

Non-Residential Land Uses

Land Use	Maximum Intensity (FAR)
Commercial	40%
Mixed Use	25%
Institutional	50%
Industrial	50%
Industrial Park	35%
Business Park	20%
Recreation/Preservation	20%

Note: FAR = Floor area ratio

FLU POLICY 1.4.4

In order to provide for additional residential densities in the Agricultural/Residential and Rural Residential areas while maintaining the rural character and availability of agricultural uses, developments may occur at the higher of the two densities stipulated in this Element, provided that such developments are clustered contiguously in a development tract on a portion of the parent tract, subject to the following general requirements:

- 1) The minimum size of such development tract is shown in 2) following:
- 2) All subdivisions of land must retain permanent open space within the parent tract as follows:

Requirement	Land Use			
	Agriculture/Residential		Rural Residential	
Subdivision Size	1-20 Lots	Over 20 Lots	1-20 Lots	Over 20 Lots
Minimum Size of Development Tract	10 Acres	105 Acres	5 Acres	21 Acres
Minimum Open Space Requirement (see c. below)	50%	50%	35%	35%
Minimum Lot Size Without Central Water and Sewer	1 Acre	1 Acre	0.5 Acre	0.5 Acre

* The minimum lot size for residential development of lands within ½ mile of Outstanding Florida Water (OFW) shall be one (1) acre unless served by central water and/or sewer.

- 3) All open space required in this policy shall be designated as permanent open space for use as preservation of natural areas and also for passive recreation in the form of pedestrian walkways, bicycle paths, boardwalks, and docks built for water access.

Residential Land Uses

Land Use	Density Allowed***						
	Base Maximum Density	Potential Maximum Density					
		With Points & Clustering	With Points	Has Central Water & Sewer Only	With Points and Central Water & Sewer	Infill Meeting TND Criteria	Low & Moderate Income or/ Elderly or Handicapped Housing
Agriculture (gross ac)	1 du/20 acres	-	-	-	-	-	-
Agriculture/ Residential (gross ac)	1 du/10 acres	1 du/5 acres	-	-	-	-	-
Rural Residential (net ac)	1 du/5 acres	1 du/acre	-	-	-	-	-
Rural Reserve (gross ac)	1.5 du/acre	-	-	-	-	-	-
Rural Fringe (net ac)	1 du/acre	-	2 du/acre	-	3 du/acre	-	7 du/acre
Urban Fringe (net ac)	2 du/acre	-	-	4 du/acre	-	10 du/acre	14 du/acre
Urban Core (10) (net ac)	2 du/acre	-	-	6 du/acre	10 du/acre	15 du/acre	16 du/acre
Urban Core (16) (net ac)	16	-	-	-	-	-	20 du/acre
Commercial	N/A	-	-	1 du/1000 sf*	-	-	-
Mixed Use (net ac)	16 du/acre**	-	-	-	-	-	-
Conservation (gross ac)	1 du/100 acres	-	-	-	-	-	-

Note: du = dwelling unit

*Residential units within the commercial category must be accompanied by a mixed use PUD application.

**Lands designated Mixed Use must be located such that application of the locational criteria in FLU Policy 1.4.4 produces 100 points.

***Lands proposed for residential development within ½ mile of Outstanding Florida Water (OFW) must have a minimum lot size of one (1) acre unless served by central water and/or sewer.

12:01 a.m. or July 1, 1991, the lot must conform to the minimum dimensions (lot area, width and depth) in the applicable zoning district as stipulated in Ordinance 82-45, as amended, in effect as of said date and time. These minimum lot dimensions, by the zoning districts in effect at said date and time, are as follows:

Zoning District in Ordinance 82-45, as amended	Minimum Lot Area (SF)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)
<u>A: Agricultural</u>	43,560	100.00	150.00
<u>AR: Agricultural Residential</u>	43,560	100.00	150.00
<u>RA: Single-Family Residential</u>			
Recorded before May 3, 1979	20,000	100	100
Recorded on or after May 3, 1979	21,780	100	100
<u>RA-1: Single-Family Residential</u>			
Without central water and sewer, recorded before May 3, 1979	15,000	85	100
Without central water and sewer, recorded on or after May 3, 1979	21,780	85	100
With central water and sewer, recorded on or after May 3, 1979	12,500	85	100
<u>RB: Single-Family Residential</u>			
Without central water and sewer, recorded before May 3, 1979	15,000	75	100
Without central water and sewer, recorded on or after May 3, 1979	21,780	75	100
With approved septic tank and central water, recorded on or after May 3, 1979	10,000	75	100
With central water and sewer, recorded on or after May 3, 1979	8,500	75	100
<u>RMH: Single-Family Residential Mobile Homes</u>			
Without central water and sewer, recorded before May 19, 1979	15,000	75	100
Recorded on or after May 3, 1979	21,780	75	100
<u>RMH-1: Single-Family Residential Mobile Homes</u>			
With central water and sewer	8,500	75	100
Without central water and sewer	15,000	75	100
<u>RC: Single-Family Residential</u>			
Without central water and sewer, recorded before May 3, 1979	15,000	70	100
With septic tank and central water	10,890	70	100
With central water and sewer, recorded on or after May 3, 1979	8,500	70	100
Without central water and sewer, recorded on or after May 3, 1979	21,780	70	100
<u>RC: Two-Family Residential</u>			
Without central water and sewer	43,560	70	100

With septic tank and central water	21,780	70	100
With central water and sewer	15,000	70	100
<u>RC: Three-Family Residential</u>			
Without central water and sewer	65,340	70	100
With septic tank and central water	32,670	70	100
With central water and sewer	20,000	70	100
<u>RC-1: Country Estates</u>			
With central water	43,560	100	150
Without central water	43,560	150	150
<u>RD-1: Multifamily</u>			6 units per acre
<u>RD-2: Multifamily</u>			10 units per acre
<u>RD-3: Multifamily</u>			16 units per acre
<u>RD-4: Multifamily</u>			30 units per acre

- (c) *Nonconforming Uses of Land or Waters (or Land with Minor Structures Only).* Where, at the effective date of adoption or amendment of these zoning regulations or the regulations in Ordinance 82-45, a lawful use of lands or waters exists which would not be permitted under these zoning regulations, and where such use involved no individual permanently fixed structure with a replacement cost exceeding \$2,500 and no combination of permanently fixed structures with a combined replacement cost exceeding \$7,500 the use may be continued, so long as it remains otherwise lawful, provided:
- (1) *Enlargement, Increases, Intensification, Alteration.* No such nonconforming use shall be enlarged, intensified, increased, or extended to occupy a greater area of land or water than was occupied at the effective date of adoption or amendment of these zoning regulations.
 - (2) *Movement.* No such conforming use shall be moved in whole or in part to any portion of the lot or parcel than that occupied by such use at the effective date of adoption or amendment of these zoning regulations.
 - (3) *Discontinuance.* If any such nonconforming use ceases for any reason (except when governmental action impedes access to the premises) for a period of more than six consecutive months, any subsequent use of such land shall conform to the regulations specified by these zoning regulations for the district in which such land is located.
 - (4) *Subdivision or Structural Additions.* No land in nonconforming use shall be subdivided, nor shall any structure be added on such land except for the district in which such land is located; provided, however, that subdivision may be made which does not increase the degree of nonconformity of the use.
- (d) *Nonconforming Structures.* When a structure exists lawfully under these zoning regulations at the effective date of its adoption or amendment, or the effective date of Ordinance 82-45, as amended, that could not be built under these zoning regulations by reason of restrictions on lot area, lot coverage, height, yards, location on the lot, or requirements other than use concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

the parks and open space system of the development as an amenity. The following factors, in order of priority, shall guide the selection of preserved open space: lands with listed species (flora and/or fauna) present, or one of the following regionally important natural communities known to host rare, vulnerable, and/or listed species: scrub, sandhill, scrubby flatwoods, xeric hammock, upland pine forest, mesic flatwoods and wet flatwoods. Listed plant and animal species include those species identified in Florida Administrative Code (F.A.C.) 5B-40.0055, Regulated Plant Index, and F.A.C. 68A-27.003, Florida's List of Endangered or Threatened Species, respectively. Descriptions of the qualified environmentally significant natural communities can be found at www.fnai.org. Preserved open space must be in contiguous areas that are non-linear in shape, unless linear forms are needed to preserve high-priority preservation areas as defined above.

- (6) The proposed cluster development must have the following characteristics:
- (i) Located on suitable upland away from environmentally sensitive land, including wetlands and 100-year floodplains, and buffered from agricultural use.
 - (ii) The minimum lot size is one-half acre if central water and sewer are not provided.
 - (iii) Minimum 50-foot perimeter buffers shall be provided to ensure compatibility of the development activity with adjacent uses. These buffers must include preserved or planted vegetation that provides an effective visual screen (at least 85% opacity) from rights-of-way and adjacent properties. If such a buffer is planted or supplemented, the 85% opacity standard must be met within three years after planting. Buffers shall not include utility easements, roads, retention, or any other areas that are not vegetated, except for hiking or multi-purpose trails not to exceed a paved width of eight feet. Where practicable, buffers shall include unpaved or paved trails of at least six feet in width for the use of residents. Buffers may be incorporated into the mandatory open space.
- (d) *Points Provisions.* In addition to the requirements in Sec. 20.3-10 (c), above, developments proposed in the Agricultural/Residential, Rural Residential, Rural Fringe, Urban Fringe, Urban Core (10), Urban Core (16) and Mixed Use areas may occur at the higher of the densities stipulated in Sec. 20.3-10 (b) provided that such developments comply with the following conditions:
- (1) Proposed developments shall be subjected to a weighted evaluation process to determine the degree to which they utilize existing infrastructure, promote open space, conserve natural resources and reduce urban sprawl. The process shall consist of the following criteria at a minimum:
 - (i) Proximity to fire protection. Proximity shall be determined by the proposed development's location relative to boundaries of generalized response zones