

1 **DRAFT ORDINANCE 2019-10**  
2 **TOWN OF LADY LAKE, FLORIDA**

3 Note: proposed changes within this document are displayed as follows:

4 **[begin add] new, added text [end add]**

5 **[begin delete] ~~deleted text~~ [end delete]**

6 **AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA;**  
7 **PROVIDING FOR A TEXT AMENDMENT TO THE TOWN OF LADY LAKE LAND**  
8 **DEVELOPMENT REGULATIONS (ORDINANCE NO. 94-08) CHAPTER 5, SECTION 5-4,**  
9 **“ZONING DISTRICT USES”; AMENDING THE MINIMUM SETBACK REQUIREMENTS**  
10 **FOR ACCESSORY STRUCTURES INCIDENTAL TO AGRICULTURAL ACTIVITIES TO**  
11 **FIFTY FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND**  
12 **PROVIDING AN EFFECTIVE DATE.**

13 **WHEREAS**, on December 2, 1991, the Town of Lady Lake adopted a  
14 Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter  
15 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

16 **WHEREAS**, on January 23, 1992, the Florida Department of Community Affairs  
17 determined that the Town of Lady Lake Comprehensive Plan was in compliance  
18 with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5,  
19 Florida Administrative Code; and

20 **WHEREAS**, on August 15, 1994, the Town of Lady Lake adopted the Land  
21 Development Code of the Town of Lady Lake, Florida in accordance with the Town  
22 of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II,  
23 Florida Statutes; and

24 **WHEREAS**, the Town of Lady Lake has elected to amend Chapter 5, Section 5-4,  
25 “Zoning District Uses”, of the Land Development Regulations finding it is in the best  
26 interests of the Town of Lady Lake and promotes the general welfare of its citizens.

27 **BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE,**  
28 **FLORIDA:**

1 **SECTION 1 Amendment.**

2 “The Land Development Code of the Town of Lady Lake, Florida,” dated August 15,  
3 1994 (the “Land Development Code”) is hereby amended as provided below:

4 Chapter 5, Section 5-4, “Zoning District Uses, of the Land Development Regulations;  
5 is amended to allow the minimum setback requirements for accessory structures  
6 incidental to agricultural activities to be fifty feet as set forth in Exhibit “A”,  
7 attached hereto and incorporated herein.

8 **SECTION 2 Severability.**

9 If any section, sentence, clause, phrase or word of this Ordinance is for any reason  
10 held, or declared to be unconstitutional, inoperative or void, such holding or  
11 invalidity shall not affect the remaining portions of this ordinance; and it shall be  
12 construed to have been the Town Commission’s intent to pass this Ordinance  
13 without such unconstitutional, invalid or inoperative part therein; and the  
14 remainder of this Ordinance, after the exclusion of such part or parts, shall be  
15 deemed and held to be valid, as if such parts had not been included herein; or if this  
16 Ordinance or any provisions thereof shall be held inapplicable to any person,  
17 groups of persons, property, kind of property, circumstances or set of  
18 circumstances, such holding shall not affect the applicability thereof to any other  
19 person, property or circumstances.

20 **SECTION 3 Conflicts.**

21 All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance  
22 are hereby repealed.

23 **SECTION 4. Codification.**

24 The provisions of this Ordinance shall be codified as and become part of the Codes  
25 of Ordinances, Town of Lady Lake. The sections of this Ordinance may be re-  
26 numbered or re-lettered to accomplish such intention and the word "Ordinance", or  
27 similar words, may be changed to "Section", "Article", or other appropriate word.

28 **SECTION 5 Applicability.**

29 This Ordinance does not have retroactive applicability and does not apply to  
30 applications filed prior to the effective date of this Ordinance.



**EXHIBIT "A"**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SEC. 5-4. — 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.

a) AG-1 "Agriculture Residential." This district is established to provide for the protection of interim agricultural pursuits in transitional or urbanizing areas. The density shall not exceed one unit per acre.

1) Permitted uses.

A) Agriculture. A minimum of five acres is required for the keeping, harboring or maintaining of livestock or fowl.

B) Accessory structures and uses incidental to agricultural activity provided structures for keeping and raising of livestock shall not be located within 200 feet of a property zoned residential or 100 feet of any lot line. [begin add] In the event that a structure cannot be constructed in accordance with setbacks as stated above, the structure shall be as closely centered as possible between the property lines and shall maintain a minimum 50 foot setback from the property line. [end add]

C) Single-family dwelling units.

D) Manufactured home, residential design (RDMH). See Affordable Housing section later in this chapter.

E) Guest or servant quarters not to exceed 30 percent of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.

F) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of 35 percent of the square footage of the principal structure.

G) Community residential homes with one to six residents.

H) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.

I) Family child care homes.

1           2) Uses permitted as special exception use upon approval.

2           A) Veterinary clinics.

3           B) Retail nurseries and garden supplies.

4           C) Horses, commercial stables, dude ranch, riding academy, boarding stable.

5           D) Agriculture: Processing (except for packing and slaughter houses).

6           E) Bed and breakfast inns: Small homestay.

7           3) Uses expressly prohibited.

8           A) Single-family attached dwelling units.

9           B) Multi-family residential dwelling units.

10          C) Two-family (duplex) dwelling units.

11          D) Manufactured home, standard design (SDMH).

12          E) Farmers markets.

13          F) Flea markets.

14          G) Dairies.

15          H) Kennels: boarding.

16          I) Kennels: breeding.

17          J) Horse breeding farms.

18          K) Poultry ranches.

19          L) Mushroom farms.

20          M) Hog farms.

21          N) Any use prohibited by Town, state or federal law.

22          O) Agriculture: processing-packing and slaughter houses.

23          P) Medical marijuana dispensaries.

24          Q) Non-medical marijuana sales.

25          R) Cannabis farms.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

- 4) Design Standards.
  - A) Minimum lot size shall be one acre. Residential projects may be designed to allow clustering of dwelling units; however, overall density cannot exceed one dwelling unit per acre.
  - B) Minimum lot width shall be 150 feet measured along the building setback line. Minimum lot widths may be waived if clustering of units is provided.
  - C) Maximum building height shall be 35 feet.
  - D) Minimum setback requirements:
    - 1. Front yard setback:
      - a. Local roadway: 25 feet.
      - b. Collector roadway: 30 feet.
      - c. Arterial roadway: 50 feet.
    - 2. Side yard setback when adjoining:
      - a. Another lot: 10 feet.
      - b. Local roadway: 25 feet.
      - c. Collector roadway: 30 feet.
      - d. Arterial roadway: 50 feet.
    - 3. Rear yard setback: 20 feet.
    - 4. Where a front yard of lesser depth than required exists in front of dwellings on more than 60 percent of lots of record on one side of the street in any one block in an AG-1 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.
  - E) The maximum impervious surface ratio (which includes building coverage) shall not exceed 25 percent.
  - F) Minimum floor area for dwellings shall not be less than 1,000 square feet which excludes porches, garages or utility rooms.

1 b) RS -1 "Single-Family Very Low Density Residential." This district is established to  
2 implement comprehensive plan policies for managing very low-density, single-family  
3 residential development at a density not to exceed one single-family dwelling unit per  
4 acre. The RS-1 district is established to preserve the stability of existing and future  
5 conventional single-family residential home sites on larger parcels, preserve open space,  
6 and manage future densities in order to assure that residents electing to reside on such  
7 non-agricultural properties with greater lot sizes are provided such opportunities.

8 1) Permitted uses.

9 A) Single-family detached dwelling units.

10 B) Guest or servant quarters not to exceed 30 percent of living area of the principal  
11 dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.

12 C) Customary accessory structures and uses incidental to the principal structure.  
13 Accessory structures shall be limited in size to a maximum of 35 percent of the  
14 square footage of the principal structure.

15 D) Community residential homes with one to six residents.

16 E) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.

17 F) Neighborhood recreational facilities.

18 G) Agriculture. A minimum of five acres is required for the keeping, harboring or  
19 maintaining of livestock or fowl. Accessory structures and uses incidental to  
20 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin  
21 add] In the event that a structure cannot be constructed because of the 200 feet  
22 setback, then the structure shall be as closely centered as possible between the  
23 property lines AND Shall maintain a minimum 50 foot setback from the property  
24 line. [end add]

25 H) Family child care homes.

26 2) Uses permitted as special exception use upon approval.

27 A) (Licensed) community residential homes with more than six residents.

28 B) Public use recreation facilities, including marinas.

29 3) Uses expressly prohibited.

30 A) Single-family attached dwelling units.

- 1 B) Multi-family residential dwelling units.
- 2 C) Two-family (duplex) dwelling units.
- 3 D) Commercial land uses.
- 4 E) Industrial land uses.
- 5 F) Any use prohibited by Town, state or federal law.
- 6 G) Manufactured homes (SDMH and RDMH).
- 7 H) Bed and breakfast inns.
- 8 I) Medical marijuana dispensaries.
- 9 J) Non-medical marijuana sales.
- 10 K) Cannabis farms.
- 11 4) Design standards.
  - 12 A) Minimum lot area shall be one acre (43,560 square feet). Subdivisions may be
  - 13 designed to allow clustering of residential dwelling units; however, overall density
  - 14 may not exceed one dwelling unit per acre.
  - 15 B) Minimum lot width at the building setback line shall be 100 feet. Minimum lot
  - 16 widths may be reduced to 60 feet if clustering of units is provided.
  - 17 C) Maximum building height shall not exceed 35 feet.
  - 18 D) Minimum setback requirements:
    - 19 1. Front yard setback:
      - 20 a. Local roadway: 25 feet.
      - 21 b. Collector roadway: 30 feet.
      - 22 c. Arterial roadway: 50 feet.
    - 23 2. Side yard setback when adjoining:
      - 24 a. Another lot: 10 feet.
      - 25 b. Local roadway: 25 feet.
      - 26 c. Collector roadway: 30 feet.
      - 27 d. Arterial roadway: 50 feet.



- 1           3. Rear yard setback: 20 feet.
- 2           4. Where a front yard of lesser depth than required exists in front of dwellings on  
3           more than 60 percent of lots of record on one side of the street in any one block  
4           in an RS-1 district, the depth of the front yard for any building hereafter erected  
5           or replaced on any lot in such block need not be greater than the average depth  
6           of front yards of existing buildings.
- 7           E) The maximum impervious surface ratio (which includes building coverage) shall  
8           not exceed 35 percent.
- 9           F) Minimum floor area shall not be less than 1,000 square feet which does not  
10          include porches, garages, utility rooms, etc.
- 11        c) RS-3 "Single-Family Low Density Residential." This district is established to implement  
12        comprehensive plan policies for managing low-density, single-family residential  
13        development at a density not to exceed three single-family dwelling units per acre. The RS-  
14        3 district is established to preserve the stability of existing and future conventional single-  
15        family residential neighborhoods, preserve open space, and manage future densities in  
16        order to assure that future densities are compatible with existing developments and  
17        natural features of the land, as well as existing and projected public services and facilities  
18        within the area.
- 19        1) Permitted uses.
- 20           A) Single-family detached dwelling units.
- 21           B) Guest or servant quarters not to exceed 30 percent of living area of the principal  
22           dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
- 23           C) Customary accessory structures and uses incidental to the principal structure.  
24           Accessory structures shall be limited in size to a maximum of 25 percent of the  
25           square footage of the principal structure.
- 26           D) Community residential homes with one to six residents.
- 27           E) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
- 28           F) Neighborhood recreational facilities.
- 29           G) Agriculture. A minimum of five acres is required for the keeping, harboring or  
30           maintaining of livestock or fowl. Accessory structures and uses incidental to

1 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin  
2 add] In the event that a structure cannot be constructed because of the 200 foot  
3 setback, then the structure shall be as closely centered as possible between the  
4 property lines AND Shall maintain a minimum 50 foot setback from the property  
5 line. [end add]

6 H) Family child care homes.

7 2) Uses permitted as special exception use upon approval.

8 A) (Licensed) community residential homes with more than six residents.

9 B) Public use recreation facilities, including marinas.

10 3) Uses expressly prohibited.

11 A) Single-family attached dwelling units.

12 B) Multi-family residential dwelling units.

13 C) Two-family (duplex) dwelling units.

14 D) Commercial land uses.

15 E) Industrial land uses.

16 F) Any use prohibited by Town, state or federal law.

17 G) Manufactured homes (SDMH and RDMH).

18 H) Bed and breakfast inns.

19 I) Medical marijuana dispensaries.

20 J) Non-medical marijuana sales.

21 K) Cannabis farms.

22 4) Design standards.

23 A) Minimum lot area shall be 14,500 square feet if served by central sewer. If  
24 individual well is used for potable water, the minimum lot size is one-half acre.  
25 Projects may be designed to allow clustering of residential dwelling units; however,  
26 overall density may not exceed three units per acre.

27 B) Minimum lot width at the building setback line shall be 100 feet. Minimum lot  
28 widths may be waived if clustering of units is provided.

1 C) Maximum building height shall not exceed 35 feet.

2 D) Minimum setback requirements:

3 1. Front yard setback:

4 a. Local roadway: 25 feet.

5 b. Collector roadway: 30 feet.

6 c. Arterial roadway: 50 feet.

7 2. Side yard setback when adjoining:

8 a. Another lot: eight feet.

9 b. Local roadway: 25 feet.

10 c. Collector roadway: 30 feet.

11 d. Arterial roadway: 50 feet.

12 3. Rear yard setback: 20 feet.

13 4. Where a front yard of lesser depth than required exists in front of dwellings on  
14 more than 60 percent of lots of record on one side of the street in any one block  
15 in an RS-3 district, the depth of the front yard for any building hereafter erected  
16 or replaced on any lot in such block need not be greater than the average depth  
17 of front yards of existing buildings.

18 E) The maximum impervious surface ratio (which includes building coverage) shall  
19 not exceed 35 percent.

20 F) Minimum floor area shall be not less than 1,000 square feet which does not  
21 include porches, garages, utility rooms, etc.

22 d) RS-4 "Single-Family Moderate Density Residential." This district is established to  
23 implement comprehensive plan policies for managing moderate-density, single-family  
24 residential development at a density not to exceed four single-family dwelling units per  
25 acre. The RS-4 district is established to implement comprehensive plan policies for  
26 managing moderate density, single-family residential development at a density not to  
27 exceed four single-family dwelling units per acre. The RS-4 district is established to  
28 preserve the stability of existing and future conventional single-family residential  
29 neighborhoods, preserve open space, and manage future densities in order to assure that

1 future densities are compatible with existing developments and natural features of the  
2 land, as well as existing and projected public services and facilities within the area.

3 1) Permitted uses.

4 A) Single-family detached dwelling units.

5 B) Guest or servant quarters not to exceed 30 percent of living area of the principal  
6 dwelling unit pursuant to miscellaneous regulations chapter of this Code.

7 C) Customary accessory structures and uses incidental to the principal structure.  
8 Accessory structures shall be limited in size to a maximum of 45 percent of the  
9 square footage of the principal structure.

10 D) Community residential homes with one to six residents.

11 E) Home occupations pursuant to miscellaneous regulations chapter of this Code.

12 F) Neighborhood recreational facilities.

13 G) Agriculture. A minimum of five acres is required for the keeping, harboring or  
14 maintaining of livestock or fowl. Accessory structures and uses incidental to  
15 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin  
16 add] In the event that a structure cannot be constructed because of the 200 foot  
17 setback, then the structure shall be as closely centered as possible between the  
18 property lines and shall maintain a minimum 50 foot setback from the property  
19 line. [end add]

20 H) Family child care home.

21 2) Uses permitted as special exception use upon approval.

22 A) (Licensed) community residential homes with more than six residents.

23 B) Public use recreation facilities, including marinas.

24 3) Uses expressly prohibited.

25 A) Single-family attached dwelling units.

26 B) Multi-family residential dwelling units.

27 C) Two-family (duplex) dwelling units.

28 D) Commercial land uses.

1 E) Industrial land uses.

2 F) Any use prohibited by town, state or federal law.

3 G) Manufactured homes (SDMH and RDMH).

4 H) Bed and breakfast inn.

5 4) Design standards.

6 A) Minimum lot area shall be .20 acres (8,500 square feet). Subdivisions may be  
7 designed to allow clustering of residential dwelling units; however, overall density  
8 may not exceed four dwelling units per acre.

9 B) Minimum lot width at the building setback line shall be 100 feet. Minimum lot  
10 widths may be reduced to 60 feet if clustering of units is provided.

11 C) Maximum building height shall not exceed 35 feet.

12 D) Minimum setback requirements:

13 1. Front yard setback:

14 a. Local roadway: 25 feet.

15 b. Collector roadway: 30 feet.

16 c. Arterial roadway: 50 feet.

17 2. Side yard setback when adjoining:

18 a. Another lot: Six feet.

19 b. Local roadway: 25 feet.

20 c. Collector roadway: 30 feet.

21 d. Arterial roadway: 50 feet.

22 3. Rear yard setback: 20 feet.

23 4. Where a front yard of lesser depth than required exists in front of dwellings on  
24 more than 60 percent of lots of record on one side of the street in any one block  
25 in an RS-4 district, the depth of the front yard for any building hereafter erected  
26 or replaced on any lot in such block need not be greater than the average depth  
27 of front yards of existing buildings.

1 E) The maximum impervious surface ratio (which includes building coverage) shall  
2 not exceed 45 percent.

3 F) Minimum floor area shall be not less than 1,000 square feet which does not  
4 include porches, garages, utility rooms, etc.

5 G) All lots zoned RS-4 must be served by a central sewer connection.

6 e) RS-6 "Single-family Medium Density." This district is established to implement  
7 comprehensive plan policies for the establishment of single-family dwellings in urban  
8 environments. It is also intended to provide relatively affordable, urban housing at a  
9 density not to exceed six dwelling units per acre.

10 1) Permitted uses.

11 A) Single-family detached dwelling units.

12 B) Guest or servant quarters not to exceed 30 percent of the living area of the  
13 principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.

14 C) Customary accessory structures and uses incidental to the principal structure.  
15 Accessory structures shall be limited in size to a maximum of 25 percent of the  
16 square footage of the principal structure.

17 D) Community residential homes with one to six residents.

18 E) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.

19 F) Agriculture. A minimum of five acres is required for the keeping, harboring or  
20 maintaining of livestock or fowl. Accessory structures and uses incidental to  
21 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin  
22 add] In the event that a structure cannot be constructed because of the 200 foot  
23 setback, then the structure shall be as closely centered as possible between the  
24 property lines and shall maintain a minimum 50 foot setback from the property  
25 line. [end add]

26 G) Neighborhood recreational facilities.

27 H) Family child care homes.

28 2) Uses permitted as special exception use upon approval.

29 A) (Licensed) community residential homes with more than six residents.

1 B) Public use recreation facilities, including marinas.

2 3) Uses expressly prohibited.

3 A) Single-family attached dwelling units.

4 B) Two-family (duplex) dwelling units.

5 C) Multi-family residential dwelling units.

6 D) Commercial land uses.

7 E) Industrial land uses.

8 F) Bed and breakfast inns.

9 G) Manufactured homes (SDMH and RDMH).

10 H) Any use prohibited by Town, state or federal law.

11 I) Medical marijuana dispensaries.

12 J) Non-medical marijuana sales.

13 K) Cannabis farms.

14 4) Design standards.

15 A) Minimum lot area shall be 7,000 square feet if central sewer is provided. If central  
16 sewer facilities are not available, the minimum lot size is 12,500 square feet.

17 Projects may be designed to allow clustering of residential units; however, overall  
18 density cannot exceed six dwelling units per acre.

19 B) Minimum lot width at the building setback line shall be 75 feet. If septic tanks are  
20 utilized, then the minimum lot width shall be 100 feet. Minimum lot widths may be  
21 waived if clustering of units is provided.

22 C) Minimum setback requirements:

23 1. Front yard setback:

24 a. Local roadway: 25 feet.

25 b. Collector roadway: 35 feet.

26 c. Arterial roadway: 50 feet.

27 2. Side yard setback when adjoining:

- 1           a. Another lot: Six feet.
- 2           b. Local roadway: 25 feet.
- 3           c. Collector roadway: 35 feet.
- 4           d. Arterial roadway: 50 feet.

5           3. Rear yard setback: 20 feet.

6           D) The maximum impervious surface ratio (which includes building coverage) shall  
7           not exceed 45 percent.

8           E) Minimum floor area shall be 1,000 square feet exclusive of porches, garages,  
9           utility rooms, etc.

10          F) Maximum building height is 35 feet.

11       f) MX-5 "Mixed Low Density Residential." This district is established to implement  
12       comprehensive plan policies for managing traditional single-family residential  
13       development at a density not to exceed five dwelling units per acre. This district is  
14       established to preserve the stability of existing and future residential neighborhoods,  
15       preserve open space, and manage future densities in order to assure a smooth transition  
16       between low-density residential and areas designated for more intense uses.

17       1) Permitted uses.

18           A) Single-family detached residential dwelling units.

19           B) Manufactured home, residential design (RDMH).

20           C) Customary accessory structures and uses incidental to the principal structure.  
21           Accessory structures shall be limited in size to a maximum of 25 percent of the  
22           square footage of the principal structure. Mobile Homes are subject to an  
23           allowance of 35 percent of the square footage of the principal structure.

24           D) Guest or servant quarters not to exceed 30 percent of living area of the principal  
25           dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.

26           E) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.

27           F) Community residential homes with one to six residents.

28           G) Agriculture. A minimum of five acres is required for the keeping, harboring or  
29           maintaining of livestock or fowl. Accessory structures and uses incidental to



1 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin  
2 add] In the event that a structure cannot be constructed because of the 200 foot  
3 setback, then the structure shall be as closely centered as possible between the  
4 property lines and shall maintain a minimum 50 foot setback from the property  
5 line. [end add]

6 H) Neighborhood recreational facilities.

7 I) Family child care homes.

8 2) Uses permitted as special exception use upon approval.

9 A) (Licensed) community residential homes with more than six residents.

10 B) Two-family (duplex) dwelling units.

11 C) Bed and breakfast inn: Small homestay.

12 D) Public use recreational facilities, including marinas.

13 3) Uses expressly prohibited.

14 A) Commercial land uses.

15 B) Industrial land uses.

16 C) Any use prohibited by Town, state or federal law.

17 D) Multi-family dwelling units.

18 E) Manufactured home, standard design (SDMH).

19 F) Medical marijuana dispensaries.

20 G) Non-medical marijuana sales.

21 H) Cannabis farms

22 4) Design standards.

23 A) Minimum lot area shall be 8,700 square feet if central sewer is provided. If central  
24 sewer is not available, then the minimum lot area shall be 12,500 square feet.

25 Projects may be designed to allow clustering of residential units; however, overall  
26 density may not exceed five units per acre.

1 B) Minimum lot width at the building setback line shall be 75 feet or 100 feet if  
2 septic tanks are used. Minimum lot width may be waived if clustering of units is  
3 provided.

4 C) Minimum setback requirements:

5 1. Front yard setback:

6 a. Local roadway: 25 feet.

7 b. Collector roadway: 35 feet.

8 c. Arterial roadway: 50 feet.

9 2. Side yard setback when adjoining;

10 a. Another lot: Six feet.

11 b. Local roadway: 25 feet.

12 c. Collector roadway: 35 feet

13 d. Arterial roadway: 50 feet.

14 3. Rear yard setback: 20 feet.

15 4. Where a front yard of lesser depth than required exists in front of dwellings on  
16 more than 60 percent of lots of record on one side of the street in any one block  
17 in an MX-5 district, the depth of the front yard for any building hereafter erected  
18 or replaced on any lot in such block need not be greater than the average depth  
19 of front yards of existing buildings.

20 D) The maximum impervious surface ratio (which includes building coverage) shall  
21 not exceed 45 percent.

22 E) The minimum floor area shall be 850 square feet exclusive of garages, screen  
23 porches, utility rooms, etc.

24 F) The maximum building height shall not exceed 35 feet.

25 g) MX-8 "Mixed Residential Medium Density." This district is established to implement  
26 comprehensive plan policies to provide moderate density single-family and manufactured  
27 home dwelling units in urban environments at a density not to exceed eight dwelling units  
28 per acre and it is intended to serve as a transitional zone between multi-family and single-  
29 family residential uses.

- 1 1) Permitted uses.
- 2 A) Single-family detached dwelling units.
- 3 B) Single-family attached dwelling units.
- 4 C) Manufactured home, residential design (RDMH).
- 5 D) Two-family (duplex) dwelling units.
- 6 E) Guest or servant quarters not to exceed 30 percent of living area of the principal
- 7 dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
- 8 F) Customary accessory structures and uses incidental to the principal structure.
- 9 Accessory structures shall be limited in size to a maximum of 25 percent of the
- 10 square footage of the principal structure. Mobile Homes are subject to an
- 11 allowance of 35 percent of the square footage of the principal structure.
- 12 G) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
- 13 H) Community residential home facilities with one to six residents.
- 14 I) Agriculture. A minimum of five acres is required for the keeping, harboring or
- 15 maintaining of livestock or fowl. Accessory structures and uses incidental to
- 16 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin
- 17 add] In the event that a structure cannot be constructed because of the 200 foot
- 18 setback, then the structure shall be as closely centered as possible between the
- 19 property lines and shall maintain a minimum 50 foot setback from the property
- 20 line. [end add]
- 21 J) Neighborhood recreational facilities.
- 22 K) Accessory uses such as laundries, community buildings, offices, swimming pools
- 23 and recreational facilities shall be permitted subject to the following conditions:
- 24 1) The establishments shall not be advertised for patronage by the general
- 25 public.
- 26 2) Recreational facilities shall in general be centrally located; in instances where
- 27 recreational facilities are dedicated to the public, facilities may be located
- 28 proximate to the exterior of the development such that traffic impacts are
- 29 minimal to the residents of such development.
- 30 L) Family child care homes.

- 1        2) Uses permitted as special exception use upon approval.
- 2            A) (Licensed) community residential homes with more than six residents.
- 3            B) Public use recreational facilities, including marinas.
- 4            C) Restaurants, if they are part of the permitted use development.
- 5        3) Uses expressly prohibited.
- 6            A) Commercial land uses (except restaurants permitted by a special exception).
- 7            B) Industrial land uses.
- 8            C) Multi-family dwelling units.
- 9            D) Bed and breakfast inns.
- 10          E) Manufactured home, standard design (SDMH).
- 11          F) Any use prohibited by Town, state or federal law.
- 12          G) Medical marijuana dispensaries.
- 13          H) Non-medical marijuana sales
- 14          I) Cannabis farms.
- 15        4) Design standards.
- 16            A) Minimum lot area shall be 5,000 square feet should central utilities be provided
- 17            but overall density cannot exceed eight units per acre. Should septic tanks be
- 18            utilized then the minimum lot area shall be 12,500 square feet. Projects may be
- 19            designed to allow clustering of residential units; however, overall density cannot
- 20            exceed eight units per acre.
- 21            B) Minimum lot width shall be 50 feet. Should septic tanks be utilized, then the
- 22            minimum lot width shall be 100 feet. Minimum lot widths may be waived if
- 23            clustering of units is provided.
- 24            C) Minimum setback requirements:
- 25                1. Front yard setback:
- 26                    a. Local roadway: 20 feet.
- 27                    b. Collector roadway: 35 feet.

- 1 c. Arterial roadway: 50 feet.
- 2 2. Rear yard setback: 10 feet. A rear yard setback of seven-and-a-half feet if
- 3 adjoining an adjacent side yard for corner lots shall be permitted.
- 4 3. Side yard setback when adjoining:
  - 5 a. Another lot: Five feet.
  - 6 b. Local roadway: 20 feet.
  - 7 c. Collector roadway: 35 feet.
  - 8 d. Arterial roadway: 50 feet.
- 9 4. Where a front yard of lesser depth than required exists in front of dwellings on
- 10 more than 60 percent of lots of record on one side of the street in any one block
- 11 in an MX-8 district, the depth of the front yard for any building hereafter erected
- 12 or replaced on any lot in such block need not be greater than the average depth
- 13 of front yards of existing buildings.
- 14 D) The maximum impervious surface ratio (which includes building coverage) shall
- 15 not exceed 60 percent in the development.
- 16 E) The minimum floor area shall be 800 square feet exclusive of garages, screened
- 17 porches, utility rooms, etc.
- 18 F) The maximum building height shall not exceed 35 feet unless adequate fire
- 19 protection measures are provided.
- 20 h) MH-9 "Manufactured Homes High Density." This district is established to implement
- 21 comprehensive plan policies to provide for the establishment of manufactured home
- 22 dwellings in urban environments at a density not to exceed four units per acre unless
- 23 central sewer facilities are available at which time density is not allowed to exceed nine
- 24 dwelling units per acre.
- 25 1) Permitted uses.
  - 26 A) Manufactured home rental parks for the placement of residential design
  - 27 manufactured homes (RDMH).
  - 28 B) Manufactured home subdivisions for the placement of residential design
  - 29 manufactured homes (RDMH).

1 C) Accessory uses such as laundries, community buildings, offices, swimming pools  
2 and recreational facilities shall be permitted subject to the following conditions:

3 1) The establishments shall not be advertised for patronage by the general  
4 public.

5 2) Recreational facilities shall in general be centrally located; in instances where  
6 recreational facilities are dedicated to the public, facilities may be located  
7 proximate to the exterior of the development such that traffic impacts are  
8 minimal to the residents of such development.

9 D) Agriculture. A minimum of five acres is required for the keeping, harboring or  
10 maintaining of livestock or fowl. Accessory structures and uses incidental to  
11 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin  
12 add] In the event that a structure cannot be constructed because of the 200 foot  
13 setback, then the structure shall be as closely centered as possible between the  
14 property lines and shall maintain a minimum 50 foot setback from the property  
15 line. [end add]

16 E) Family child care homes.

17 F) Customary accessory structures and uses incidental to the principal structure.  
18 Accessory structures shall be limited in size to a maximum of 35 percent of the  
19 square footage of the principal structure.

20 G) Individual single-family dwelling units to be located on lots of record existing as  
21 of September 21, 2006. (Ord. 2006-68)

22 H) Individual Manufactured Home, Residential Design (RDMH) to be located on lots  
23 of record existing as of September 21, 2006. (Ord. 2006-68)

24 I) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.

25 2) Uses permitted as special exception use upon approval.

26 A) Restaurants, if they are part of the permitted use development.

27 B) Manufactured home, standard design (SDMH).

28 3) Uses expressly prohibited.

29 A) Commercial land uses (except restaurants permitted as a special exception).

30 B) Industrial land uses.

- 1 C) Conventional single-family dwelling units.
- 2 D) Two-family (duplex) dwelling units.
- 3 E) Multi-family dwelling units.
- 4 F) Any use prohibited by Town, state or federal law.
- 5 G) Medical marijuana dispensaries.
- 6 H) Non-medical marijuana sales.
- 7 I) Cannabis farms.
- 8 4) Manufactured home rental park development standards.
  - 9 A) The developer shall submit Master Park Plans at the time of application,  
10 prepared in accordance with the Design Standards subsection later in this section.  
11 Final Site Development Plans must be submitted in accordance with the  
12 improvement standards (i.e., water, sewer, drainage, etc.) in other chapters of this  
13 Code.
  - 14 B) A manufactured home rental park shall be entirely enclosed, exclusive of  
15 driveways, at its external boundaries in accordance with the buffer class  
16 requirements of chapter 10, Section 3.
  - 17 C) Manufactured homes shall meet the setback requirements in the Design  
18 Standards subsection later in this section.
  - 19 D) There shall be at least two paved, off-street parking spaces for each home space,  
20 which shall be on the same site as the home served and may be located in the front  
21 or side yard of the home unit.
  - 22 E) Streets, areas at the entrances to buildings used by occupants at night, and  
23 walkways shall be lighted.
  - 24 F) All manufactured homes in all zoning districts that permit manufactured homes  
25 shall be skirted between the ground and floor of the manufactured home. The  
26 skirting material may be contiguous blocks, bricks, treated lumber, aluminum  
27 siding, or a suitable material as approved by the Building Official.
  - 28 G) All lots should be permanently pinned (corner markers) at the corner points prior  
29 to issuance of certificate of occupancy.

1           5) Manufactured home subdivision development requirements.

2           A) The developer shall submit Master Park Plans at the time of application,  
3           prepared in accordance with the Design Standards subsection later in this section.  
4           Final Development Plans and a plat must be submitted in accordance with the  
5           criteria as established by chapter 7, Subdivisions and Plats, and shall meet the  
6           development, design and improvement standards for subdivisions as stated in  
7           other chapters of this Code.

8           6) Manufactured home subdivision, ownership limitations.

9           A) Any manufactured home subdivision in which any person, group, or company  
10          obtains ownership of 10 percent or more of the subdivision units for rental or  
11          leasing purposes, shall be deemed to be a manufactured home rental park and  
12          appropriate licenses and/or permits shall be obtained from the Town.

13          B) Any builder(s), owner(s), or developer(s) of a manufactured home subdivision  
14          who retains, or within a period of 18 months regains, possession of 10 percent or  
15          more of the subdivision units for purposes of rental or lease shall be subject to the  
16          regulations of the Town governing all aspects of manufactured home rental parks.

17          7) Design standards.

18          A) The minimum lot area shall be 5,000 square feet if central water and sewer  
19          facilities are provided. Should septic tanks be utilized then the minimum lot area  
20          shall be 12,500 square feet. Projects may be designed to allow clustering of  
21          residential units; however, overall density may not exceed nine units per acre. The  
22          lot shall be clearly defined by permanent markers.

23          B) The minimum lot width shall be 50 feet measured along the building setback line  
24          if central sewer is provided. If septic tank is used, minimum width is one hundred  
25          feet. Minimum lot widths may be waived if clustering of units is provided.

26          C) The maximum building height shall be 35 feet.

27          D) Minimum setback requirements:

28                  1. Front yard setback:

29                          a. Local platted roadway: 20 feet.

30                          b. Collector roadway: 35 feet.



1 c. Arterial roadway: 50 feet.

2 d. Local private paved streets: 25 feet off of edge of pavement.

3 2. Side yard setback when adjoining;

4 a. Another lot: Five feet.

5 b. Local roadway: 25 feet.

6 c. Collector roadway: 35 feet.

7 d. Arterial roadway: 50 feet.

8 e. Interior paved streets: 20 feet.

9 3. Rear yard setback: 10 feet.

10 E) The minimum living area shall be 800 square feet exclusive of garages, screen  
11 porches, utility rooms, etc.

12 F) The maximum impervious surface ratio (which includes building coverage) shall  
13 not exceed 60 percent.

14 i) MF-12 "Multi-Family High Density Low Rise." This district is established to implement  
15 comprehensive plan policies for managing high density residential development at a  
16 density not to exceed four units per acre unless central sewer facilities are available at  
17 which time density is not allowed to exceed 12 units per acre. This district is established to  
18 ensure that sufficient land is available for high density residential development.

19 1) Permitted uses.

20 A) Single-family attached residential dwelling units.

21 B) Single-family detached residential dwelling units.

22 C) Two-family (duplex) residential dwelling units.

23 D) Manufactured home, residential design (RDMH).

24 E) Multi-family residential dwelling units.

25 F) Customary accessory structures and uses incidental to the principal structure.

26 Accessory structures shall be limited in size to a maximum of 25 percent of the  
27 square footage of the principal structure. Manufactured Homes are subject to an  
28 allowance of 35 percent of the square footage of the principal structure.

- 1 G) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
- 2 H) (Licensed) community residential homes with more than six residents.
- 3 I) Bed and breakfast inns: Small and medium homestays.
- 4 J) Agriculture. A minimum of five acres is required for the keeping, harboring or
- 5 maintaining of livestock or fowl. Accessory structures and uses incidental to
- 6 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin
- 7 add] In the event that a structure cannot be constructed because of the 200 foot
- 8 setback, then the structure shall be as closely centered as possible between the
- 9 property lines and shall maintain a minimum 50 foot setback from the property
- 10 line. [end add]
- 11 K) Neighborhood recreational facilities.
- 12 L) Family child care homes.
- 13 2) Uses permitted as special exception use upon approval.
- 14 A) Adult congregate living facilities.
- 15 B) Nursing homes and skilled nursing.
- 16 C) Day care centers.
- 17 D) Offices.
- 18 E) Small scale commercial land uses, 5,000 square feet (GFA) or less.
- 19 3) Uses expressly prohibited.
- 20 A) Manufactured home, standard design (SDMH).
- 21 B) Commercial land uses, over 5,000 square feet (GFA).
- 22 C) Industrial land uses.
- 23 D) Uses prohibited by Town, state or federal law.
- 24 E) Medical marijuana dispensaries.
- 25 F) Non-medical marijuana sales.
- 26 G) Cannabis farms.
- 27 4) Design standards for bed and breakfast inns.

- 1 A) There must be no appearance of commercial activity and the structure must  
2 maintain its residential character.
- 3 B) The number of rental rooms shall be limited to three for a small homestay and  
4 five for a medium homestay.
- 5 C) Parking Requirements: Two parking spaces for the dwelling, plus one space per  
6 guest room must be provided. The parking must be in the rear yard.
- 7 D) Signs: One sign not to exceed three square feet may be permitted to identify the  
8 establishment in residential zoning districts. The sign must be constructed of sand-  
9 blasted wood, ornamental iron, or other materials as approved. Portable and neon  
10 signs are prohibited.
- 11 E) Food Preparation: The only meal to be provided to guests shall be breakfast and  
12 it shall be served only to guests taking lodging in the facility. Meals shall be served  
13 only between the hours of 5:30 a.m. and 11:30 a.m.
- 14 F) The facility must be owner occupied and managed.
- 15 G) The architectural integrity of the interior of the existing structure must be  
16 maintained. The interior may not be structurally altered except as required to meet  
17 health, building, fire, safety and sanitation requirements.
- 18 H) Other conditions may be deemed necessary by the Town Commission to protect  
19 the health, safety and welfare of the general public.
- 20 5) General design standards.
- 21 A) The minimum lot area for single-family shall be 5,000 square feet if central sewer  
22 is provided. Should septic tanks be utilized then the minimum lot area shall be  
23 12,500 square feet.
- 24 B) The minimum lot area for duplex units shall be 9,000 square feet if central sewer  
25 facilities are provided. Should septic tanks be utilized then the minimum lot area  
26 shall be 12,500 square feet.
- 27 C) The minimum lot area for multi-family units shall be 15,000 square feet.
- 28 D) Projects may be designed to allow clustering of residential units; however,  
29 overall density cannot exceed 12 units per acre.

1 E) The minimum lot width shall be 60 feet for single-family and duplex units if  
2 central sewer facilities are provided. If septic tanks are utilized the minimum lot  
3 width shall be 100 feet.

4 F) The minimum lot width shall be 100 feet for multi-family units.

5 G) Minimum lot widths may be waived if clustering of units is provided.

6 H) The minimum living area for single-family units shall be 800 square feet exclusive  
7 of garages, screen porches, utility rooms, etc.

8 I) The minimum living area for one-bedroom duplex and multi-family units shall be  
9 550 square feet exclusive of garages, screened porches, utility rooms, etc.

10 J) The minimum living area for two-bedroom duplex and multi-family units shall be  
11 700 square feet exclusive of garages, screen porches, utility rooms, etc.

12 K) The minimum living area for three or more bedroom duplex and multi-family  
13 units shall be 850 square feet exclusive of garages, screen porches, utility rooms,  
14 etc.

15 L) For maximum impervious surface ratio (including building coverage), height and  
16 setback requirements, see charts at the end of this section.

17 j) MF-18 "Multi-Family High Density 18." This district is established to implement  
18 comprehensive plan policies for managing high-density residential development where  
19 central sewer facilities are available. Density is not allowed to exceed 18 units per acre.  
20 This district is established to ensure that sufficient land is available for high-density  
21 residential development in close proximity to infrastructure, adequate collector or arterial  
22 corridors, and public and private services, thus providing residential opportunities  
23 including affordable housing options.

24 1) Permitted uses.

25 A) Single-family attached residential dwelling units.

26 B) Single-family detached residential dwelling units (i.e., courtyard villas).

27 C) Two-family (duplex) residential dwelling units.

28 D) Manufactured home, residential design (RDMH).

29 E) Multi-family residential dwelling units.

- 1 F) Customary accessory structures and uses incidental to the development (i.e.;
- 2 maintenance units to support the operations of the development).
- 3 G) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
- 4 H) (Licensed) community residential homes with more than six residents.
- 5 I) Bed and breakfast inns: Small and medium homestays.
- 6 J) Neighborhood recreational facilities.
- 7 K) Family child care homes.
- 8 2) Uses permitted as special exception use upon approval.
- 9 A) Adult congregate living facilities.
- 10 B) Nursing homes or skilled nursing.
- 11 C) Day care centers.
- 12 D) Offices.
- 13 E) Small scale commercial land uses, 5,000 square feet (GFA) or less.
- 14 3) Uses expressly prohibited.
- 15 A) Manufactured home, standard design (SDMH).
- 16 B) Commercial land uses, over 5,000 square feet (GFA).
- 17 C) Industrial land uses.
- 18 D) Uses prohibited by Town, state or federal law.
- 19 E) Medical marijuana dispensaries.
- 20 F) Non-medical marijuana sales.
- 21 G) Cannabis farms.
- 22 4) Design standards for bed and breakfast inns.
- 23 A) There must be no appearance of commercial activity and the structure must
- 24 maintain its residential character.
- 25 B) The number of rental rooms shall be limited to three for a small homestay and
- 26 five for a medium homestay.

1 C) Parking requirements: Two parking spaces for the dwelling, plus one space per  
2 guest room must be provided. The parking must be in the rear yard.

3 D) Signs: One sign not to exceed three square feet may be permitted to identify the  
4 establishment in residential zoning districts. The sign must be constructed of sand-  
5 blasted wood, ornamental iron, or other materials as approved. Portable and neon  
6 signs shall not be allowed.

7 E) Food preparation: The only meal to be provided to guests shall be breakfast and  
8 it shall be served only to guests taking lodging in the facility. Meals shall be served  
9 only between the hours of 5:30 a.m. and 11:30 a.m.

10 F) The facility must be owner-occupied and managed.

11 G) The architectural integrity of the interior of the existing structure must be  
12 maintained. The interior may not be structurally altered except as required to meet  
13 health, building, fire, safety and sanitation requirements.

14 H) Other conditions may be deemed necessary by the Town Commission to protect  
15 the health, safety and welfare of the general public.

16 5) General design standards.

17 A) The minimum lot area for single-family detached shall be 4,500 square feet if  
18 central sewer is provided. Should septic tanks be utilized then the minimum lot  
19 area shall be 12,500 square feet.

20 B) The minimum lot area for duplex units shall be 9,000 square feet if central sewer  
21 facilities are provided. Should septic tanks be utilized, then the minimum lot area  
22 shall be 12,500 square feet.

23 C) The minimum lot area for single-family attached shall be 3,000 square feet and  
24 the use shall be permitted only if central sewer is available.

25 D) Projects may be designed to allow clustering of residential units; however,  
26 overall density cannot exceed 18 units per acre.

27 E) The minimum lot width shall be 50 feet for single-family detached and duplex  
28 units if central sewer facilities are provided. If septic tanks are utilized, the  
29 minimum lot width shall be 100 feet. The minimum lot width for single-family  
30 attached shall be 24 feet.

- 1 F) The minimum tract width for a multi-family development shall be 100 feet for  
2 multi-family units.
- 3 G) Minimum lot widths may be waived if clustering of units is provided.
- 4 H) The minimum living area for single-family units shall be 800 square feet exclusive  
5 of garages, screen porches, utility rooms, etc.
- 6 I) The minimum living area for one bedroom duplex and multi-family units shall be  
7 550 square feet exclusive of garages, screened porches, utility rooms, etc.
- 8 J) The minimum living area for two bedroom duplex and multi-family units shall be  
9 700 square feet exclusive of garages, screen porches, utility rooms, etc.
- 10 K) The minimum living area for three or more bedroom duplex and multi-family  
11 units shall be 850 square feet exclusive of garages, screen porches, utility rooms,  
12 etc.
- 13 L) For maximum impervious surface ratio (including building coverage), height and  
14 setback requirements, see charts at the end of this section.
- 15 k) RP "Residential Professional." This district is established to implement comprehensive  
16 plan policies for managing transitional areas where existing residential structures can be  
17 utilized for personal and professional services and not adversely affect adjacent property.  
18 The density cannot exceed four units per acre unless central sewer facilities are available  
19 at which time density is not allowed to exceed 12 units per acre.
- 20 1) Permitted uses.
- 21 A) Single-family detached dwelling units.
- 22 B) Two-family (duplex) dwelling units.
- 23 C) Customary accessory structures and uses incidental to the principal structure.  
24 Accessory structures shall be limited in size to a maximum of 25 percent of the  
25 square footage of the principal structure.
- 26 D) Business services.
- 27 E) Offices.
- 28 F) Financial services.
- 29 G) Personal services.

- 1 H) Multi-family dwelling units.
- 2 I) Medical offices and clinics.
- 3 J) Bed and breakfast inns: Small and medium homestays (See Design Standards for
- 4 Bed and Breakfast Inns in the MF-12 zoning section).
- 5 K) Agriculture. A minimum of five acres is required for the keeping, harboring or
- 6 maintaining of livestock or fowl. Accessory structures and uses incidental to
- 7 agricultural activity shall maintain a setback of 200 feet from any lot line. [begin
- 8 add] In the event that a structure cannot be constructed because of the 200 foot
- 9 setback, then the structure shall be as closely centered as possible between the
- 10 property lines and shall maintain a minimum 50 foot setback from the property
- 11 line. [end add]
- 12 L) Family child care homes.
- 13 2) Uses permitted as special exception use upon approval.
- 14 A) Banks.
- 15 B) Day care centers.
- 16 C) Health and exercise clubs.
- 17 D) Office and warehouse facilities.
- 18 E) Veterinary clinics.
- 19 3) Uses expressly prohibited.
- 20 A) Manufactured homes (RDMH and SDMH).
- 21 B) Wholesalers and distributors.
- 22 C) Industrial land uses.
- 23 D) Retail sales.
- 24 E) Adult entertainment.
- 25 F) Commercial recreational facilities.
- 26 G) Uses prohibited by Town, state or federal law.
- 27 H) Medical marijuana dispensaries.
- 28 I) Non-medical marijuana sales.



1 J) Cannabis farms.

2 4) Design standards.

3 A) The maximum impervious surface ratio (which includes building coverage) shall  
4 be limited to 75 percent.

5 B) The maximum building height is 35 feet unless adequate fire protection  
6 measures are provided.

7 C) The minimum lot area shall be 10,000 square feet if central sewer facilities are  
8 provided. Should septic tanks be utilized the minimum lot area shall be 12,500  
9 square feet. Projects may be designed to allow clustering of residential units;  
10 however, overall density may not exceed 12 units per acre.

11 D) The minimum lot width shall be 100 feet. Minimum lot widths may be waived if  
12 clustering of units is provided.

13 E) Minimum setback requirements:

14 1. Front yard setback:

15 a. Local roadway: 25 feet.

16 b. Collector roadway: 30 feet.

17 c. Arterial roadway: 50 feet.

18 2. Side and rear setbacks shall be equivalent to those used for proposed land  
19 use as identified in the individual sections.

20 l) CT "Commercial Tourist." This district is established to implement comprehensive plan  
21 policies for managing tourist related facilities.

22 1) Permitted uses.

23 A) Hotels or motels.

24 B) Bed and breakfast inns: Small and medium homestays. (See Design Standards  
25 for Bed and Breakfast Inns in the MF-12 zoning section)

26 C) Agriculture: A minimum of five acres is required for use as pasture. [begin add] In  
27 the event that a structure cannot be constructed because of the 200 foot setback,  
28 then the structure shall be as closely centered as possible between the property

1 lines and shall maintain a minimum 50 foot setback from the property line. [end  
2 add]

3 D) Home occupations pursuant to Miscellaneous Regulations chapter of this Code,  
4 where RV parks are in existence.

5 2) Uses permitted as special exception use upon approval.

6 A) Commercial recreational facilities.

7 B) Recreational vehicle (RV) parks.

8 3) Uses expressly prohibited.

9 A) Single-family residential.

10 B) Multi-family residential.

11 C) Industrial land uses.

12 D) Wholesalers and distributors.

13 E) Retail commercial land uses.

14 F) Any use prohibited by Town, state or federal law.

15 G) Campgrounds.

16 H) Sweepstakes cafes or establishments housing simulated gaming devices.

17 I) Medical marijuana dispensaries.

18 J) Non-medical marijuana sales.

19 K) Cannabis farms.

20 4) Design standards.

21 A) The minimum lot area shall be 15,000 square feet.

22 B) Setbacks of the CT "Commercial Tourist" zoning designation shall be governed  
23 by the requirements as set forth in Chapter 20 (Commercial Design Standards).

24 D) The maximum impervious surface ratio (which includes building coverage) shall  
25 be limited to 80 percent.

26 E) Maximum building height is 35 feet unless adequate fire protection measures are  
27 provided.

1 F) The density shall not exceed 12 units per acre.

2 m) LC "Light Commercial." This district is established to implement comprehensive plan  
3 policies for managing transitional areas between residential land uses and more intense  
4 commercial and industrial uses. This district is established to provide sufficient land for  
5 residential dwellings at a density not to exceed four units per acre unless central sewer  
6 facilities are available at which time density is not allowed to exceed 12 units per acre and  
7 general retail sales and services.

8 1) Permitted uses.

9 A) Offices.

10 B) Personal services.

11 C) Convenience stores without fuel operations.

12 D) Laundry and dry-cleaning retail stores.

13 E) Day care centers.

14 F) Adult congregate living facilities or skilled nursing.

15 G) (Licensed) Community residential homes with more than six residents.

16 H) Clubs, lodges and fraternal organizations.

17 I) Financial services.

18 J).Office supplies.

19 K) Retail sales and services.

20 L) Business services.

21 M) Bed and breakfast inns: Small and medium homestays. (See Design Standards  
22 for Bed and Breakfast Inns in the MF-12 zoning section).

23 N) Office complex.

24 O) Maintenance contractors.

25 P) Medical offices or clinics.

26 Q) Multi-family dwelling units.

27 R) Manufactured home sales and services.

- 1 S) Office condominiums.
- 2 T) Agriculture: A minimum of five acres is required for use as pasture. [begin add] In
- 3 the event that a structure cannot be constructed because of the 200 foot setback,
- 4 then the structure shall be as closely centered as possible between the property
- 5 lines and shall maintain a minimum 50 foot setback from the property line. [end
- 6 add]
- 7 U) Agriculture: Processing (except for packing and slaughter houses).
- 8 V) Martial arts studios.
- 9 2) Uses permitted as a special exception use upon approval.
- 10 A) Convenience stores with fuel operations.
- 11 B) Restaurants.
- 12 C) Banks.
- 13 D) Athletic or sports facilities.
- 14 E) Commercial recreation facilities.
- 15 F) Health or exercise clubs.
- 16 G).Mini-storage warehouses.
- 17 H) Veterinary clinics.
- 18 I) Offset printing.
- 19 J) Wholesalers and distributors.
- 20 K) Office or warehouse facilities.
- 21 L) Accessory structures, which may include a residence, and uses incidental to
- 22 agricultural activity.
- 23 M) Manufacturing: Craftsman shops.
- 24 N) Tattoo parlors.
- 25 O) Internet cafés (cybercafé).
- 26 P) Massage parlors.
- 27 Q) Religious facilities.

- 1        3) Uses expressly prohibited.
- 2            A) Manufacturing: processing.
- 3            B) Adult entertainment.
- 4            C) RV parks.
- 5            D) Uses prohibited by Town, state and federal law.
- 6            E) Agriculture: processing-packing and slaughter houses.
- 7            F) Sweepstakes cafes/establishments housing simulated gaming devices.
- 8            G) Medical marijuana dispensaries.
- 9            H) Non-medical marijuana sales.
- 10          I) Cannabis farms.
- 11        4) Design standards.
- 12            A) The maximum impervious surface ratio (which includes building coverage) shall
- 13            be limited to 80 percent.
- 14            B) Maximum building height of 35 feet unless adequate fire protection measures
- 15            are provided.
- 16            C) No minimum lot size is required.
- 17            D) No minimum lot width is required.
- 18            E) Setbacks of the LC "Light Commercial" zoning designation shall be governed by
- 19            the requirements as set forth in Chapter 20 (Commercial Design Standards).
- 20        n) HC "Heavy Commercial/Wholesale Commercial." This district is established to
- 21        implement comprehensive plan policies for managing commercial development. This
- 22        district is designed to accommodate general retail sales and services and wholesale
- 23        services.
- 24          1) Permitted uses.
- 25            A) Adult or vocational education.
- 26            B) Appliance or electronic repair shops.
- 27            C) Athletic or sports facilities.

- 1 D) Auction houses.
- 2 E) Banks.
- 3 F) Bars, lounges, and night clubs. (It shall be unlawful to operate a bar, lounge or
- 4 night club within 200 feet of property owned or used by a church or school.
- 5 Measurement shall be from the structure of the establishment to the nearest
- 6 property line of the church or school.)
- 7 G) Business services.
- 8 H) Commercial or industrial equipment and supplies.
- 9 I) Convenience stores without fuel operations.
- 10 J) Day care centers.
- 11 K) Adult care facility.
- 12 L) Financial services.
- 13 M) Furniture and appliance stores.
- 14 N) Commercial recreational facilities.
- 15 O) Health or exercise clubs.
- 16 P) Hotels or motels.
- 17 Q) Kennels: boarding.
- 18 R) Contractors office.
- 19 S) Medical offices or clinics.
- 20 T) Motor vehicle sales.
- 21 U) Motor vehicle service centers.
- 22 V) Motor vehicle service stations.
- 23 W) Offices.
- 24 X) Office complex.
- 25 Y) Office supplies.
- 26 Z) Personal services.
- 27 AA) Restaurants.

- 1 BB) Retail home building materials.
- 2 CC) Retail sales and services.
- 3 DD) Shopping centers.
- 4 EE) Theaters.
- 5 FF) Transportation services.
- 6 GG) Wholesales and distributors.
- 7 HH) Veterinary clinics.
- 8 II) (Licensed) community residential homes with more than six residents.
- 9 JJ) One single-family dwelling unit for owners or caretakers residence.
- 10 KK) Offset printing.
- 11 LL) Multi-family dwelling units.
- 12 MM) Taxidermy.
- 13 NN) Plumbing contractors.
- 14 OO) Agriculture: A minimum of five acres is required for use as pasture.
- 15 PP) Agriculture: Processing (except for packing and slaughter houses).
- 16 QQ) Martial arts studios.
- 17 RR) Car washes.
- 18 2) Uses permitted as a special exception use upon approval.
  - 19 A) Gun and archery ranges.
  - 20 B) Accessory structures and uses incidental to agricultural activities. [begin add] In
  - 21 the event that a structure cannot be constructed because of the 200 foot setback,
  - 22 then the structure shall be as closely centered as possible between the property
  - 23 lines and shall maintain a minimum 50 foot setback from the property line. [end
  - 24 add]
  - 25 C) Trucking terminals.
  - 26 D) Farmers markets.
  - 27 E) Motor vehicle repair facilities.

- 1 F) Motor vehicle towing and impoundment facilities.
- 2 G) Games or video arcades.
- 3 H) Boat sales.
- 4 I) Convenience stores with fuel operations.
- 5 J) Equipment rental.
- 6 K) Contractor offices with enclosed storage area.
- 7 L) Mini storage warehouses.
- 8 M) Mobile home sales.
- 9 N) Motor vehicle, RV and boat storage facilities.
- 10 O) Motor vehicle dealer sales.
- 11 P) Tattoo parlors.
- 12 Q) Internet cafés (cybercafé).
- 13 R) Massage parlors.
- 14 S) Religious facilities.
- 15 T) Medical marijuana dispensaries.
- 16 3) Uses expressly prohibited.
  - 17 A) Industrial uses.
  - 18 B) Adult entertainment.
  - 19 C) RV parks.
  - 20 D) Flea markets.
  - 21 E) Agriculture: processing-packing and slaughter houses.
  - 22 F) Pawn shops.
  - 23 G) Uses prohibited by Town, state and federal law.
  - 24 H) Sweepstakes cafes or establishments housing simulated gaming devices.
  - 25 I) Non-medical marijuana sales.
  - 26 J) Cannabis farms.



1 4) Design standards.

2 A) The maximum impervious surface ratio (which includes building coverage) shall  
3 be limited to 80 percent.

4 B) Maximum building height of 35 feet unless adequate fire protection measures  
5 are provided.

6 C) Density is limited to four units per acre unless central sewer facilities are  
7 available at which time densities shall not exceed 12 units per acre.

8 D) No minimum lot size is required.

9 E) No minimum lot width is required.

10 F) Setbacks of the HC "Heavy Commercial" zoning designation shall be governed by  
11 the requirements as set forth in Chapter 20 (Commercial Design Standards).

12 o) I "Industrial." This district is established to implement comprehensive plan policies for  
13 managing industrial development and to provide development for wholesale commercial  
14 uses and limited industrial operations engaged in fabricating, repair, or storage of  
15 manufactured goods where no objectionable by-products of the activity (such as odors,  
16 smoke, dust, refuse, electro-magnetic interference, noise in excess of that customary to  
17 loading, unloading, and handling of goods and materials) are noticeable beyond the lot on  
18 which the facility is located. No hazardous materials may be utilized by the industrial  
19 operations permitted in this district. The location of such districts shall take into  
20 consideration access to rail and terminal facilities, major arterial roadways, labor markets  
21 and necessary urban services. Such districts shall be accessible to major thoroughfares  
22 and buffered from residential neighborhoods.

23 1) Permitted uses.

24 A) All permitted HC district uses.

25 B) Agriculturally related industries. [begin add] In the event that a structure cannot  
26 be constructed because of the 200 foot setback, then the structure shall be as  
27 closely centered as possible between the property lines AND Shall maintain a  
28 minimum 50 foot setback from the property line. [end add]

29 C) Boat repairs.

30 D) Commercial or industrial services.

- 1 E) Construction contractor's yard and storage.
- 2 F) Distribution centers.
- 3 G) Laboratory or research and development.
- 4 H) Laundry or dry-cleaning plants.
- 5 I) Manufacturing: Craftsman shops.
- 6 J) Manufacturing: Fabrication.
- 7 K) Manufacturing: Processing.
- 8 L) Motor vehicle repair facilities.
- 9 M) Motor vehicle towing and impoundment facilities.
- 10 N) Trucking terminals.
- 11 O) Warehousing.
- 12 P) Offset printing.
- 13 Q) Wholesalers and distributors.
- 14 R) Accessory structures and uses incidental to agricultural activities.
- 15 2) Uses permitted as a special exception use upon approval. One single-family  
16 residential dwelling unit on the site of a permitted use to be used exclusively by a  
17 caretaker.
- 18 3) Uses expressly prohibited.
  - 19 A) Residential dwelling units except as allowed above.
  - 20 B) Adult entertainment.
  - 21 C) Uses prohibited by Town, state and federal law.
  - 22 D) Used motor vehicle parts yards.
  - 23 E) Agriculture: processing-packing and slaughter houses.
  - 24 F) Medical marijuana dispensaries.
  - 25 G) Non-medical marijuana sales.
  - 26 H) Cannabis farms.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

4) Design standards.

A) The maximum impervious surface ratio (which includes building coverage) shall be limited to 75 percent.

B) Maximum building height is 35 feet unless adequate fire protection measures are provided.

C) No minimum lot size is required.

D) No minimum lot width is required.

E) Minimum setback requirements:

1. Front yard setback:

a. Local roadway: 25 feet.

b. Collector roadway: 30 feet.

c. Arterial roadway: 50 feet.

2. Rear Yard Setback: 25 feet.

3. Side yard setback when adjoining:

a. Another lot: 25 feet.

b. Local roadway: 25 feet.

c. Collector roadway: 30 feet.

d. Arterial roadway: 50 feet.