

CHAPTER 2

Zoning Districts

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2.00.00 GENERALLY

2.00.01 Purpose and Intent

- A. It is the purpose of this chapter to promote the health, safety, and general welfare of the Town by promoting land use compatibility and regulating land use by district. The chapter also restricts the height, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied by structures, the size of yards and other open spaces, the density of population, and the location of buildings and structures.
- B. It is the intent of the Town Council that the regulations set forth in this chapter governing the use of land, water, and buildings apply to all land, water, and buildings included within the boundaries of each district shown on the Zoning Map.

2.00.02 Official Zoning Map

- A. Zoning districts are hereby established for all land and water areas included within the boundaries of each district as shown on the “Zoning Map, Howey in the Hills, Florida.”
- B. The Zoning Map and all notations, references, and other information shown on the Zoning Map are as much a part of this LDC as if the information set forth thereon were fully described and set out in this LDC.
- C. Table 2.00.02(C) shows the relationship between zoning districts and the land use categories on the Future Land Use Map (FLUM). An “X” indicates that the zoning district is permissible within the indicated category on the FLUM.

Table 2.00.02 (C) Relationship Between Zoning Districts and Future Land Use Map Categories.

Zoning Districts:	AG	RE	SFR	MDR-1	MDR-2	HDR-1	HDR-2	NC	IND	INS-1	INS-2	REC-1	REC-2	CON	PUB	PUD	TC-R	TC-F	TC-C
FLUM Land Use Categories																			
Rural Lifestyle	X	X																	
Low Density Residential			X													X			
Medium Density Residential				X	X											X			
High Density Residential						X	X									X			
Neighborhood Commercial								X											
Light Industrial									X										
Institutional										X	X								
Recreation												X	X						
Conservation														X					
Public / Utility															X				
Village Mixed Use																X			
Town Center Mixed Use																X	X	X	X

2.00.03 Rules for Interpretation of District Boundaries

- A. District Boundary Guidelines. Where uncertainty exists as to the boundaries of the districts as shown on the Official Zoning Map, the following guidelines shall apply:
1. Centerlines. Boundaries indicated as approximately following the center lines of dedicated streets, highways, alleys, or rights-of-way shall be construed as following such centerlines as they exist on the ground, except where variation of actual location from mapped location would change the zoning status of a lot or parcel, in which case the boundary shall be interpreted in such a manner as to avoid changing the zoning status of any lot or parcel. In the case of a street vacation, the boundary shall be construed as remaining in its location except where ownership of the vacated street is divided other than at the center, in which case the boundary shall be construed as moving with the ownership.
 2. Lot lines. Boundaries indicated as approximately following lot lines, public property lines, and the like shall be construed as following such lines, provided however, that where such boundaries are adjacent to a dedicated street, alley, highway, or right-of-way and the zoning status of the street, highway, alley or right-of-way is not indicated, the boundaries shall be construed as running to the middle of the street, highway, alley, or right-of-way. In the event of street vacation, interpretation shall be as provided in (A) (1) above.
 3. Town Limits. Boundaries indicated as approximately following Town limits shall be construed as following such limits.
 4. Mean-High-Water-Lines. Boundaries indicated as following mean high water lines or centerlines of streams, canals, lakes, or other bodies of water shall be construed as following such mean high water lines or centerlines. In the case of a change in mean high water line, or of the course or extent of bodies of water, the boundaries shall be construed as moving with the change, except where such moving would change the zoning status of a lot or parcel; and in such case the boundary shall be interpreted in such a manner as to avoid changing the zoning status of any lot or parcel.
 5. Body of Water. Boundaries indicated as entering any body of water but not continuing to intersect with other zoning boundaries or with the limits of jurisdiction of the Town of Howey-in-the-Hills shall be construed as extending in the direction in which they enter the body of water to intersection with other zoning boundaries or with the limits of Town jurisdiction.
 6. Parallel Features. Boundaries indicated as parallel to or extensions of features indicated in (A) (1) through (5) above shall be construed as being parallel to or extensions of such feature.
 7. Distances. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map on the page of the Map showing the property in question.
- B. Other Cases. In cases not covered by 2.00.03 (A) above, or where the property or street layout existing on the ground is at variance with that shown on the Official Zoning Map, the Town Planner shall interpret the Official Zoning Map in accordance with the intent and purpose of these zoning regulations. Appeal from

the interpretation of the Town Planner shall be made to the Board of Adjustment in conformity with Chapter 9.

2.01.00 ZONING DISTRICT DESIGNATIONS

These district regulations shall apply uniformly to all premises in the following manner:

2.01.01 Zoning Affects All Premises

No premises shall hereafter be used or occupied and no principal building or accessory structure shall be hereafter erected, constructed, moved, or altered except in conformity with these district regulations.

2.01.02 Interpretation of Uses and Structures Permitted

If a use or structure is not expressly permitted in any zoning district, the Town Manager or his designee shall not permit such use or structure in the district unless it is substantially similar to a use or structure otherwise permitted in the district.

2.01.03 Lot Area, Density, Yard Requirements, Building Coverage, and Building Height

Every principal or accessory structure to be erected shall meet all lot area, density, yard, building coverage, and building height requirements of the pertinent zoning district of the property.

2.01.04 Reduction of Lot Area and Width Prohibited

No lot existing on or after the effective date of this Code shall be reduced in area and/or width below the minimum requirements of its pertinent zoning district.

2.01.05 Additional Requirements Included

The uses and structures outlined in this Chapter shall meet all regulations and requirements outlined in the Land Development Code. Certain uses and structures discussed in this Chapter are subject to requirements and regulations in other Chapters as well.

2.02.00 ZONING DISTRICT CLASSIFICATIONS

This section describes the purpose of each zoning district. Specific uses permitted within each zoning district and dimensional criteria are also outlined.

2.02.01 Agricultural (AG)

A. Purpose. The Purpose of the Agricultural (AG) zoning district is to designate areas for small family farms including plant nurseries, growing fruits and vegetables, and the raising and grazing of livestock. The district is intended for use in outlying areas and with proper buffering. Single-family residential units may be located on agriculturally-zoned property. This district will allow the Howey area to continue

to have a rural character and will help preserve family farming as a viable part of the community's economy.

B. Principal, Accessory, and Conditional Uses

1. Permitted Principal Uses and Structures

- a. Single-family detached homes
- b. Reserved
- c. Groves
- d. Pastures
- e. Agricultural uses including the cultivation and production of crops, both in orchards and pastures.
- f. Licensed Group Home (up to 6 residents)
- g. Private and Public Gardens

2. Permitted Accessory Uses and Structures

- a. Accessory dwellings. One per lot or parcel.
 - b. Detached garages
 - c. Barns
 - d. Horse stables (maximum of 1 horse per acre)
 - e. Horse trails
 - f. Detached Sheds
 - g. Workshops
 - h. Pools
 - i. Small roadside farm stands used to show and sell products produced on the land (sold to individuals in amounts that can be accommodated in one non-commercial vehicle)
 - j. Children's play structures
 - k. Fences
 - l. Signs
 - m. Decks
 - n. Home occupations
- 3. Conditional Uses and Structures**
- a. Bed and Breakfast Inn
 - b. Apiculture Indoor cultivation of plants (greenhouses)
 - c. Riding stables or horse stables as a business
 - d. Garden center or Nursery
 - e. Sale of hay and large quantities of fruits and vegetables and plants.
 - f. Animal Hospital or Veterinary Clinic with outdoor kennels
 - g. Churches
 - h. Outside storage of agricultural equipment and materials

C. Prohibited Uses

1. Hog farms, poultry farms and similar uses that may produce excessive noise, odor, and/or dust.
2. Dog breeding (family pets may have offspring)
3. Mining and excavation
4. Fishing and hunting camps or lodges
5. Sales of products not grown on the land

6. Outdoor storage of inoperable vehicles or heavy equipment
 7. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
1. Maximum building height is 35 feet
 - a. Silos or grain bins may exceed the maximum building height by 10 feet.
 - b. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 2. Maximum FAR of .15 for all buildings
 3. Maximum impervious surface is 20%
 4. Minimum lot size is 2 acres.
 5. Minimum lot width is 150 feet
 6. Minimum lot depth is 200 feet
 7. Minimum front yard setback is 50 feet
 8. Minimum street side yard setback is 50 feet
 9. Minimum side yard (interior) setback is 25 feet
 10. Minimum rear yard setback is 50 feet
 11. Minimum square footage of principal dwelling is 1,500 square feet air conditioned, not including garage or accessory dwelling).
- E. Other Standards
1. Minimum of 50% open space is required.
 2. All accessory structures, with the exception of fences and signs, shall meet the same setback requirements as the principal dwelling.

2.02.02 Rural Estates (RE)

- A. Purpose. The Purpose of the Rural Estates (RE) zoning district is to designate areas for larger single-family home sites. The district is intended for families who may have horses or who desire a semi-rural environment in close proximity to urban services. A limited number of horses (maximum of 1 per acre) are allowed. This district will allow the Howey area to continue to have a rural character.
- B. Principal, Accessory, and Conditional Uses
1. Permitted Principal Uses and Structures
 - a. Single family detached homes
 - b. Licensed Group Home (up to 6 residents)
 2. Permitted Accessory Uses and Structures
 - a. Accessory dwellings. One per lot or parcel.
 - b. Detached garages
 - c. Barns
 - d. Detached Sheds
 - e. Workshops
 - f. Pools
 - g. Horse stables (maximum of 1 horse per acre)
 - h. Horse trails
 - i. Children's play structures

- j. Fences
- k. Decks
- l. Home occupations
- 3. Conditional Uses and Structures
 - a. Bed and Breakfast Inn (with signage)
 - b. Riding stables or horse stables as a business (with signage)
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used or domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - 2. Maximum FAR of .15 for all buildings
 - 3. Maximum impervious surface is 20%
 - 4. Minimum lot size is one acre.
 - 5. Minimum lot width is 150 feet
 - 6. Minimum lot depth is 200 feet
 - 7. Minimum front yard setback is 50 feet
 - 8. Minimum street side yard setback is 50 feet
 - 9. Minimum side yard (interior) setback is 25 feet
 - 10. Minimum rear yard setback is 50 feet
 - 11. Minimum square footage of principal dwelling is 1,500 square feet (air-conditioned, not including garage or accessory dwelling).
- E. Other Standards
 - 1. Minimum of 50% open space is required.
 - 2. All accessory structures, with the exception of fences and signs, shall meet the same setback requirements as the principal dwelling.
 - 3. Single family detached units shall have a two-car garage (a minimum of 400 square feet) and a driveway that measures a minimum of 16 feet wide and 20 feet long from right of way to garage. Driveways shall be paved with a hard surface material such as concrete, asphalt, paver blocks, brick, etc. Grass, mulch, or gravel shall not qualify as surfacing for residential driveways.

2.02.03 Single Family Residential (SFR)

- A. Purpose. The Purpose of the Single Family Residential (SFR) zoning district is to designate areas for low density single family detached homes.
- B. Principal, Accessory, and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. Single family detached homes
 - b. Licensed Group Home (up to 6 residents)
 - 2. Permitted Accessory Uses and Structures

- a. Accessory dwellings. One per lot. Must be either built as part of the principal building (i.e., above the garage) or attached to the principal structure by covered walkway, screened enclosure, or breezeway.
 - b. Detached garages
 - c. Detached Sheds
 - d. Workshops
 - e. Pools
 - f. Boathouses
 - g. Docks
 - h. Children's play structures
 - i. Fences
 - j. Decks
 - k. Decorative walls as part of a landscaped buffer
 - l. A park as part of a residential subdivision, including pavilions, a community pool and/or community building and sports courts.
 - m. Trails for pedestrians and cyclists (non-motorized)
 - n. Home occupations
3. Conditional Uses and Structures
- a. Community boat ramp
 - b. Community boat dock(s)
 - c. Community fishing pier
- C. Prohibited Uses
1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 2. Maximum FAR of .2 for all buildings
 3. Maximum impervious surface is 35%
 4. Minimum lot size is 1/2 acre.
 5. Minimum lot width is 100 feet
 6. Minimum lot depth is 150 feet
 7. Minimum front yard setback is 35 feet (20 feet if the lot includes a recessed or detached garage at least 35 feet from the front lot line)
 8. Minimum street side yard setback is 35 feet
 9. Minimum side yard (interior) setback is 20 feet
 10. Minimum rear yard setback is 30 feet
 11. Minimum square footage of principal dwelling is 2,000 square feet (air-conditioned, not including garage or accessory apartment).
- E. Other Standards
1. All accessory structures, with the exception of boathouses, docks, and fences shall meet the same setback requirements as the principal dwelling.

2. Single family detached units shall have a two-car garage (a minimum of 440 square feet) and a driveway that measures a minimum of 16 feet wide and 20 feet long from right of way to garage. Driveways shall be paved with a hard surface material such as concrete, asphalt, paver blocks, brick, etc. Grass, mulch, or gravel shall not qualify as surfacing for residential driveways.

2.02.04 Medium Density Residential 1 (MDR-1)

- A. Purpose. The purpose of the Medium Density Residential 1 (MDR-1) zoning district is to provide for variety of dwelling units in a highly aesthetic setting with community amenities. The MDR zoning district attempts to establish an optimum environment between indoor and outdoor living in areas of the town already developed with larger lots and areas where larger lots are appropriate and desired. It encourages on-site leisure and recreational space and open space. Quality design for the overall community as well as individual units is paramount in achieving a functional and aesthetic setting.
- B. Principal, Accessory, and Conditional Uses
 1. Permitted Principal Uses and Structures
 - a. Single family detached homes
 - b. Licensed Group Home (up to 6 residents)
 - c. Elementary Schools
 2. Permitted Accessory Uses and Structures
 - a. Accessory dwellings (on single family detached units only). One per lot. Must be either built as part of the principal building (i.e., above the garage) or attached to the principal structure by covered walkway, screened enclosure, or breezeway.
 - b. Detached garages
 - c. Detached Sheds
 - d. Workshops
 - e. Pools
 - f. Boathouses
 - g. Docks
 - h. Children's play structures
 - i. Fences
 - j. Decks
 - k. Decorative walls as part of a landscaped buffer
 - l. A park as part of a residential subdivision, including pavilions, a community pool and/or community building and sports courts.
 - m. Trails for pedestrians and cyclists (non-motorized)
 - n. Community buildings for leisure activities
 - o. Covered Parking
 - p. Home occupations
 3. Conditional Uses and Structures
 - a. Community boat ramp
 - b. Community boat dock(s)

- c. Community fishing pier
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - 2. Maximum impervious surface is 50%
 - 3. Maximum of 3 dwelling units per acre
 - 4. Minimum lot size for single family detached units is 15,000 square feet.
 - 5. Minimum lot width for single family detached units is 100 feet,
 - 6. Minimum lot depth for all units is 120 feet
 - 7. Minimum front yard setback is 35 feet
 - 8. Minimum street side yard setback is 15 feet
 - 9. Minimum side yard (interior) setback is 12.5 feet
 - 10. Minimum rear yard setback is 30 feet for principal dwelling, detached garage, or accessory dwelling. Rear yard setback for sheds, workshops, pools, play structures, and other similar accessory structures is 10 feet.
 - 11. Setbacks do not pertain to boathouses, docks, or fences.
 - 12. Minimum square footage of principal dwelling on single-family detached homes is 1,800 square feet (air-conditioned, not including garage or accessory dwelling).
- E. Other Standards
 - 1. All accessory structures, with the exception of boathouses, docks, and fences shall meet the same setback requirements as the principal dwelling.
 - 2. Single family detached units shall have a two-car garage (a minimum of 440 square feet) and a driveway that measures a minimum of 16 feet wide and 20 feet long from right of way to garage. Driveways shall be paved with a hard surface material such as concrete, asphalt, paver blocks, brick, etc. Grass, mulch, or gravel shall not qualify as surfacing for residential driveways.

2.02.04 Medium Density Residential 2 (MDR-2)

- A. Purpose. The purpose of the Medium Density Residential 2 (MDR-2) zoning district is to provide for variety of dwelling units in a highly aesthetic setting with community amenities. The MDR-2 zoning district attempts to establish an optimum environment between indoor and outdoor living in areas where smaller lots and smaller dwellings may be appropriate including existing developed areas. It encourages on-site leisure and recreational space and open space. Quality design for the overall community as well as individual units is paramount in achieving a functional and aesthetic setting.
- B. Principal, Accessory, and Conditional Uses

1. Permitted Principal Uses and Structures
 - a. Single family detached homes
 - b. Licensed Group Home (up to 6 residents)
 - c. Elementary Schools
 2. Permitted Accessory Uses and Structures
 - a. Accessory dwellings (on single family detached units only). One per lot. Must be either built as part of the principal building (i.e., above the garage) or attached to the principal structure by covered walkway, screened enclosure, or breezeway.
 - b. Detached garages
 - c. Detached Sheds
 - d. Workshops
 - e. Pools
 - f. Boathouses
 - g. Docks
 - h. Children's play structures
 - i. Fences
 - j. Decks
 - k. Decorative walls as part of a landscaped buffer
 - l. A park as part of a residential subdivision, including pavilions, a community pool and/or community building and sports courts.
 - m. Trails for pedestrians and cyclists (non-motorized)
 - n. Community buildings for leisure activities
 - o. Covered Parking
 - p. Home occupations
 3. Conditional Uses and Structures
 - a. Community boat ramp
 - b. Community boat dock(s)
 - c. Community fishing pier
- C. Prohibited Uses
- a. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 2. Maximum impervious surface is 50%
 3. Maximum of 3 dwelling units per acre
 4. Minimum lot size for single family detached units is 10,890 square feet.
 5. Minimum lot width for single family detached units is 80 feet,
 6. Minimum lot depth for all units is 120 feet
 7. Minimum front yard setback is 30 feet
 8. Minimum street side yard setback is 12.5 feet
 9. Minimum side yard (interior) setback is 12.5 feet

10 Minimum rear yard setback is 25 feet for principal dwelling, detached garage, or accessory dwelling. Rear yard setback for sheds, workshops, pools, play structures, and other similar accessory structures is 10 feet.

11 Setbacks do not pertain to boathouses, docks, or fences.

12 Minimum square footage of principal dwelling on single-family detached homes is 1,600 square feet (air-conditioned, not including garage or accessory dwelling).

E. Other Standards

- a. Single family detached units shall have a two-car garage (a minimum of 440 square feet) and a driveway that measures a minimum of 16 feet wide and 20 feet long from right of way to garage. Driveways shall be paved with a hard surface material such as concrete, asphalt, paver blocks, brick, etc. Grass, mulch, or gravel shall not qualify as surfacing for residential driveways.
- b. Minimum of 25% open space required.

2.02.05 Neighborhood Commercial (NC)

A. Purpose. The purpose of the Neighborhood Commercial (NC) zoning district is to provide attractive and functional areas to meet the daily shopping and service needs of residents and visitors. These commercial areas should be designed and constructed so as to be architecturally compatible with the residential development in the area and to cause the least possible nuisance and additional traffic to nearby residential uses. The NC district recognizes the desire for convenience goods and services in close proximity to residential neighborhoods, provided that such uses are limited in intensity as set forth in this LDC.

B. Principal, Accessory, and Conditional Uses

1. Permitted Principal Uses and Structures

- a. Banks and Credit Unions
- b. Professional Services (i.e., Barber; Beauty Salon; Business Services such as copying, mailing, and printing; Laundry and Dry Cleaning, pick up only; Day Spa)
- c. Groceries
- d. Convenience Stores
- e. Retail Shops (i.e., Book and Stationery stores; Gift Shops; Clothing; Sporting Goods)
- f. Restaurants
- g. Professional Offices (i.e., Medical, Dental, Legal)
- h. Drug Store or Pharmacy
- i. Bed and Breakfast Inn
- j. Music, Dance, Photography, or Art Studio
- k. Small Equipment or Appliance Repair Shops (repair done indoors)
- l. Specialty Food Stores (i.e., Bakery)
- m. Elementary Schools
- n. Middle Schools

2. Permitted Accessory Uses and Structures

- a. Parks and Plazas

- b. Dumpsters
- c. Fences
- d. Decorative Walls
- e. Covered Parking
- f. Signs
- g. Parking Lots
- 3. Conditional Uses and Structures
 - a. Buildings more than 5,000 square feet in size.
 - b. Religious facilities
 - c. Convenience stores with gasoline sales
 - d. Gasoline stations
 - e. Bars and cocktail lounges
 - f. Automobile sales
 - g. Automotive repair
 - h. Clubs and Fraternal lodges
 - i. Churches with quasi-commercial programs such as day care centers and schools
 - j. Day care centers (adult and child)
 - k. Animal Hospital or Veterinary Clinic
 - l. Marina
 - m. Theaters (Movie or Performing Arts)
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - 2. Maximum FAR of .5 for all buildings
 - 3. Maximum size of any one building is 5,000 square feet.
 - 4. Maximum impervious surface is 70%
 - 5. Minimum lot size is 1/2 acre.
 - 6. Minimum lot width is 100 feet
 - 7. Minimum lot depth is 150 feet
 - 8. Minimum front yard setback is 30 feet
 - 9. Minimum street side yard setback is 30 feet
 - 10. Minimum side yard (interior) setback is 20 feet
 - 11. Minimum rear yard setback is 30 feet
- E. Other Standards
 - 1. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.06 Light Industrial (IND)

- A. Purpose. The purpose of the Light Industrial (IND) zoning district is to provide sites in appropriate locations for light industrial operations which do not generate

objectionable on- or off-site impacts including odors; smoke; dust; refuse; electromagnetic interference; or noise (in excess of that customary to loading, unloading, and handling of goods and materials beyond the lot on which the facility is located); or which would have an adverse impact on the Town's wastewater treatment system; or result in hazardous environments for workers or visitors. This district is not intended to accommodate heavy industrial uses.

- B. Principal, Accessory, and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. Warehouses
 - b. Distribution Centers
 - c. Light Manufacturing and Production (indoor)
 - d. Research and Development laboratories and facilities
 - e. High Schools
 - f. Medical laboratories
 - g. Automotive repair, garage
 - h. Automotive paint and body shops
 - i. Boat repair
 - j. Utility truck, trailer, and equipment rentals
 - k. Adult entertainment
 - l. Mini-storage facilities
 - m. Telecommunication towers
 - n. Trades and Repair Services (i.e., Electrical, Heating, Air, Plumbing)
 - 2. Permitted Accessory Uses and Structures
 - a. Dumpsters
 - b. Fences
 - c. Decorative Walls
 - d. Storage buildings
 - e. Detached Sheds
 - f. Covered Parking
 - g. Signs
 - h. Parking Lots
 - i. Caretaker or security dwelling
 - 3. Conditional Uses and Structures
 - a. Garden Centers and nurseries
 - b. Lumber and building supply
 - c. Outdoor Storage
 - d. Industrial trade schools
 - e. Wholesale sales to the public
 - f. Showrooms (i.e., tile, cabinetry, etc.)
- C. Prohibited Uses
 - 1. Automotive Wrecking or Junkyard
 - 2. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet

- a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 2. Maximum FAR of .6 for all buildings
 3. Maximum impervious surface is 70%
 4. Minimum lot size is 1/2 acre.
 5. Minimum lot width is 100 feet
 6. Minimum lot depth is 150 feet
 7. Minimum front yard setback is 30 feet
 8. Minimum street side yard setback is 30 feet
 9. Minimum side yard (interior) setback is 20 feet
 10. Minimum rear yard setback is 30 feet
- E. Other Standards
1. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.07 Institutional 1 (INS-1)

- A. Purpose. The purpose of the Institutional 1 (INS-1) zoning district is to locate and establish areas within the Town which are suited for developments of a general institutional nature to serve the residents of the Town.
- B. Principal and Accessory Uses
1. Permitted Principal Uses and Structures
 - a. Educational facilities, public or private (i.e., Elementary, Middle, High, Business Colleges, Vocational Schools, Arts Schools)
 - b. Government buildings (including police and fire)
 - c. Cultural facilities (i.e., museums, community theaters)
 - d. Libraries
 - e. Community centers
 - f. Religious facilities
 - g. Day care centers (adult and child)
 - h. Cemeteries (public or private)
 - i. Single-family residences
 2. Permitted Accessory Uses and Structures
 - a. Public parks and plazas
 - b. Dumpsters
 - c. Fences
 - d. Decorative Walls
 - e. Storage buildings
 - f. Detached Sheds
 - g. Pools
 - h. Covered Parking
 - i. Playground equipment
 - j. Signs
 - k. Parking Lots
- C. Prohibited Uses

1. Any use or structure not listed above as permitted.
- D. Dimensional Criteria
 1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 2. Maximum FAR of .25 for all buildings
 3. Maximum impervious surface is 40%
 4. Minimum lot size is 1/2 acre.
 5. Minimum lot width is 100 feet
 6. Minimum lot depth is 150 feet
 7. Minimum front yard setback is 30 feet
 8. Minimum street side yard setback is 30 feet
 9. Minimum side yard (interior) setback is 20 feet
 10. Minimum rear yard setback is 30 feet
 11. Single-family residences shall conform to the dimensional requirements of the MDR-2 zoning classification
- E. Other Standards
 1. Minimum of 25% open space is required.
 2. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.08 Institutional 2 (INS-2)

- A. Purpose. The purpose of the Institutional 2 (INS-2) zoning district is to locate and establish areas within the Town which are suited for developments of an institutional nature related to health and daily living assistance to serve the population who needs these services on either a temporary or more permanent basis.
- B. Principal, Accessory, and Conditional Uses
 1. Permitted Principal Uses and Structures
 - a. Nursing homes
 - b. Community residential facilities
 - c. Group homes for more than 6 people
 - d. Hospitals
 - e. Assisted Living Facilities
 2. Permitted Accessory Uses and Structures
 - a. Medical Offices
 - b. Physical Therapy Offices
 - c. Dumpsters
 - d. Fences
 - e. Decks
 - f. Decorative Walls
 - g. Storage buildings
 - h. Detached Sheds
 - i. Pools
 - j. Covered Parking

- k. Playground equipment
- l. Signs
- m. Parking Lots
- 3. Conditional Uses and Structures
 - a. Day Care Facilities (child and adult)
 - b. Clinics
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - 2. Maximum FAR of .25 for all buildings
 - 3. Maximum impervious surface is 40%
 - 4. Minimum lot size is 1/2 acre.
 - 5. Minimum lot width is 100 feet
 - 6. Minimum lot depth is 150 feet
 - 7. Minimum front yard setback is 30 feet
 - 8. Minimum street side yard setback is 30 feet
 - 9. Minimum side yard (interior) setback is 20 feet
 - 10. Minimum rear yard setback is 30 feet
- E. Other Standards
 - 1. Minimum of 25% open space is required.
 - 2. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.09 Recreation 1 (REC-1)

- A. Purpose. The principal purpose of the Recreation 1 (REC-1) zoning district is to provide for and regulate public and private outdoor recreation.
- B. Principal, Accessory, and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. Outdoor Recreational Facilities (public or private)
 - b. Ball fields
 - c. Soccer fields
 - d. Multi purpose fields
 - e. Tennis courts
 - f. Basketball courts
 - g. Track
 - h. Golf courses and/or Driving ranges
 - 2. Permitted Accessory Uses and Structures
 - a. Indoor recreational facilities
 - b. Detached Sheds
 - c. Restroom facilities
 - d. Playground equipment

- e. Concession stands
- f. Stadium seating (bleachers)
- g. Dumpsters
- h. Fences
- i. Decorative Walls
- j. Storage buildings
- k. Covered Parking
- l. Signs
- m. Parking Lots
- 3. Conditional Uses and Structures
 - a. Retail sales related to the principal use
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - 2. Maximum FAR of .2 for all buildings
 - 3. Maximum impervious surface is 30%
 - 4. Minimum lot size is 1/2 acre.
 - 5. Minimum lot width is 100 feet
 - 6. Minimum lot depth is 150 feet
 - 7. Minimum front yard setback is 30 feet
 - 8. Minimum street side yard setback is 30 feet
 - 9. Minimum side yard (interior) setback is 20 feet
 - 10. Minimum rear yard setback is 30 feet
- E. Other Standards
 - 1. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.10 Recreation 2 (REC-2)

- A. Purpose. The principal purpose of the Recreation 2 (REC-2) zoning district is to provide for and regulate public and private indoor recreation.
- B. Principal, Accessory, and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. Indoor Recreational Facilities (public or private)
 - b. Tennis club
 - c. Bowling alley
 - d. Athletic club
 - e. Gymnasium
 - 2. Permitted Accessory Uses and Structures
 - a. Pools
 - b. Dumpsters
 - c. Fences
 - d. Decorative Walls
 - e. Signs
 - f. Parking Lots
 - 3. Conditional Uses and Structures

- a. Outdoor recreational facilities
- b. Retail sales related to the principal use
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - 2. Maximum FAR of .2 for all buildings
 - 3. Maximum impervious surface is 30%
 - 4. Minimum lot size is 1/2 acre.
 - 5. Minimum lot width is 100 feet
 - 6. Minimum lot depth is 150 feet
 - 7. Minimum front yard setback is 30 feet
 - 8. Minimum street side yard setback is 30 feet
 - 9. Minimum side yard (interior) setback is 20 feet
 - 10. Minimum rear yard setback is 30 feet
- E. Other Standards
 - 1. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.11 Conservation (CON)

- A. Purpose. The purpose of the Conservation (CON) zoning district is to ensure the conservation and preservation of water bodies, wetlands, and other important land areas both public and privately owned. It is intended that the natural character of these areas be retained and protected from development.
- B. Principal, Accessory, and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. None
 - 2. Permitted Accessory Uses and Structures
 - a. None
 - 3. Conditional Uses and Structures
 - a. Boardwalks
 - b. Docks
 - c. Observation Decks
 - d. Dumpsters
 - e. Fences
 - f. Unpaved parking lots
 - g. Portable restroom facilities
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.

2.02.12 Public (PUB)

- A. Purpose. The purpose of the Public (PUB) zoning district is to provide areas for governmental uses as well as essential utilities that may be publicly or privately owned.
- B. Principal and Accessory Uses
 - 1. Permitted Principal Uses and Structures

- a. Government buildings
- b. Essential utilities
- c. Public cemeteries
- d. Telecommunications towers
- 2. Permitted Accessory Uses and Structures
 - a. Dumpsters
 - b. Fences
 - c. Decorative Walls
 - d. Storage buildings
 - e. Signs
 - f. Parking Lots
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum FAR of .25
 - 2. Maximum impervious surface is 50%
 - 3. Maximum building height is 35 feet
 - 4. Maximum height for other facilities is 2 stories and 35 feet (with the exception of telecommunications towers)
- E. Other Standards
 - 1. Setbacks do not pertain to fences, walls, signs, and parking lots.

2.02.13 Planned Unit Development (PUD)

- A. Purpose. The purpose of the Planned Unit Development (PUD) zoning district is to allow for mixed use development (i) within the Town Center and (ii) for development of land equal to or exceeding 100 acres in other areas of Town where Town Council determines that a mixture of uses is desired and appropriate. The PUD zoning district shall be used for development or redevelopment of Town Center properties when development of more than one acre is being proposed. The PUD zoning district shall also be used for all properties with Village Mixed Use land use. The purpose of the PUD zoning for Village Mixed Use is to require a mix of uses to promote sustainable development, including the provisions of reducing dependence on the automobile, protecting more open land, and providing quality of life by allowing people to live, work, socialize and engage in recreational activities in a village setting.
- B. Principal, Accessory, and Conditional Uses
 - 1. The following uses and structures are permitted, if approved as part of an overall PUD zoning plan:
 - a. Permitted and conditional uses and structures for the Town Center are those denoted within the TC-R, TC-F, and TC-C zoning districts. The Town Center Overlay Map outlines the TC-R, TC-F, and TC-C areas.
 - b. Permitted and conditional commercial uses and structures for the Village Mixed Use include all the uses and structures outlined in the NC zoning category, subject to approval as part of an overall PUD zoning plan.

Permitted and conditional residential uses and structures and non-residential uses and structures (other than commercial) for the Village Mixed Use PUDs shall be subject to approval as part of an overall PUD zoning plan.

C. Prohibited Uses

1. Any use or structure not listed above as permitted or conditional.

D. Dimensional and Other Criteria

1. Dimensional criteria for Town Center PUDs are as outlined in the TC-R, TC-F, and TC-C zoning districts.
2. Dimensional criteria for Village Mixed Use PUDs shall be determined at the time of zoning approval. They shall be consistent with the Village Mixed Use land use criteria, including:
 - a. The maximum density of 3 dwelling units per acre.
 - b. Residential areas shall comprise a minimum of 70% of the net land area and a maximum of 85% of the net land area.
 - c. Commercial/non-residential areas shall comprise a minimum of 15% of the net land area and a maximum of 30% of the net land area. This includes community facilities and schools.
 - d. For developments with more than 100 acres, 5% of the non-residential land shall be dedicated for public/civic buildings.
 - e. Commercial/non-residential uses may be 2 stories with 50% coverage as long as parking and other support facilities (stormwater) are met.
 - f. Public recreational uses shall occupy a minimum of 10% of the usable open space (no wetlands).
 - g. A minimum of 25% open space is required.
 - h. The maximum building size is 65,000 square feet.
3. Other Standards for PUDs include:
 - a. Reserved
 - b. All new buildings in the Town Center Commercial district shall be two stories maximum not exceeding 35 feet in height.
 - c. Setbacks do not pertain to boathouses, docks, and fences.
 - d. A maximum FAR of 2.0 is permitted in the Town Center Commercial areas if parking and stormwater requirements can be met.
 - e. The maximum building height for both the Town Center and Village Mixed Use developments shall be two (2) stories and 35 feet. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - f. To apply for a Village Mixed Use PUD, the applicant shall have a minimum of 100 acres.
 - g. For residential lots, minimum lot size is 10,890 sq. ft. Minimum setbacks are 30 feet front yard and 25 feet rear yard (10 feet for accessory structures). Minimum principal dwelling size is 1,600 sq. ft.

2.02.14 Town Center Residential (TC-R)

- A. Purpose. The purpose of the Town Center Residential (TC-R) zoning district is to allow for residential development and redevelopment on individual parcels identified on the Town Center Overlay Map for residential uses.
- B. Principal, Accessory, and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. Single family detached homes
 - b. Licensed Group Home (up to 6 residents)
 - 2. Permitted Accessory Uses and Structures
 - a. Accessory dwelling. One per lot. Must be either built as part of the principal building (i.e., above the garage) or attached to the principal structure by covered walkway, screened enclosure, or breezeway.
 - b. Detached garages
 - c. Detached Sheds
 - d. Workshops
 - e. Pools
 - f. Boathouses
 - g. Docks
 - h. Children's play structures
 - i. Fences
 - j. Decks
 - k. Home occupations
 - 3. Conditional Uses and Structures
 - a. None
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum building height is 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - 2. Maximum impervious surface is 50%
 - 3. Minimum lot size for single family detached units is 9,000 square feet.
 - 4. Minimum lot width for single family detached units is 100 feet (Existing lots of record that are less than 100 feet wide may be developed as long as they meet setback requirements; however, if two adjacent vacant lots are owned by the same entity, they shall be combined to meet minimum lot width requirements.)
 - 5. Minimum front yard setback is 25 feet
 - 6. Minimum street side yard setback is 25 feet
 - 7. Minimum side yard (interior) setback is 12.5 feet
 - 8. Minimum rear yard setback is 30 feet for principal dwelling, detached garage, or accessory dwelling. Rear yard setback for sheds, workshops, pools, play structures, and other similar accessory structures is 10 feet.

9. Minimum square footage of principal dwelling on single-family detached homes is 1,700 square feet (air-conditioned, not including garage or accessory dwelling).
- E. Other Standards
 1. Setbacks do not pertain to boathouses, docks, and fences.
 2. Single family detached units shall have a one-car garage or carport (a minimum of 200 square feet). The garage shall be set back at least 20 feet from the right of way.

2.02.15 Town Center Flex (TC-F)

- A. Purpose. The purpose of the Town Center Flex (TC-F) zoning district is to allow for development or redevelopment of individual parcels identified on the Town Center Overlay Map for office, professional services, residential, or live/work uses.
- B. Principal, Accessory, and Conditional Uses
 1. Permitted Principal Uses and Structures
 - a. Professional Offices
 - b. Professional Services
 - c. Single family detached homes
 - d. Live/work space (same person who owns the business, lives in the home).
 2. Permitted Accessory Uses and Structures
 - a. Detached garages
 - b. Detached Sheds
 - c. Workshops
 - d. Pools
 - e. Boathouses
 - f. Docks
 - g. Children’s play structures
 - h. Fences
 - i. Decks
 - j. Signs
 - k. Home occupations
 3. Conditional Uses and Structures
 - a. Bed and Breakfast Inn
- C. Prohibited Uses
 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 1. Maximum building height of 35 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 2. Maximum impervious surface of 40%
 3. Minimum lot size is 9,000 square feet.
 4. Minimum lot width is 100 feet (Existing lots of record that are less than 100 feet wide may be developed as long as they meet setback requirements;

however, if two adjacent vacant lots are owned by the same entity, they shall be combined to meet minimum lot width requirements.)

5. Minimum front yard setback is 25 feet
6. Minimum street side yard setback is 25 feet
7. Minimum side yard (interior) setback is 12.5 feet
8. Minimum rear yard setback is 30 feet for principal dwelling or detached garage. Rear yard setback for sheds, workshops, pools, play structures, and other similar accessory structures is 10 feet.
9. Minimum square footage of principal dwelling is 1,700 square feet (air-conditioned, not including garage).

E. Other Standards

1. Setbacks do not pertain to boathouses, docks, and fences.
2. Single family detached units shall have a one-car garage or carport (a minimum of 200 square feet). The garage shall be set back at least 20 feet from the right of way.

2.02.16 Town Center Commercial (TC-C)

A. Purpose. The purpose of the Town Center Commercial (TC-C) zoning district is to allow for development or redevelopment of individual parcels identified on the Town Center Overlay Map for commercial core. This includes the ability to have residential uses on the second floor and as permitted uses for transitional areas within the Town Center Commercial district.

B. Principal, Accessory, and Conditional Uses

1. Permitted Principal Uses and Structures

- a. Retail Shops (i.e., Book and Stationery stores; Gift Shops; Clothing; Sporting Goods)
- b. Professional Offices
- c. Professional Services
- d. Personal Services (hair salon, spa, nail salon)
- e. General Retail with GFA of less than 5000 square feet (hardware, antiques, etc.)
- f. Gym, fitness studio, yoga and similar uses
- g. Restaurants
- h. Banks and Credit Unions
- i. Pharmacies
- j. Cultural facilities (museums, community theaters)
- k. Bed and Breakfast Inn
- l. Music, Dance, Photography, or Art Studio
- m. Small Equipment and Appliance Repair Shops (repair done indoors)
- n. Specialty Food Stores (i.e., Bakery)
- o. Convenience Stores
- p. Residential (second floor only)
- q. Single-family housing as a transitional use west of Dixie Dr. and lots abutting Oak St. and Holly St.

2. Permitted Accessory Uses and Structures

- a. Parks and Plazas
- b. Dumpsters
- c. Fences
- d. Signs
- e. Parking Lots
- 3. Conditional Uses and Structures
 - a. Parking Lots
 - b. Religious facilities
- C. Prohibited Uses
 - 1. Any use or structure not listed above as permitted or conditional.
- D. Dimensional Criteria
 - 1. Maximum FAR of 2.0 is permitted is parking and stormwater requirements can be met.
 - 2. Maximum building height of 35 feet. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
 - 3. Buildings fronting on Central Avenue shall comply with a build-to line between the front property line and a parallel line five feet from the front property line.
- E. Other Standards
 - 1. All new buildings in the Town Center Commercial district shall be two stories. One story buildings may be permitted provided the building façade below the parapet line is a minimum of 15 feet in height.
 - 2. Drive through facilities may be permitted provided the drive through window and stacking lane are located to the rear of the building.
 - 3. The initial five feet of area in front of buildings fronting on Central Avenue or SR 19 is designated as a commerce area (including right-of-way on Central Avenue) within which the business may display items (other than signage) which are specialty products or services provided on site. Restaurants may provide outdoor seating. Display of general retail items such as home goods (mattresses, bedding, appliances, etc.), building supplies (carpet, flooring, lumber, etc.) and similar products are not permitted. When questions arise about the approval of a proposed display, these shall be resolved as provided in Section 1.06.
 - 4. The Town Council may grant a waiver to allow commercial buildings in excess of 5,000 square feet. Waivers shall be based on the particular needs of the individual business, the compatibility of the proposed building and business with the business site and other affected development, enhanced architectural design of the proposed building, and other factors which the Town Council determines as relevant to development of the proposed site and impacts to the general area.
 - 5.

2.02.18 High Density Residential 1 (HDR-1)

- A. Purpose: The purpose of the High Density Residential 1 (HDR-1) zoning district is to provide for townhome units and smaller groupings of multi-family dwellings in condominium and platted lot settings supported by community amenities, proper access and adequate public facilities. Projects must be accessed only from arterial or collector roads and provide high quality building design.
- B. Principal, Accessory and Conditional Uses
 - 1. Permitted Principal Uses and Structures
 - a. Multi-family dwellings
 - b. Licensed group homes
 - c. Nursing homes
 - d. Elementary schools
 - 2. Permitted Accessory Uses and Structures
 - a. Community buildings
 - b. Recreation facilities
 - c. Swimming pools
 - d. Boathouses
 - e. Docks
 - f. Fences
 - g. Trails (non-motorized)
 - h. Home occupations
 - 3. Conditional Uses and Structures
 - a. None
- C. Prohibited Uses
 - 1. Any use or structure not listed as permitted or conditional
- D. Project Requirements
 - 1. Minimum parcel size is one acre.
 - 2. Maximum project density is six units per acre
 - 3. Impervious surface ratio for the project is 60%
 - 4. Perimeter landscaped buffer is 15 feet adjacent to single-family residentially zoned property and 10 feet adjacent to non-residentially zoned property or other high density residentially zoned property.
 - 5. Project site must be accessed only from an arterial or collector road
- E. Building Requirements
 - 1. Buildings shall have a minimum of three units and a maximum six units
 - 2. Building spacing is 20 feet between side to side of buildings and side to rear of buildings, 30 feet between front and side of buildings, and 40 feet between front and rear of buildings.
 - 3. Maximum building height is 35 feet. Building mounted appurtenances such as belfries, chimneys, cupolas, antennas, and other appurtenances and design elements usually placed above roof level and not used for human occupancy may exceed the maximum building height by 10 feet.
- F. Unit Requirements (Townhomes and other platted lots)
 - 1. Minimum lot width 30 feet
 - 2. Minimum lot area 3,000 square feet
 - 3. Minimum green space per lot 20%

4. Minimum floor area 1,700 square feet
 5. Minimum unit setbacks Front: 20 feet
Side: 10 feet
Side: 0 feet (interior)
Rear: 20 feet
 6. Parking: Minimum 2-car garage plus 18-foot wide driveway
- G. Unit Requirements (Where lots are not platted.)
1. Individual buildings shall follow the standards of Section E above.
 2. Minimum floor area 1,500 square feet.
 3. Parking: Minimum of two units per unit plus guest parking at ten percent of resident parking. Parking may be surface parking or garage parking. For surface parking landscaping meeting the requirements of Section 7.05 is required.
- H. Other Requirements
1. All units shall meet the design requirements for residential development per Section 4.06
 2. Projects of 30 units or more are required to provide recreation facilities for project residents. Recreation facilities are to include a combination of active and passive recreation opportunities.

2.02.19.1 High Density Residential 2 (HDR-2)

- A. Purpose: The purpose of the High Density Residential 2 (HDR-2) zoning district is to provide for larger groupings of multi-family dwellings in condominium and platted lot settings supported by community amenities, proper access and adequate public facilities. Projects must be accessed only from arterial or collector roads and provide high quality building design.
- B. Principal, Accessory and Conditional Uses
1. Permitted Principal Uses and Structures
 - a. Multi-family dwellings
 - b. Licensed group homes
 - c. Nursing homes
 - d. Elementary schools
 2. Permitted Accessory Uses and Structures
 - a. Community buildings
 - b. Recreation facilities
 - c. Swimming pools
 - d. Boathouses
 - e. Docks
 - f. Fences
 - g. Trails (non-motorized)
 - h. Home occupations
 3. Conditional Uses and Structures
 - a. None
- C. Prohibited Uses
1. Any use or structure not listed as permitted or conditional

D. Project Requirements

1. Minimum parcel size is three acres.
2. Maximum project density is ten units per acre
3. Impervious surface ratio for the project is 60%
4. Perimeter landscaped buffer is 25 feet adjacent to single-family residentially zoned property and 15 feet adjacent to non-residentially zoned property or other high density residentially zoned property.
5. Project site must be accessed only from an arterial or collector road

E. Building Requirements

1. Buildings shall have a minimum of three units and a maximum eight units
2. Building spacing is 20 feet between side to side of buildings and side to rear of buildings, 30 feet between front and side of buildings, and 40 feet between front and rear of buildings.
3. Maximum building height is 35 feet. Building mounted appurtenances such as belfries, chimneys, cupolas, antennas, and other appurtenances and design elements usually placed above roof level and not used for human occupancy may exceed the maximum building height by 10 feet.

F. Unit Requirements (Townhomes and other platted lots)

1. Minimum lot width 30 feet
2. Minimum lot area 3,000 square feet
3. Minimum green space per lot 20%
4. Minimum floor area 1,700 square feet
5. Minimum unit setbacks Front: 20 feet
 - a. Side: 10 feet
 - b. Side: 0 feet (interior)
 - c. Rear: 20 feet
6. Parking: Minimum 2-car garage plus 18-foot wide driveway

G. Unit Requirements (Where lots are not platted.)

1. Individual buildings shall follow the standards of Section E above.
2. Minimum floor area 1,500 square feet.
3. Parking: Minimum of two units per unit plus guest parking at ten percent of resident parking. Parking may be surface parking or garage parking. For surface parking landscaping meeting the requirements of Section 7.05 is required.

H. Other Requirements

1. All units shall meet the design requirements for residential development per Section 4.06
2. Projects of 30 units or more are required to provide recreation facilities for project residents. Recreation facilities are to include a combination of active and passive recreation opportunities.

2.03.00 ESTABLISHMENT AND PURPOSE OF OVERLAY DISTRICTS

2.03.01 Generally

The purpose of overlay districts is to call attention to certain areas of Town that warrant special regulations. Special and unique design standards and other development criteria shall apply to these areas. These special and unique standards shall supersede any general standards of development as may be outlined in this LDC.

2.03.02 Town Center Overlay

The Town Center (TC) Overlay is intended to provide for more than one use within the area. It also may allow for more than one use on a parcel. It is intended to preserve the form, function, image, and ambiance of the historic Town Center and surrounding area as the ceremonial, civic, and cultural center of the Town.

In order to sustain these qualities, new development and redevelopment within the Town Center Overlay shall be reflective of the architectural styles and fabric of the area. Consistency and compatibility with the existing built environment shall be considered in the review and issuance of development permits within the Town Center Overlay. In order to preserve the quaint character of downtown Howey in the Hills, size limitations will also be placed on individual businesses. Redevelopment will focus on orienting buildings and roadways to a pedestrian scale. Design shall be pedestrian-friendly.

2.03.03 Townhomes

A. In order to support increased densities in the Town Center Overlay, townhome construction is permitted in areas designated as Town Center Residential (TC-R), Town Center Flex (TC-F) or Town Center Commercial (TC-C). All townhomes shall meet the density limits allowed by the underlying land use classification and shall meet the dimensional requirements as follows:

B. Dimensional Criteria

1. Maximum building height is 30 feet
 - a. Building-mounted appurtenances such as belfries, chimneys, cupolas, and antennas used for domestic purposes, or other appurtenances usually placed above roof level and not used for human occupancy, may exceed the maximum building height by 10 feet.
2. Maximum impervious surface is 50%
3. Maximum of 4 dwelling units per acre
4. Minimum lot size for townhomes is 5,000 square feet.
5. Minimum lot width is 50 feet for exterior townhome lots, and 35 feet for interior townhome lots

6. Minimum lot depth is 120 feet
7. Minimum front yard setback is 25 feet (15 feet if the lot includes a recessed or detached garage at least 25 feet from the front lot line)
8. Minimum street side yard setback is 25 feet
9. Minimum side yard (interior) setback is 15 feet (no side setback for interior townhome units)
10. Minimum rear yard setback is 25 feet for principal dwelling, detached garage, or accessory dwelling. Rear yard setback for sheds, workshops, pools, play structures, and other similar accessory structures is 10 feet.
11. Setbacks do not pertain to boathouses, docks, or fences.
12. Minimum square footage of townhomes is 1,200 square feet (air-conditioned, not including garage).
13. Townhomes shall have a two-car garage (a minimum of 441 square feet) and a driveway that measures a minimum of 16-feet wide and 20-feet long from the right-of-way to the garage.

2.03.04 Historic and Archeological Property Overlay

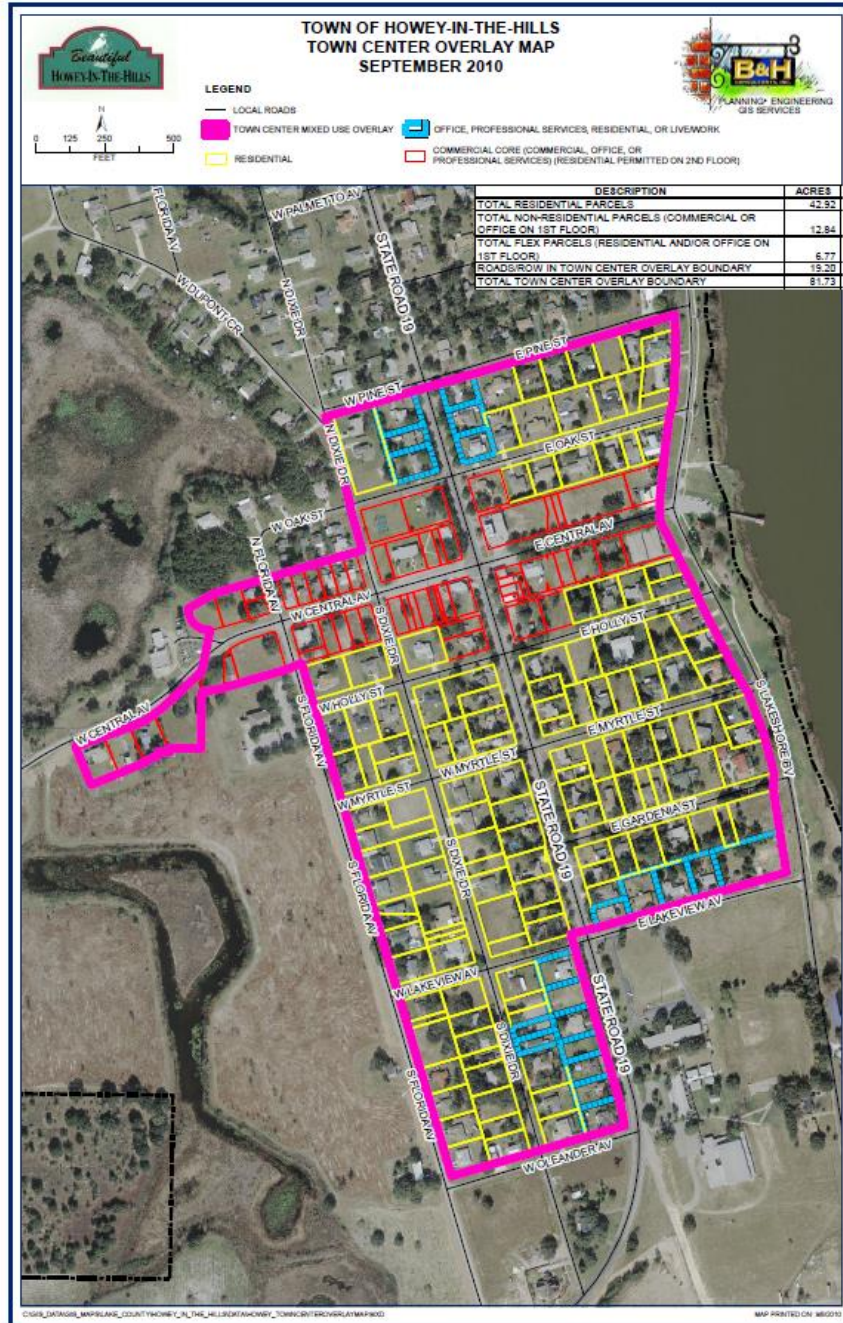
- A. Purpose:** The Historic and Archeological Property Overlay is intended to preserve historic and archeological assets by designating sites which meet the specified criteria; by providing for alternative and adaptive reuse opportunities for designated properties consistent with neighborhood conditions; result in the preservation of the historic or archeological resource. The overlay is intended to preserve the underlying zoning as the base use for the property and the zoning which will be effective on the property should the designated resource be removed for any reason.
- B. Applicability:** The overlay designation may be applied to one or more parcels in any zoning district if both of the following conditions are met.
1. The historic or archeological asset is listed on the National Register of Historic Places; designated by the State of Florida as a historic or archeological resource; or as approved by the Town Council as a locally significant site.
 2. The original use of the building or site no longer functions in the current environment or would create negative secondary impacts to the surrounding neighborhood if utilized for its original use.
- C. Review and Approval Process:** An application for designation as a Historic Property Overlay shall follow the following procedures.
1. The applicant shall submit an application for rezoning to the historic property overlay as required by Section 4.11.00 Special Overlay Districts including compliance with the requirements for review of the application and notice procedures.

2. The adoption process for the Historic Property Overlay shall follow requirements of 4.15.04 and 4.15.05 so as to follow the same requirements as established for Land Development Code Amendment requirements.
3. Once approved the Historic Property Overlay shall be denoted by the addition of the designation “H” to the underlying zoning classification.
4. For the area included within the Historic Property Overlay, the special development plan required by Section 4.11.01B shall consist of the Historic Resource Management Plan (HRMP). In addition to the requirement specified in Section 4.11.01.B, the HRMP shall address all requirements specified by the Town Planner, which may include some or all of the following: permitted uses; a conceptual site plan; site development requirements including but not limited to access, parking, landscaping, signage, and dimensional requirements; any waivers from code provisions essential to implement the HRMP; and other provisions found necessary to implement the HRMP.

The HRMP shall also include a plan and program to preserve the supporting historic or archeological resource including a time frame for implementation of necessary renovations, restoration or other related improvements including compliance with U.S. Secretary of the Interior’s “Illustrated Guidelines for Rehabilitating Historic Buildings.”

- D. Vacation of the Historic Property Overlay:** Should the historic or archeological resource which forms the basis of the Historic Property Overlay be destroyed or removed from the property for any reason, the Historic Property Overlay shall be vacated and the property shall assume the designation of the underlying zoning.

2.03.03 Town Center Overlay Map



TOWN OF HOWEY-IN-THE-HILLS

ZONING DISTRICT DIMENSIONAL REQUIREMENTS

District	Lot Size	Lot Width	Lot Depth	Building Setbacks				Building Height	Floor Area	Max. FAR	Lot Coverage (%)
				Front	Street Side	Side	Rear				
Agriculture	2 ac.	150	200	50	50	25	50	35	1500	.15	20
Rural Estate	1 ac.	150	200	50	50	25	50	35	1500	.15	
Single Family Residential	.5 ac.	100	150	35	35	20	30	35	2000	.20	
Medium Density Residential 1	15,000 sf	100	120	35	15	12.5	30	35	1800		50
Medium Density Residential 2	10,800 sf	80	120	30	12.5	12.5	25	35	1600		50
High Density Residential 1	1 ac.	b.	b.	30 b.	b.	20 b.	40 b.	35	1700		60
High Density Residential 2	3 ac.	b.	b.	30 b.	b.	20 b.	40 b.	35	1700		60
Neighborhood Commercial	.5 ac	100	150	30	30	20	30	35	a.	.50	70
Industrial	.5 ac	100	150	30	30	20	30	35		.60	70
Institutional 1	.5 ac	100	150	30	30	20	30	35		.25	40
Institutional 2	.5 ac	100	150	30	30	20	30	35		.25	40
Recreation 1	.5 ac	100	150	30	30	20	30	35		.20	30
Recreation 2	.5 ac	100	150	30	30	20	30	35		.20	30
Public	.5 ac	100	150	30	30	20	30	35		.25	50
Town Center Residential	9000 sf	100		25	25	12.5	30	35	1700		50
Town Center Flex	9000 sf	100		25	25	12.5	30	35	1700		40
Town Center Commercial								35		2.0	

- a. Maximum building size is 5,000 square feet
- b. Refer to code for details on HDR-1 and HDR-2
- c. Conservation District has no dimensional requirements
- d. Public District allows two stories and 35 feet for facilities other than buildings.