision or extension of public infrastructure and services.

Policy A3-1.3: The City shall promote walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

Policy A3-1.4: The City shall promote conservation of water and energy.

Policy A3-1.5: The City shall promote agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Policy A3-1.6: The City shall promote the preservation of open space and natural lands and provides for public open space and recreation needs.

Policy A3-1.7: All proposed development in the City shall demonstrate that such development will be adequately served by public facilities.

Objective A3-2: *Encourage Redevelopment. The City shall encourage growth and redevelopment within the Community Redevelopment Area.*

Policy A3-2.1: The City will encourage development of a mixed use town center through infill and higher density and intensity development within the downtown Community Redevelopment Area.

Policy A3-2.2: The City will ensure the availability of services and facilities to accommodate development in the Downtown Mixed-Use land use designated areas.

Policy A3-2.3: The City shall pursue available federal, state, county and local funds for redevelopment for blighted or otherwise deteriorated areas as identified in the Mascotte Community Redevelopment Plan.

Goal A4: Green Swamp Area of Critical State Concern. The City of Mascotte shall protect the Green Swamp Area of Critical State Concern (“Green Swamp”) as designated by the State of Florida. This protection shall include the creation of future land use designations that are specific to the Green Swamp and application of specific Policies regulating land use and development in the Green Swamp.

Objective A4-1: *Development within the Green Swamp shall be conducted in a manner that minimizes impacts to the Floridan Aquifer system, wetlands, and flood plains.*

Policy A4-1.1: Development within the Green Swamp shall be regulated by specific policies (included in this Goal), the remaining Future Land Use Element, and the other Elements within the City of Mascotte Comprehensive Plan. Where there is a conflict in policy, standard, or regulation, the more stringent shall apply.

Policy A4-1.2: Any application for any development, other than an application for a building permit for a single-family dwelling unit, shall include a “Green Swamp Development Assessment”. This assessment shall demonstrate how the proposed development is in compliance with this Goal and shall specifically address uses, open space, floodplain, wetlands, listed species, on-site sewage disposal, sediment and erosion control, stormwater management, and landscaping and irrigation. This assessment shall also demonstrate the manner in which the development application has considered the following:

- Minimize the adverse impacts of development on resources of the Floridan Aquifer, floodplain, and wetlands.
- Protect or improve the normal quantity, quality, and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
- Protect or improve the water available for aquifer recharge.
- Protect or improve the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.
- Protect or improve the normal supply of ground and surface water
- Prevent further salt-water intrusion into the Floridan Aquifer.
- Protect or improve existing ground and surface-water quality.
- Protect or improve the water-retention capabilities of wetlands.
- Protect or improve the biological-filtering capabilities of wetlands.
- Protect or improve the natural flow regime of drainage basins.
- Protect or improve the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

Policy D1-6.9: Intersections shall be made pedestrian-friendly by limiting the crossing width; use of adequate lighting; adequate timing for traffic signals; and the provision of facilities for persons with disabilities.

Policy D1-6.10: The City shall require developers to construct internal trails for developments greater than 50 residential units. Said trail systems shall connect to the Lake County trail system and be consistent, when feasible, with the adopted Lake County Master Trail Plan.

Policy D1-6.11: The City shall develop citywide standards for maximum number of parking spaces to encourage walking, bicycling, ridesharing, and shared parking, and to keep the impervious surface area to a minimum.

Policy D1-6.12: The City shall require that new development be compatible and further the achievement of the Transportation Element. Requirements for compatibility may include, but are not limited to:

- Locating parking to the side or behind the development to provide pedestrian accessibility of building entrances and walkways to the street, rather than separating the building from the street by parking.
- Providing clearly delineated pedestrian routes through parking lots to safely accommodate pedestrian and bicycle circulation.

Policy D1-6.13: The City shall include landscaping and streetscaping as roadway design components in order to enhance the aesthetic and safety of the road for all users.

Policy D1-6.14: The City shall continue to pursue grant opportunities for median landscaping and road beautification.

Policy D1-6.15: Adequate pedestrian circulation and safety shall be considered as a required component of roadway system management, with implementation and required construction.

Policy D1-6.16: Way Finding. The City shall implement mechanisms to give direction and prevent confusion for all types of transportation system users.

Policy D1-6.17: Capital Improvements Schedule. The City shall implement a capital improvement plan, methods of funding, and fiscal controls for all major traffic and roadway projects.



COMPREHENSIVE PLAN

Data & Analysis

February 2016

II. Land Use Data, Inventory, and Analysis

A) Existing Land Uses

In order to better guide and direct future land uses within the City of Mascotte, it is necessary to first gain an understanding of present land use patterns. **Map A-3** depicts the existing land use and development patterns by parcel in the City of Mascotte as of 2015. **Map A-4** shows a close up of the downtown area. The existing land use inventory serves as the basic framework for the future land use designations.

Table A-1 shows the acreage of land use by category. This table and **Map A-3** show that the predominant use of land in the city is currently Agriculture, covering 8,948 acres or close to 78% of the entire city. The second most predominant use of land is Residential, covering approximately 6% of the city. A brief description of each land use category, along with typical uses found in each, is provided below.

TABLE A - 1: EXISTING LAND USES

Land Use Categories	Existing Land Use (2015)	
	Acres	%
Agriculture	8,948	77.8%
Residential	741	6.4%
Commercial	48	0.4%
Industrial	25	0.2%
Public / Semi-Public	136	1.2%
Recreation & Open Space	410	3.6%
Conservation	43	0.4%
Green Swamp Site Specific	-	-
Vacant	889	7.7%
Right-of-Way	257	2.2%
Total	11,496	100%

Source: Lake County Property Appraiser and Littlejohn, Inc., 2015.

(1) Agriculture

This designation represents areas used for agricultural activities and rural residential development located on the fringes of the urban areas. Uses found in the agriculture areas may include vegetable farms, livestock ranches, fruit groves, plant nurseries and silvicultural activities, as well as kennels, farm equipment storage and sales, and other more intensive uses. As shown on the existing land use map, the agriculture land uses are predominantly found on the northern and eastern parts of the city. However, there are still a few sites in the city core currently used for agricultural purposes. Those sites are anticipated to develop with more urban uses in the future.

(2) Residential

The residential land use category includes a variety of housing types, including single-family, mobile home and multi-family developments. As shown on the existing land use map, the residential land uses are predominantly found around the city core along SR 50, and include a wide variety of parcel sizes.

(3) Commercial

The commercial land use category consists of a variety of retail and office uses, restaurants, automobile service facilities, and similar uses. As shown on the existing land use map, the commercial land uses are predominantly found within the city core along SR 50.

(4) Industrial

Industrial uses typically include warehousing, wholesaling, heavy equipment repair, assembly, processing, motor vehicle impoundment facilities, construction offices, and outdoor storage.

As shown on the existing land use map, the industrial land uses are predominantly found within the city core along SR 50, which are not compatible with the downtown CRA Master Plan. There are currently no other industrial lands within the remainder of the city limits.

(5) Recreation and Open Space

Recreation and Open Space uses include passive and active park and recreation facilities owned by the city or privately-owned by homeowners associations. Private recreation uses that are open to the public for a fee, such as bowling alleys, skate rinks, etc. are not shown as recreation on the existing land use map.

As shown on the existing land use map, the recreation and open space uses predominantly found within and near the city core along SR 50. The recreational element provides a complete inventory of sites and the facilities provided within these recreation sites.

(6) Public/Semi-Public (Institutional)

Public/Semi-Public uses consist of public, semi-public and private not-for-profit uses, such as civic and community centers, hospitals, libraries, police and fire stations, and government administration buildings, as well as churches, social service facilities, cemeteries, nursing homes, emergency shelters, and similar uses. Educational facilities, such as public or private schools (primary or secondary), vocational and technical schools, and colleges and universities, are also included in this category. As shown on the existing land use map, the public/semi-public land uses are predominantly found within the city core along SR 50, with one parcel located outside of this area on the northeast section of the city.

(7) Conservation

Conservation includes public lands that have been acquired and private land areas that have been reserved by mutual agreement with the property owner for the preservation and protection of Mascotte's natural resources. As shown on the existing land use map, the conservation lands are found near the city core, generally northeast of State Route 50.

(8) Vacant

The vacant classification refers to undeveloped or unimproved parcels. This includes lots in subdivisions that have already been platted, but are not developed, as well as lands that currently have no active uses. As shown on the existing land use map, the vacant lands are scattered throughout the city, with a concentration of parcels within the city core and high acreage generally located in the northern part of the city.

F) Urban Sprawl

The City of Mascotte continues to limit urban sprawl through a number of initiatives. The city has three mixed-use future land use categories to encourage the provision of mixed-use developments in the downtown and in areas that have the potential of becoming activity nodes. The city also maintains its Agriculture future land use category to ensure the viability of agricultural venues within the city limits.

The city is also focusing on developing its downtown core through a mix of land uses and the provision of businesses, services, multi-family residential and adequate infrastructure. Additionally, the city executed the South Lake Interlocal Service Boundary Agreement with the County and the adjacent jurisdictions in South Lake County, which limits the growth of the city to their municipal service boundary.

G) Redevelopment

(1) Community Redevelopment Area

The City of Mascotte has a Community Redevelopment Area (CRA) that encompasses the downtown core and surrounding neighborhoods, and the commercial corridor along State Road 50. Due to the decline of property values during the economic downturn of the past several years, the City's Tax Increment Fund revenues have decreased correspondingly. As revenues begin to increase in the future, the city plans to utilize the Tax Increment Fund revenues to more fully implement the activities and programs that are identified in the City's adopted Community Redevelopment Plan.

(2) Lake County Enterprise Zone

The area of the city south of State Road 50 is designated as a Lake County Enterprise Zone. This zone was created in 2011 to spur business development and job growth within the area. Incentives for business development within the zone include job tax credits, property tax credits, sales tax exemptions and refunds, and corporate tax credits.

(3) Downtown Wastewater Project

In order to create better conditions for commercial development in the downtown, the city is planning to extend sanitary sewer lines to this area.

(4) South Lake Regional Water Initiative

The City of Mascotte has entered into an interlocal agreement with other municipalities and private utilities operating in southern Lake County to better plan water use within the area and conserve available water to allow for future development. The participants include the City of Mascotte, Lake County, City of Clermont, City of Groveland, City of Minneola, Town of Montverde, South Lake Utilities Inc., and Lake Utility Services, Inc.

(5) Economic Development Materials

The city recently commissioned the creation of an Economic Development brochure highlighting development and redevelopment opportunities within the city's downtown area. The brochure is anticipated to be released with the start of construction of the Downtown Wastewater Project.

The Residential future land use category is comprised of three categories: Rural, Low-Density, and Medium Density Residential. **Map A-13** and **Table A-3** show that approximately 1/5 of the entire city area, or 2,438 acres, is designated almost equally for Rural and Low-Density, with Medium-density comprising of only 0.9% of the city's total area. There are currently no sites in the city designated High Density Residential. Additionally, **Policy A1-17.1** provides site specific maximum residential and non-residential development caps within the Community Mixed Use and Low Density Residential land use categories. These restrictions are parcel specific and run with the land.

Out of the 889 acres of existing vacant lands in 2015, about 59% (528 acres) are designated for Residential use. This projection of future residential land uses, particularly the Low Density category, reflects a continuing trend from market preferences and affordability for single-family housing.

While there is more housing capacity than the population projections demand, many of the lands that have annexed recently come with development programs that require the mixed-use land use category in order to develop sustainable communities that rely less on the automobile. The amount of single use residential lands is small compared to the mixed-use neighborhoods the other categories are intended to create.

C) Downtown Mixed Use

The Future Downtown Mixed Use category covers the entirety of the Mascotte CRA and is the predominant future land use for the city core. **This category is intended to encourage the development of a compact and walkable living environment and workplace, allow for an assortment of building types and mixed uses, and accommodate multiple transportation modes.** The Future Land Use Map shows approximately 978 acres within this category. Approximately 260 of those are vacant. **Table A-3** shows that the Downtown Mixed Use Future Land Use category can support a maximum of 1,580 dwelling units.

D) Community Mixed Use

The Community Mixed Use future land use category accounts for approximately 12% of the City and is intended to establish mixed-use neighborhoods with services, village centers, and a diversity of housing types within walking distance. As shown in **Table A-3**, there are approximately 1,361 acres designated as Community Mixed Use, with 0.5 acres currently vacant and would allow for a holding capacity of 3 dwelling units. This land use is predominantly located between SR 33 and CR 565 close to the downtown core, with additional acreage due west of SR 33 just north of downtown.

As described above, **Policy A1-17.1** provides site specific maximum residential and non-residential development caps within the Community Mixed Use and Low Density Residential land use categories. These restrictions are parcel specific and run with the land.

E) Rural-Neighborhood Mixed Use

The Rural-Neighborhood Mixed Use future land use category is intended to encourage a mix of residential, commercial sales and services, office, and public and semi-public developments through a design that accommodates a greater amount of open space and allows residents to work and live in close proximity. **Table A-3** shows that there are no vacant lands currently designated for Rural-Neighborhood Mixed-Use. There are currently 424 acres designated with this future land use, which are located along the east side of SR 33 in the northeastern quadrant of the City.

Rural-Neighborhood Mixed Use includes a provision that allows greater densities and intensities within one-quarter mile and one-half mile of an employment center or arterial/collector road as indicated on the Future Land Use Map or the Transportation Element.