

1 **DRAFT ORDINANCE 2019-19**  
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; PROVIDING**  
7 **FOR A TEXT AMENDMENT TO THE TOWN OF LADY LAKE LAND DEVELOPMENT**  
8 **REGULATIONS (ORDINANCE NO. 94-08) CHAPTER 5, SECTION 5-4, “ZONING DISTRICT**  
9 **USES”; PROHIBITNG AGRICULTURAL USES AND ACCESSORY STRUCTURES**  
10 **INCIDENTAL TO AGRICULTURAL ACTIVITIES IN ALL ZONING DISTRICTS EXCEPT IN THE**  
11 **AG-1 DISTRICT; PROVIDING AN EXEMPTION FROM THE REQUIREMENT OF A BUILDING**  
12 **PERMIT FOR ACCESSORY STRUCTURES AND USES INCIDENTAL TO AGRICULTURAL**  
13 **ACTIVITY AND TO ANY BUILDING SETBACK REQUIREMENTS IN ACCORDANCE WITH**  
14 **CHAPTER 604.50 OF THE FLORIDA STATUTES WITHIN THE AG-1 DISTRICT; PROVIDING**  
15 **FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE**  
16 **DATE.**

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

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

24 **WHEREAS**, on August 15, 1994, the Town of Lady Lake adopted the Land Development  
25 Code of the Town of Lady Lake, Florida in accordance with the Town of Lady Lake  
26 Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes;  
27 and

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

31 **BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, 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; is  
5    amended to provide an exemption from the requirement of a building permit for  
6    accessory structures and uses incidental to agricultural activity and to any building  
7    setback requirements in accordance with Chapter 604.50 of the Florida Statutes,  
8    provided an agricultural operation has been established as per the definitions and  
9    criteria of the same chapter as set forth in Exhibit “A”, attached hereto and  
10   incorporated herein.

11   **SECTION 2 Severability.**

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

22   **SECTION 3 Conflicts.**

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

25   **SECTION 4 Codification.**

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

30   **SECTION 5 Applicability.**

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

1 **SECTION 6 Effective Date.**

2 This ordinance shall become effective upon adoption.

3 **PASSED AND ORDAINED** this 16<sup>th</sup> day of **December, 2019** in the regular session of the  
4 Town Commission of the Town of Lady Lake, Lake County, Florida, upon the Second  
5 and Final Reading.

6 Town of Lady Lake, Florida

7 \_\_\_\_\_  
8 Jim Richards, Mayor

9 Attest:

10 \_\_\_\_\_  
11 Kristen Kollgaard, Town Clerk

12 Approved as to form:

13 \_\_\_\_\_  
14 Derek Schroth, Town Attorney

15

**EXHIBIT "A"**

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**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.~~ ~~[end delete]~~ ~~[begin add]~~ **be exempt from the requirement of a building permit and any building setback requirements in accordance with Chapter 604.50 of the Florida Statutes, provided an agricultural operation has been established as per the definitions and criteria of the same chapter.** ~~[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.

2) Uses permitted as special exception use upon approval.

A) Veterinary clinics.

B) Retail nurseries and garden supplies.

- 1 C) Horses, commercial stables, dude ranch, riding academy, boarding stable.
- 2 D) Agriculture: Processing (except for packing and slaughter houses).
- 3 E) Bed and breakfast inns: Small homestay.
- 4 3) Uses expressly prohibited.
  - 5 A) Single-family attached dwelling units.
  - 6 B) Multi-family residential dwelling units.
  - 7 C) Two-family (duplex) dwelling units.
  - 8 D) Manufactured home, standard design (SDMH).
  - 9 E) Farmers markets.
  - 10 F) Flea markets.
  - 11 G) Dairies.
  - 12 H) Kennels: boarding.
  - 13 I) Kennels: breeding.
  - 14 J) Horse breeding farms.
  - 15 K) Poultry ranches.
  - 16 L) Mushroom farms.
  - 17 M) Hog farms.
  - 18 N) Any use prohibited by Town, state or federal law.
  - 19 O) Agriculture: processing-packing and slaughter houses.
  - 20 P) Medical marijuana dispensaries.
  - 21 Q) Non-medical marijuana sales.
  - 22 R) Cannabis farms.
- 23 4) Design Standards.
  - 24 A) Minimum lot size shall be one acre. Residential projects may be designed to allow
  - 25 clustering of dwelling units; however, overall density cannot exceed one dwelling unit
  - 26 per acre.
  - 27 B) Minimum lot width shall be 150 feet measured along the building setback line.
  - 28 Minimum lot widths may be waived if clustering of units is provided.
  - 29 C) Maximum building height shall be 35 feet.

1 D) Minimum setback requirements:

2 1. Front yard setback:

3 a. Local roadway: 25 feet.

4 b. Collector roadway: 30 feet.

5 c. Arterial roadway: 50 feet.

6 2. Side yard setback when adjoining:

7 a. Another lot: 10 feet.

8 b. Local roadway: 25 feet.

9 c. Collector roadway: 30 feet.

10 d. Arterial roadway: 50 feet.

11 3. Rear yard setback: 20 feet.

12 4. Where a front yard of lesser depth than required exists in front of dwellings on  
13 more than 60 percent of lots of record on one side of the street in any one block in  
14 an AG-1 district, the depth of the front yard for any building hereafter erected or  
15 replaced on any lot in such block need not be greater than the average depth of  
16 front yards of existing buildings.

17 E) The maximum impervious surface ratio (which includes building coverage) shall not  
18 exceed 25 percent.

19 F) Minimum floor area for dwellings shall not be less than 1,000 square feet which  
20 excludes porches, garages or utility rooms.

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

28 1) Permitted uses.

29 A) Single-family detached dwelling units.

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

- 1 C) Customary accessory structures and uses incidental to the principal structure.  
2 Accessory structures shall be limited in size to a maximum of 35 percent of the square  
3 footage of the principal structure.
- 4 D) Community residential homes with one to six residents.
- 5 E) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
- 6 F) Neighborhood recreational facilities.
- 7 G) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,~~  
8 ~~harboring or maintaining of livestock or fowl. Accessory structures and uses incidental~~  
9 ~~to agricultural activity shall maintain a setback of 200 feet from any lot line. [end~~  
10 ~~delete]~~
- 11 H) Family child care homes.
- 12 2) Uses permitted as special exception use upon approval.
- 13 A) (Licensed) community residential homes with more than six residents.
- 14 B) Public use recreation facilities, including marinas.
- 15 3) Uses expressly prohibited.
- 16 A) Single-family attached dwelling units.
- 17 B) Multi-family residential dwelling units.
- 18 C) Two-family (duplex) dwelling units.
- 19 D) Commercial land uses.
- 20 E) Industrial land uses.
- 21 F) Any use prohibited by Town, state or federal law.
- 22 G) Manufactured homes (SDMH and RDMH).
- 23 H) Bed and breakfast inns.
- 24 I) Medical marijuana dispensaries.
- 25 J) Non-medical marijuana sales.
- 26 K) Cannabis farms.
- 27 4) Design standards.
- 28 A) Minimum lot area shall be one acre (43,560 square feet). Subdivisions may be  
29 designed to allow clustering of residential dwelling units; however, overall density  
30 may not exceed one dwelling unit per acre.

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

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

4 D) Minimum setback requirements:

5 1. Front yard setback:

6 a. Local roadway: 25 feet.

7 b. Collector roadway: 30 feet.

8 c. Arterial roadway: 50 feet.

9 2. Side yard setback when adjoining:

10 a. Another lot: 10 feet.

11 b. Local roadway: 25 feet.

12 c. Collector roadway: 30 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 in  
17 an RS-1 district, the depth of the front yard for any building hereafter erected or  
18 replaced on any lot in such block need not be greater than the average depth of  
19 front yards of existing buildings.

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

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

24 c) RS-3 "Single-Family Low Density Residential." This district is established to implement  
25 comprehensive plan policies for managing low-density, single-family residential  
26 development at a density not to exceed three single-family dwelling units per acre. The RS-3  
27 district is established to preserve the stability of existing and future conventional single-  
28 family residential neighborhoods, preserve open space, and manage future densities in order  
29 to assure that future densities are compatible with existing developments and natural  
30 features of the land, as well as existing and projected public services and facilities within the  
31 area.



- 1) Permitted uses.
  - A) Single-family detached dwelling units.
  - B) 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.
  - C) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of 25 percent of the square footage of the principal structure.
  - D) Community residential homes with one to six residents.
  - E) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
  - F) Neighborhood recreational facilities.
  - G) ~~[begin delete] ] Agriculture. A minimum of five acres is required for the keeping, harboring or maintaining of livestock or fowl. Accessory structures and uses incidental to agricultural activity shall maintain a setback of 200 feet from any lot line.. [end delete]~~
  - H) Family child care homes.
- 2) Uses permitted as special exception use upon approval.
  - A) (Licensed) community residential homes with more than six residents.
  - B) Public use recreation facilities, including marinas.
- 3) Uses expressly prohibited.
  - A) Single-family attached dwelling units.
  - B) Multi-family residential dwelling units.
  - C) Two-family (duplex) dwelling units.
  - D) Commercial land uses.
  - E) Industrial land uses.
  - F) Any use prohibited by Town, state or federal law.
  - G) Manufactured homes (SDMH and RDMH).
  - H) Bed and breakfast inns.
  - I) Medical marijuana dispensaries.
  - J) Non-medical marijuana sales.

1 K) Cannabis farms.

2 4) Design standards.

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

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

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

10 D) Minimum setback requirements:

11 1. Front yard setback:

12 a. Local roadway: 25 feet.

13 b. Collector roadway: 30 feet.

14 c. Arterial roadway: 50 feet.

15 2. Side yard setback when adjoining:

16 a. Another lot: eight feet.

17 b. Local roadway: 25 feet.

18 c. Collector roadway: 30 feet.

19 d. Arterial roadway: 50 feet.

20 3. Rear yard setback: 20 feet.

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

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

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

30 d) RS-4 "Single-Family Moderate Density Residential." This district is established to  
31 implement comprehensive plan policies for managing moderate-density, single-family

1 residential development at a density not to exceed four single-family dwelling units per acre.  
2 The RS-4 district is established to implement comprehensive plan policies for managing  
3 moderate density, single-family residential development at a density not to exceed four  
4 single-family dwelling units per acre. The RS-4 district is established to preserve the stability  
5 of existing and future conventional single-family residential neighborhoods, preserve open  
6 space, and manage future densities in order to assure that future densities are compatible  
7 with existing developments and natural features of the land, as well as existing and projected  
8 public services and facilities within the area.

9 1) Permitted uses.

10 A) Single-family detached dwelling units.

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

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

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

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

18 F) Neighborhood recreational facilities.

19 G) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,~~  
20 ~~harboring or maintaining of livestock or fowl. Accessory structures and uses incidental~~  
21 ~~to agricultural activity shall maintain a setback of 200 feet from any lot line. [end~~  
22 ~~delete]~~

23 H) Family child care home.

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

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

26 B) Public use recreation facilities, including marinas.

27 3) Uses expressly prohibited.

28 A) Single-family attached dwelling units.

29 B) Multi-family residential dwelling units.

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

31 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 in  
25 an RS-4 district, the depth of the front yard for any building hereafter erected or  
26 replaced on any lot in such block need not be greater than the average depth of  
27 front yards of existing buildings.

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

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

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

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

8 1) Permitted uses.

9 A) Single-family detached dwelling units.

10 B) Guest or servant quarters not to exceed 30 percent of the 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 25 percent of the square  
14 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) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,~~  
18 ~~harboring or maintaining of livestock or fowl. Accessory structures and uses incidental~~  
19 ~~to agricultural activity shall maintain a setback of 200 feet from any lot line. [end~~  
20 ~~delete]~~

21 G) Neighborhood recreational facilities.

22 H) Family child care homes.

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

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

25 B) Public use recreation facilities, including marinas.

26 3) Uses expressly prohibited.

27 A) Single-family attached dwelling units.

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

29 C) Multi-family residential dwelling units.

30 D) Commercial land uses.

1 E) Industrial land uses.

2 F) Bed and breakfast inns.

3 G) Manufactured homes (SDMH and RDMH).

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

5 I) Medical marijuana dispensaries.

6 J) Non-medical marijuana sales.

7 K) Cannabis farms.

8 4) Design standards.

9 A) Minimum lot area shall be 7,000 square feet if central sewer is provided. If central  
10 sewer facilities are not available, the minimum lot size is 12,500 square feet. Projects  
11 may be designed to allow clustering of residential units; however, overall density  
12 cannot exceed six dwelling units per acre.

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

16 C) Minimum setback requirements:

17 1. Front yard setback:

18 a. Local roadway: 25 feet.

19 b. Collector roadway: 35 feet.

20 c. Arterial roadway: 50 feet.

21 2. Side yard setback when adjoining:

22 a. Another lot: Six feet.

23 b. Local roadway: 25 feet.

24 c. Collector roadway: 35 feet.

25 d. Arterial roadway: 50 feet.

26 3. Rear yard setback: 20 feet.

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

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

1 F) Maximum building height is 35 feet.

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

8 1) Permitted uses.

9 A) Single-family detached residential dwelling units.

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

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

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

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

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

19 G) ~~[begin delete]. Agriculture. A minimum of five acres is required for the keeping,~~  
20 ~~harboring or maintaining of livestock or fowl. Accessory structures and uses incidental~~  
21 ~~to agricultural activity shall maintain a setback of 200 feet from any lot line. [end~~  
22 ~~delete]~~

23 H) Neighborhood recreational facilities.

24 I) Family child care homes.

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

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

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

28 C) Bed and breakfast inn: Small homestay.

29 D) Public use recreational facilities, including marinas.

30 3) Uses expressly prohibited.

31 A) Commercial land uses.

- 1 B) Industrial land uses.
- 2 C) Any use prohibited by Town, state or federal law.
- 3 D) Multi-family dwelling units.
- 4 E) Manufactured home, standard design (SDMH).
- 5 F) Medical marijuana dispensaries.
- 6 G) Non-medical marijuana sales.
- 7 H) Cannabis farms

8 4) Design standards.

9 A) Minimum lot area shall be 8,700 square feet if central sewer is provided. If central  
10 sewer is not available, then the minimum lot area shall be 12,500 square feet. Projects  
11 may be designed to allow clustering of residential units; however, overall density may  
12 not exceed five units per acre.

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

15 C) Minimum setback requirements:

16 1. Front yard setback:

- 17 a. Local roadway: 25 feet.
- 18 b. Collector roadway: 35 feet.
- 19 c. Arterial roadway: 50 feet.

20 2. Side yard setback when adjoining;

- 21 a. Another lot: Six feet.
- 22 b. Local roadway: 25 feet.
- 23 c. Collector roadway: 35 feet
- 24 d. Arterial roadway: 50 feet.

25 3. Rear yard setback: 20 feet.

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



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

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

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

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

11 1) Permitted uses.

12 A) Single-family detached dwelling units.

13 B) Single-family attached dwelling units.

14 C) Manufactured home, residential design (RDMH).

15 D) Two-family (duplex) dwelling units.

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

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

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

23 H) Community residential home facilities with one to six residents.

24 I) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,~~  
25 ~~harboring or maintaining of livestock or fowl. Accessory structures and uses incidental~~  
26 ~~to agricultural activity shall maintain a setback of 200 feet from any lot line. [end~~  
27 ~~delete]~~

28 J) Neighborhood recreational facilities.

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

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

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

5           L) Family child care homes.

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

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

8           B) Public use recreational facilities, including marinas.

9           C) Restaurants, if they are part of the permitted use development.

10          3) Uses expressly prohibited.

11          A) Commercial land uses (except restaurants permitted by a special exception).

12          B) Industrial land uses.

13          C) Multi-family dwelling units.

14          D) Bed and breakfast inns.

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

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

17          G) Medical marijuana dispensaries.

18          H) Non-medical marijuana sales

19          I) Cannabis farms.

20          4) Design standards.

21          A) Minimum lot area shall be 5,000 square feet should central utilities be provided but  
22          overall density cannot exceed eight units per acre. Should septic tanks be utilized  
23          then the minimum lot area shall be 12,500 square feet. Projects may be designed to  
24          allow clustering of residential units; however, overall density cannot exceed eight  
25          units per acre.

26          B) Minimum lot width shall be 50 feet. Should septic tanks be utilized, then the  
27          minimum lot width shall be 100 feet. Minimum lot widths may be waived if clustering  
28          of units is provided.

29          C) Minimum setback requirements:

30            1. Front yard setback:

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

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

8 D) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,  
9 harboring or maintaining of livestock or fowl. Accessory structures and uses incidental  
10 to agricultural activity shall maintain a setback of 200 feet from any lot line. [end  
11 delete]~~

12 E) Family child care homes.

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

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

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

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

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

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

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

24 3) Uses expressly prohibited.

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

26 B) Industrial land uses.

27 C) Conventional single-family dwelling units.

28 D) Two-family (duplex) dwelling units.

29 E) Multi-family dwelling units.

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

31 G) Medical marijuana dispensaries.

1 H) Non-medical marijuana sales.

2 I) Cannabis farms.

3 4) Manufactured home rental park development standards.

4 A) The developer shall submit Master Park Plans at the time of application, prepared  
5 in accordance with the Design Standards subsection later in this section. Final Site  
6 Development Plans must be submitted in accordance with the improvement  
7 standards (i.e., water, sewer, drainage, etc.) in other chapters of this Code.

8 B) A manufactured home rental park shall be entirely enclosed, exclusive of  
9 driveways, at its external boundaries in accordance with the buffer class requirements  
10 of chapter 10, Section 3.

11 C) Manufactured homes shall meet the setback requirements in the Design Standards  
12 subsection later in this section.

13 D) There shall be at least two paved, off-street parking spaces for each home space,  
14 which shall be on the same site as the home served and may be located in the front or  
15 side yard of the home unit.

16 E) Streets, areas at the entrances to buildings used by occupants at night, and  
17 walkways shall be lighted.

18 F) All manufactured homes in all zoning districts that permit manufactured homes  
19 shall be skirted between the ground and floor of the manufactured home. The skirting  
20 material may be contiguous blocks, bricks, treated lumber, aluminum siding, or a  
21 suitable material as approved by the Building Official.

22 G) All lots should be permanently pinned (corner markers) at the corner points prior to  
23 issuance of certificate of occupancy.

24 5) Manufactured home subdivision development requirements.

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

31 6) Manufactured home subdivision, ownership limitations.

32 A) Any manufactured home subdivision in which any person, group, or company  
33 obtains ownership of 10 percent or more of the subdivision units for rental or leasing

1 purposes, shall be deemed to be a manufactured home rental park and appropriate  
2 licenses and/or permits shall be obtained from the Town.

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

7 7) Design standards.

8 A) The minimum lot area shall be 5,000 square feet if central water and sewer facilities  
9 are provided. Should septic tanks be utilized then the minimum lot area shall be  
10 12,500 square feet. Projects may be designed to allow clustering of residential units;  
11 however, overall density may not exceed nine units per acre. The lot shall be clearly  
12 defined by permanent markers.

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

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

17 D) Minimum setback requirements:

18 1. Front yard setback:

19 a. Local platted roadway: 20 feet.

20 b. Collector roadway: 35 feet.

21 c. Arterial roadway: 50 feet.

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

23 2. Side yard setback when adjoining;

24 a. Another lot: Five feet.

25 b. Local roadway: 25 feet.

26 c. Collector roadway: 35 feet.

27 d. Arterial roadway: 50 feet.

28 e. Interior paved streets: 20 feet.

29 3. Rear yard setback: 10 feet.

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

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

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

8 1) Permitted uses.

9 A) Single-family attached residential dwelling units.

10 B) Single-family detached residential dwelling units.

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

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

13 E) Multi-family residential dwelling units.

14 F) 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 square  
16 footage of the principal structure. Manufactured Homes are subject to an allowance of  
17 35 percent of the square footage of the principal structure.

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

19 H) (Licensed) community residential homes with more than six residents.

20 I) Bed and breakfast inns: Small and medium homestays.

21 J) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,~~  
22 ~~harboring or maintaining of livestock or fowl. Accessory structures and uses incidental~~  
23 ~~to agricultural activity shall maintain a setback of 200 feet from any lot line. [end~~  
24 ~~delete]~~

25 K) Neighborhood recreational facilities.

26 L) Family child care homes.

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

28 A) Adult congregate living facilities.

29 B) Nursing homes and skilled nursing.

30 C) Day care centers.

31 D) Offices.

- 1 E) Small scale commercial land uses, 5,000 square feet (GFA) or less.
- 2 3) Uses expressly prohibited.
  - 3 A) Manufactured home, standard design (SDMH).
  - 4 B) Commercial land uses, over 5,000 square feet (GFA).
  - 5 C) Industrial land uses.
  - 6 D) Uses prohibited by Town, state or federal law.
  - 7 E) Medical marijuana dispensaries.
  - 8 F) Non-medical marijuana sales.
  - 9 G) Cannabis farms.
- 10 4) Design standards for bed and breakfast inns.
  - 11 A) There must be no appearance of commercial activity and the structure must
  - 12 maintain its residential character.
  - 13 B) The number of rental rooms shall be limited to three for a small homestay and five
  - 14 for a medium homestay.
  - 15 C) Parking Requirements: Two parking spaces for the dwelling, plus one space per
  - 16 guest room must be provided. The parking must be in the rear yard.
  - 17 D) Signs: One sign not to exceed three square feet may be permitted to identify the
  - 18 establishment in residential zoning districts. The sign must be constructed of sand-
  - 19 blasted wood, ornamental iron, or other materials as approved. Portable and neon
  - 20 signs are prohibited.
  - 21 E) Food Preparation: The only meal to be provided to guests shall be breakfast and it
  - 22 shall be served only to guests taking lodging in the facility. Meals shall be served only
  - 23 between the hours of 5:30 a.m. and 11:30 a.m.
  - 24 F) The facility must be owner occupied and managed.
  - 25 G) The architectural integrity of the interior of the existing structure must be
  - 26 maintained. The interior may not be structurally altered except as required to meet
  - 27 health, building, fire, safety and sanitation requirements.
  - 28 H) Other conditions may be deemed necessary by the Town Commission to protect
  - 29 the health, safety and welfare of the general public.
- 30 5) General design standards.



1 A) The minimum lot area for single-family shall be 5,000 square feet if central sewer is  
2 provided. Should septic tanks be utilized then the minimum lot area shall be 12,500  
3 square feet.

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

7 C) The minimum lot area for multi-family units shall be 15,000 square feet.

8 D) Projects may be designed to allow clustering of residential units; however, overall  
9 density cannot exceed 12 units per acre.

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

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

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

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

17 I) The minimum living area for one-bedroom duplex and multi-family units shall be  
18 550 square feet exclusive of garages, screened porches, utility rooms, etc.

19 J) The minimum living area for two-bedroom duplex and multi-family units shall be  
20 700 square feet exclusive of garages, screen porches, utility rooms, etc.

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

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

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

32 1) Permitted uses.

- 1 A) Single-family attached residential dwelling units.
- 2 B) Single-family detached residential dwelling units (i.e., courtyard villas).
- 3 C) Two-family (duplex) residential dwelling units.
- 4 D) Manufactured home, residential design (RDMH).
- 5 E) Multi-family residential dwelling units.
- 6 F) Customary accessory structures and uses incidental to the development (i.e.;
- 7 maintenance units to support the operations of the development).
- 8 G) Home occupations pursuant to Miscellaneous Regulations chapter of this Code.
- 9 H) (Licensed) community residential homes with more than six residents.
- 10 I) Bed and breakfast inns: Small and medium homestays.
- 11 J) Neighborhood recreational facilities.
- 12 K) Family child care homes.
- 13 2) Uses permitted as special exception use upon approval.
  - 14 A) Adult congregate living facilities.
  - 15 B) Nursing homes or 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 five  
4           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 shall not be allowed.
- 11          E) Food preparation: The only meal to be provided to guests shall be breakfast and it  
12          shall be served only to guests taking lodging in the facility. Meals shall be served only  
13          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 detached shall be 4,500 square feet if  
22          central sewer is provided. Should septic tanks be utilized then the minimum lot area  
23          shall be 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 single-family attached shall be 3,000 square feet and the  
28          use shall be permitted only if central sewer is available.
- 29          D) Projects may be designed to allow clustering of residential units; however, overall  
30          density cannot exceed 18 units per acre.
- 31          E) The minimum lot width shall be 50 feet for single-family detached and duplex units  
32          if central sewer facilities are provided. If septic tanks are utilized, the minimum lot

1 width shall be 100 feet. The minimum lot width for single-family attached shall be 24  
2 feet.

3 F) The minimum tract width for a multi-family development shall be 100 feet for multi-  
4 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 of  
7 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 units  
13 shall be 850 square feet exclusive of garages, screen porches, utility rooms, etc.

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

16 k) RP "Residential Professional." This district is established to implement comprehensive  
17 plan policies for managing transitional areas where existing residential structures can be  
18 utilized for personal and professional services and not adversely affect adjacent property.  
19 The density cannot exceed four units per acre unless central sewer facilities are available at  
20 which time density is not allowed to exceed 12 units per acre.

21 1) Permitted uses.

22 A) Single-family detached dwelling units.

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

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

27 D) Business services.

28 E) Offices.

29 F) Financial services.

30 G) Personal services.

31 H) Multi-family dwelling units.

- 1 I) Medical offices and clinics.
- 2 J) Bed and breakfast inns: Small and medium homestays (See Design Standards for  
3 Bed and Breakfast Inns in the MF-12 zoning section).
- 4 K) ~~[begin delete] Agriculture. A minimum of five acres is required for the keeping,  
5 harboring or maintaining of livestock or fowl. Accessory structures and uses incidental  
6 to agricultural activity shall maintain a setback of 200 feet from any lot line. [end  
7 delete]~~
- 8 L) Family child care homes.
- 9 2) Uses permitted as special exception use upon approval.
- 10 A) Banks.
- 11 B) Day care centers.
- 12 C) Health and exercise clubs.
- 13 D) Office and warehouse facilities.
- 14 E) Veterinary clinics.
- 15 3) Uses expressly prohibited.
- 16 A) Manufactured homes (RDMH and SDMH).
- 17 B) Wholesalers and distributors.
- 18 C) Industrial land uses.
- 19 D) Retail sales.
- 20 E) Adult entertainment.
- 21 F) Commercial recreational facilities.
- 22 G) Uses prohibited by Town, state or federal law.
- 23 H) Medical marijuana dispensaries.
- 24 I) Non-medical marijuana sales.
- 25 J) Cannabis farms.
- 26 4) Design standards.
- 27 A) The maximum impervious surface ratio (which includes building coverage) shall be  
28 limited to 75 percent.

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

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

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

9 E) Minimum setback requirements:

10 1. Front yard setback:

11 a. Local roadway: 25 feet.

12 b. Collector roadway: 30 feet.

13 c. Arterial roadway: 50 feet.

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

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

18 1) Permitted uses.

19 A) Hotels or motels.

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

22 C) ~~[begin delete] Agriculture: A minimum of five acres is required for use as pasture.~~  
23 ~~[end delete]~~

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

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

27 A) Commercial recreational facilities.

28 B) Recreational vehicle (RV) parks.

29 3) Uses expressly prohibited.

30 A) Single-family residential.

- 1 B) Multi-family residential.
- 2 C) Industrial land uses.
- 3 D) Wholesalers and distributors.
- 4 E) Retail commercial land uses.
- 5 F) Any use prohibited by Town, state or federal law.
- 6 G) Campgrounds.
- 7 H) Sweepstakes cafes or establishments housing simulated gaming devices.
- 8 I) Medical marijuana dispensaries.
- 9 J) Non-medical marijuana sales.
- 10 K) Cannabis farms.
- 11 4) Design standards.
  - 12 A) The minimum lot area shall be 15,000 square feet.
  - 13 B) Setbacks of the CT "Commercial Tourist" zoning designation shall be governed by
  - 14 the requirements as set forth in Chapter 20 (Commercial Design Standards).
  - 15 D) The maximum impervious surface ratio (which includes building coverage) shall be
  - 16 limited to 80 percent.
  - 17 E) Maximum building height is 35 feet unless adequate fire protection measures are
  - 18 provided.
  - 19 F) The density shall not exceed 12 units per acre.
- 20 m) LC "Light Commercial." This district is established to implement comprehensive plan
- 21 policies for managing transitional areas between residential land uses and more intense
- 22 commercial and industrial uses. This district is established to provide sufficient land for
- 23 residential dwellings at a density not to exceed four units per acre unless central sewer
- 24 facilities are available at which time density is not allowed to exceed 12 units per acre and
- 25 general retail sales and services.
  - 26 1) Permitted uses.
    - 27 A) Offices.
    - 28 B) Personal services.
    - 29 C) Convenience stores without fuel operations.
    - 30 D) Laundry and dry-cleaning retail stores.

- 1 E) Day care centers.
- 2 F) Adult congregate living facilities or skilled nursing.
- 3 G) (Licensed) Community residential homes with more than six residents.
- 4 H) Clubs, lodges and fraternal organizations.
- 5 I) Financial services.
- 6 J).Office supplies.
- 7 K) Retail sales and services.
- 8 L) Business services.
- 9 M) Bed and breakfast inns: Small and medium homestays. (See Design Standards for
- 10 Bed and Breakfast Inns in the MF-12 zoning section).
- 11 N) Office complex.
- 12 O) Maintenance contractors.
- 13 P) Medical offices or clinics.
- 14 Q) Multi-family dwelling units.
- 15 R) Manufactured home sales and services.
- 16 S) Office condominiums.
- 17 T) [begin delete] Agriculture: A minimum of five acres is required for use as pasture.
- 18 [end delete]
- 19 U) [begin delete] Agriculture: Processing (except for packing and slaughter houses).
- 20 [end delete]
- 21 V) Martial arts studios.
- 22 2) Uses permitted as a special exception use upon approval.
- 23 A) Convenience stores with fuel operations.
- 24 B) Restaurants.
- 25 C) Banks.
- 26 D) Athletic or sports facilities.
- 27 E) Commercial recreation facilities.
- 28 F) Health or exercise clubs.
- 29 G).Mini-storage warehouses.



- 1 H) Veterinary clinics.
- 2 I) Offset printing.
- 3 J) Wholesalers and distributors.
- 4 K) Office or warehouse facilities.
- 5 L) Accessory structures, which may include a residence [begin delete], and uses
- 6 incidental to agricultural activity. [end delete]
- 7 M) Manufacturing: Craftsman shops.
- 8 N) Tattoo parlors.
- 9 O) Internet cafés (cybercafé).
- 10 P) Massage parlors.
- 11 Q) Religious facilities.
- 12 3) Uses expressly prohibited.
  - 13 A) Manufacturing: processing.
  - 14 B) Adult entertainment.
  - 15 C) RV parks.
  - 16 D) Uses prohibited by Town, state and federal law.
  - 17 E) Agriculture: processing-packing and slaughter houses.
  - 18 F) Sweepstakes cafes/establishments housing simulated gaming devices.
  - 19 G) Medical marijuana dispensaries.
  - 20 H) Non-medical marijuana sales.
  - 21 I) Cannabis farms.
- 22 4) Design standards.
  - 23 A) The maximum impervious surface ratio (which includes building coverage) shall be
  - 24 limited to 80 percent.
  - 25 B) Maximum building height of 35 feet unless adequate fire protection measures are
  - 26 provided.
  - 27 C) No minimum lot size is required.
  - 28 D) No minimum lot width is required.

1 E) Setbacks of the LC "Light Commercial" zoning designation shall be governed by the  
2 requirements as set forth in Chapter 20 (Commercial Design Standards).

3 n) HC "Heavy Commercial/Wholesale Commercial." This district is established to implement  
4 comprehensive plan policies for managing commercial development. This district is designed  
5 to accommodate general retail sales and services and wholesale services.

6 1) Permitted uses.

7 A) Adult or vocational education.

8 B) Appliance or electronic repair shops.

9 C) Athletic or sports facilities.

10 D) Auction houses.

11 E) Banks.

12 F) Bars, lounges, and night clubs. (It shall be unlawful to operate a bar, lounge or night  
13 club within 200 feet of property owned or used by a church or school. Measurement  
14 shall be from the structure of the establishment to the nearest property line of the  
15 church or school.)

16 G) Business services.

17 H) Commercial or industrial equipment and supplies.

18 I) Convenience stores without fuel operations.

19 J) Day care centers.

20 K) Adult care facility.

21 L) Financial services.

22 M) Furniture and appliance stores.

23 N) Commercial recreational facilities.

24 O) Health or exercise clubs.

25 P) Hotels or motels.

26 Q) Kennels: boarding.

27 R) Contractors office.

28 S) Medical offices or clinics.

29 T) Motor vehicle sales.

- 1 U) Motor vehicle service centers.
- 2 V) Motor vehicle service stations.
- 3 W) Offices.
- 4 X) Office complex.
- 5 Y) Office supplies.
- 6 Z) Personal services.
- 7 AA) Restaurants.
- 8 BB) Retail home building materials.
- 9 CC) Retail sales and services.
- 10 DD) Shopping centers.
- 11 EE) Theaters.
- 12 FF) Transportation services.
- 13 GG) Wholesales and distributors.
- 14 HH) Veterinary clinics.
- 15 II) (Licensed) community residential homes with more than six residents.
- 16 JJ) One single-family dwelling unit for owners or caretaker's residence.
- 17 KK) Offset printing.
- 18 LL) Multi-family dwelling units.
- 19 MM) Taxidermy.
- 20 NN) Plumbing contractors.
- 21 OO) ~~[begin delete] Agriculture: A minimum of five acres is required for use as pasture.~~
- 22 ~~[end delete]~~
- 23 PP) ~~[begin delete] [end delete]~~
- 24 QQ) Martial arts studios.
- 25 RR) Car washes.
- 26 2) Uses permitted as a special exception use upon approval.
- 27 A) Gun and archery ranges.

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

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

2 I) Non-medical marijuana sales.

3 J) Cannabis farms.

4 4) Design standards.

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

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

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

11 D) No minimum lot size is required.

12 E) No minimum lot width is required.

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

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

26 1) Permitted uses.

27 A) All permitted HC district uses.

28 B) [begin delete] Agriculturally related industries. [end delete]

29 C) Boat repairs.

30 D) Commercial or industrial services.

31 E) Construction contractor's yard and storage.

- 1 F) Distribution centers.
- 2 G) Laboratory or research and development.
- 3 H) Laundry or dry-cleaning plants.
- 4 I) Manufacturing: Craftsman shops.
- 5 J) Manufacturing: Fabrication.
- 6 K) Manufacturing: Processing.
- 7 L) Motor vehicle repair facilities.
- 8 M) Motor vehicle towing and impoundment facilities.
- 9 N) Trucking terminals.
- 10 O) Warehousing.
- 11 P) Offset printing.
- 12 Q) Wholesalers and distributors.
- 13 R) Accessory structures [begin delete] ~~Accessory structures and uses incidental to~~
- 14 ~~agricultural activities~~ [end delete]
- 15 2) Uses permitted as a special exception use upon approval. One single-family residential
- 16 dwelling unit on the site of a permitted use to be used exclusively by a caretaker.
- 17 3) Uses expressly prohibited.
  - 18 A) Residential dwelling units except as allowed above.
  - 19 B) Adult entertainment.
  - 20 C) Uses prohibited by Town, state and federal law.
  - 21 D) Used motor vehicle parts yards.
  - 22 E) Agriculture: processing-packing and slaughter houses.
  - 23 F) Medical marijuana dispensaries.
  - 24 G) Non-medical marijuana sales.
  - 25 H) Cannabis farms.
- 26 4) Design standards.
  - 27 A) The maximum impervious surface ratio (which includes building coverage) shall be
  - 28 limited to 75 percent.

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

3 C) No minimum lot size is required.

4 D) No minimum lot width is required.

5 E) Minimum setback requirements:

6 1. Front yard setback:

7 a. Local roadway: 25 feet.

8 b. Collector roadway: 30 feet.

9 c. Arterial roadway: 50 feet.

10 2. Rear Yard Setback: 25 feet.

11 3. Side yard setback when adjoining:

12 a. Another lot: 25 feet.

13 b. Local roadway: 25 feet.

14 c. Collector roadway: 30 feet.

15 d. Arterial roadway: 50 feet.