



LAND DEVELOPMENT CODE

Chapter 2 Zoning Regulations

CHAPTER 2 ZONING REGULATIONS

NOTE: FOR OKALOOSA ISLAND CODES
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2.00.00 Purpose: The purpose of this chapter is to implement and put into practical regulatory effect the provisions of the Future Land Use Element and future land use categories established in the Okaloosa County Comprehensive Plan.

2.00.01 Zoning Regulations: Zoning districts, classifications, and regulations are hereby established as sections 2.01.00 through 2.21.00 of this code. All development or use of land within the unincorporated area shall be in accordance with the regulations specified herein. Zoning districts to be depicted on the [Official Zoning Map](#) are as follows. Go here for [SCHEDULE OF BULK REGULATIONS](#) (density, setbacks, minimum lot frontage, maximum building height, Impervious Surface Coverage (ISC) and Floor Area Ratio (FAR))

NOTE: FOR OKALOOSA ISLAND CODES
B-1, B-2, B-3, & B-4 [CLICK HERE!](#)

[AGRICULTURE \(AA\)](#)
[RESIDENTIAL RURAL \(RR\)](#)
[RESIDENTIAL -1 \(R-1\)](#)
[RESIDENTIAL -2 \(R-2\)](#)
[RESIDENTIAL -3 \(R-3\)](#)
[SUBURBAN RESIDENTIAL \(SR\)](#)
[MANUFACTURED/MOBILE HOME PARK \(MHP\)](#)
[MIXED USE \(MU\)](#)
[MIXED USE - 1 \(MU-1\)](#)
[MIXED USE -2 \(MU-2\)](#)
[BUSINESS OFFICE \(C-1\)](#)
[NEIGHBORHOOD COMMERCIAL \(C-2\)](#)
[GENERAL COMMERCIAL \(C-3\)](#)
[AIRPORT COMPATIBILITY .5 \(AC-.5\)](#)
[AIRPORT COMPATIBILITY 1 \(AC-1\)](#)
[INDUSTRIAL \(I-1\)](#)
[AIRPORT INDUSTRIAL PARK \(I-2\)](#)
[INSTITUTIONAL \(INST\)](#)
[RECREATION \(REC\)](#)

NOTE: You can click on the zoning district to the left and it will take you to the start of the code for that district. For official Zoning Maps click [HERE](#)

2.00.02 Conflict with Comprehensive Plan: In the event of an inconsistency or conflict between these regulations and the Comprehensive Plan the applicable Comprehensive Plan provisions shall control.

2.00.03 Relationship to Future Land Use Map Categories: For purposes of designating zoning districts on the Official Zoning Map, or for requests to rezone properties, the following relationship between the Future Land Use Map (FLUM) and zoning districts shall apply. Zoning districts shall generally be allowed in FLUM categories as specified in Table 2.0.



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TABLE 2.0

Zoning District	FLUM Categories
Agriculture (AA) General Commercial (C-2) Institutional (INST)	Agriculture (AG)
Residential Rural (RR)	Rural Residential (RR)
Residential - 1 (R-1)	Low Density Residential (LDR) Mixed Use (MU)
Residential - 2 (R-2) Suburban Residential (SR)	Medium Density Residential (MDR) Mixed Use (MU)
Residential - 3 (R-3) Manufactured/Mobile Home Park (MHP)	High Density Residential (HDR) Medium Density Residential (MDR) Mixed Use (MU)
Mixed Use - 1 (MU-1) Mixed Use - 2 (MU-2) Mixed Use (MU)	Low Density Residential (LDR) Medium Density Residential (MDR) High Density Residential (HDR) Mixed Use (MU)
Airport Compatibility .5 (AC-.5) Airport Compatibility 1 (AC-1)	Airport Compatibility .5 (AC-.5) Airport Compatibility 1 (AC-1)
Industrial (I-1) Airport Industrial Park (I-2)	Industrial (I-1)
Institutional (INST)	Institutional (I) Conservation (CON) Agriculture (AG) Recreation (REC)
Recreation (REC)	All



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2.00.04 Official Zoning Map: An Official Zoning Map is hereby created which shall be used to implement and depict the zoning districts established in this Chapter. The Official Zoning Map shall be housed in the Department of Growth Management and shall take precedence over any other copies or representations. The Official Zoning Map shall be used for all final determinations or interpretations concerning the zoning classifications specified herein and shall be changed or amended only as specified in this Chapter. When establishing or changing the boundary lines of the various zoning districts shown on the Official Zoning Map the following guidelines shall be applied to the extent possible.

1. Zoning district boundary lines shall be drawn along legally described features, including but not limited to, section lines, half-section lines, etc. or property lines except where parcel depths are more than 1000 feet in which case a parcel may be divided into two or more zoning districts.
2. Boundaries for water bodies shall follow mean high water or ordinary high water lines, as may be applicable to tidal or fresh waters.
3. Boundary lines drawn along physical features such as railroad lines or roadway rights-of-way will be presumed to follow such features. These features shall not be included as part of the adjacent zoning district.
4. Boundary lines will generally "front" upon an adjacent roadway unless the property is bounded by two or more roadways in which case frontage shall generally be determined by the street address.



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2.01.00 AGRICULTURE (AA) DISTRICT

2.01.01 Purpose: The purpose of the Agriculture (AA) district is to provide areas for production of plants and animals useful to humans, including to a variable extent the preparation of plant and animal products for human use by sale or otherwise and includes aquaculture, horticulture, floriculture, viticulture, silviculture, dairy, livestock, poultry, bees, and any and all forms of farm products and farm production. This district is also suitable for preservation of green spaces, conservation uses, outdoor recreation uses, very low-density residential uses, and public/institutional uses.

2.01.02 Intent: The intent of the AA district is to implement and otherwise put into regulatory effect the provisions of the "Agricultural" future land use category established in the Comprehensive Plan.

2.01.03 Location/Designation Guidelines: Land to be designated as, or re-zoned to, an AA district may be located inside or outside the urban development area boundary. Agriculture districts may be located in the Agriculture future land use category.

2.01.04 Permitted Uses: The following uses are permitted as of right in an AA district. All other uses are permitted by special exception, or prohibited.

1. General Agriculture. Land, buildings, support machinery, and other appurtenances typically found in the production of agricultural products and activities including cropland, pastureland, orchards, vineyards, nurseries, ornamental horticulture, groves, tree farms, timberland feedlots, farmhouses, barns, stables, silos, farm accessory buildings and sheds, seasonal roadside produce stands, and the like. Specific, permitted agriculture uses are listed and described in [Chapter 11, North American Industry Classification System](#), U.S. Census Bureau, 2012.
2. Conservation. Conservation uses including large land holdings, areas of green space, wildlife management areas, state and federal forests, bird or wildlife sanctuaries, nature parks and preserves, natural area interpretation areas, natural wonder tourist attractions, forestry-related facilities such as fire towers and maintenance yards, agriculture or fisheries-related experimental stations or facilities, environmental education facilities, and other similar conservation-related uses.
3. Outdoor Recreation. Outdoor recreation uses including public or private parks, recreation areas, campgrounds, preserves, nature walks/trails, hunting or gun clubs/lodges, shooting ranges/sporting clays, canoe/kayak/boat rentals, horseback riding stables and trails, summer camps/youth camps/day camps, motor vehicle/motorcycle/ATV tracks and trails, and other similar outdoor recreation uses where large areas of land are necessary and/or desirable to accommodate the use.
4. Public/Institutional. Public/institutional uses including college and university training and/or research facilities, public or private schools, correctional institution, telecommunications towers, cemeteries, houses of worship, private clubs/lodges, utilities necessary for the collection, transmission, generation, or distribution of utility service (i.e. electricity towers/lines, gas lines, water and sewer lines, telecommunications lines, lift station, water storage tanks/treatment plants, community or public water supply wells, wastewater treatment facilities, solid waste transfer/recycling stations, etc.), military bases and camps, government storage and maintenance yards, and similar public/institutional uses. Uses permitted by this paragraph are not subject to the 10-acre minimum lot size must comply with all other applicable bulk regulations.



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5. Residential. Residential uses including single-family detached homes, category A and B manufactured/mobile homes, customary accessory uses and structures (shed, garages, pools, decks, out-buildings, etc.), residential subdivisions, home occupations, and family day care homes. More than one dwelling may be permitted when the additional dwellings will be occupied by members of the same immediate family, farm workers, or caretakers employed by the owner and the additional dwellings are not offered out for rent or sale.
6. Smaller tracts of land may exist in this district that have certain vested rights provided the owner can show proof that the lot or parcel was subdivided prior to July 10, 1990 and conformed to the zoning district at that time. One single-family detached residence and customary accessory uses may be allowed on these tracts. In these situations bulk regulations for the [R-1](#) zoning district may be used.
7. General Commercial. General commercial uses that support agricultural uses/activities may be permitted when located on a state or county-maintained roadway outside residential subdivisions. Other general commercial uses may be permitted when located on a state or county arterial or collector roadway provided, however, the depth of the commercial use shall generally be no more than 1,000 feet.
8. One-Acre Lots. The minimum lot size in the [AA](#) district may be one (1) acre when the following conditional requirements are met:
 - a. Access to each lot must be from an existing state or county-maintained roadway.
 - b. Each lot created shall have a minimum of 50 feet frontage on such state or county-maintained road.
 - c. Where two or less lots are created access may be provided from a recorded easement.
 - d. Development shall not be permitted in floodways.
9. Oil and gas exploration and production activities when consistent with Comprehensive Plan [Conservation Policy 3.8](#).
10. Customary accessory structures incidental to agriculture or residential uses ([see 2.21.00](#)).
11. Mines and borrow pits subject to Section 6.10.00.
12. Solar electrical generation facilities. Solar electrical generation facilities are production facilities for electrical power that utilize photovoltaic modules (panels) to convert solar energy to electricity whereby electricity that is produced is delivered to the transmission system and consumed off-site. Solar electrical generation facilities consist principally of photovoltaic modules, a mounting/racking system, power inverters, transformers, and associated components. Solar generation is generally the principal use of the property, but solar electrical generation facilities may also include administration/maintenance buildings, transmission lines, substations, collector yards, energy storage equipment, and related accessory uses and structures. For the purpose of this Code, solar electrical generation facilities are considered a use by right in the Agriculture Zoning District. Solar electrical generation facilities are subject to all applicable regional, state, and federal requirements.



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Notwithstanding other provisions of this Land Development Code, specifically including the provisions of Chapter 6, solar electrical generation facilities and associated and related facilities are allowed in this district subject to development order approval, and when the following conditional requirements are met:

- a. A minimum 25-foot natural vegetative upland buffer shall be provided between all upland activities and wetlands. However, impacts to the wetlands may be allowed to the extent permitted by state, regional, and federal agencies, provided impacts are offset by mitigation consistent with said agencies.
- b. Solar electrical generation facilities shall be allowed in floodplains if authorized in an Environmental Resource Permit from the Florida Department of Environmental Protection or Northwest Florida Water Management District and all construction is consistent with the requirements of Chapter 44 of the Code of Federal Regulations as well as the Okaloosa County floodplain management regulations.
- c. State or federally listed plant and animal species shall be protected pursuant to the requirements and recommendations of the Florida Fish and Wildlife Conservation Commission or the United States Fish and Wildlife Service.
- d. Except for security fencing, project signs, and access paths, no solar electrical generating facility structure or equipment, shall be located within 40 feet of the property line when abutting non-agricultural zoning districts, and 25 feet of the property line when abutting agricultural zoning district. Buffers shall not be required between abutting solar facilities. Maintenance buildings and administrative offices shall not be located less than 25 feet when abutting industrial or commercial uses, 40 feet from agricultural uses, and 150 feet from residential uses or residential zoning districts.
- e. Except for required landscaping abutting residential uses, solar electrical generation facilities shall be exempt from all other landscape requirements as described in Section 6.05.00.
- f. Within the first 10 feet of the 40-foot setback to residential uses and/or zoning district, native shrubs and grasses shall be retained to provide a minimum 6-foot high, 50% opaque screen of vegetation. If existing native vegetation is not sufficient to meet this requirement, then supplemental native shrubs may be utilized to meet this requirement with vegetation. Plantings shall be of a size and type which will insure the meeting of the fifty (50) percent opacity requirement at the time of installation.
- g. Retention of existing vegetation and/or temporary fencing and screening may be required where appropriate to minimize impacts during construction.
- h. The following maximum height provisions shall apply:
 1. Security fencing: 8 feet
 2. Project signs: 9 feet
 3. Solar panels or modules: 15 feet
 4. Buildings: 25 feet
 5. There are no maximum height provisions for transmission lines, substations, and collector yards. However, any structure, including transmission lines, substations, or collector yards more than 100 feet in height must be approved by the Aviation Advisory Committee.



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- i. The area of the solar panels and the transmission lines shall not be considered in the calculation of Floor Area Ratio provided, however, that the area encumbered by supporting structures shall be considered in stormwater calculations and management plans.
- j. The minimum parcel size for a solar electrical generating facility shall be 10 acres.
- k. Development order approval in accordance with Section IA.02.00 is required prior to construction of a solar electrical generation facility. Building permits are not required for structures of facilities of electric utilities which are directly involved in the generation, transmission, or distribution of electricity pursuant to Section 553.73, Florida Statutes.
- l. To the extent that any associated or related facilities may be addressed elsewhere in this Code, the County shall review and consider for approval such associated or related facilities as part of its review of the solar electrical generation facility under this Section.
- m. All proposed solar power generating facilities shall be reviewed by the United States Air Force (USAF) for mission compatibility prior to a development order approval by Okaloosa County.
- n. All proposed solar power generating facilities within 5 miles of a public airport shall be reviewed by the Okaloosa County Airport Department for compatibility prior to a development order approval by Okaloosa County.

2.01.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment (BOA).

1. Private airports, residential airparks ([see 2.20.06](#)). Prior to being placed on the BOA agenda for consideration, any request for a new private airport or residential airpark received by the County subsequent to the effective date of this provision must first be reviewed by the Aviation Advisory Committee whose recommendations shall be included with the other information sent to the BOA as part of the request.
 2. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
 3. Temporary industrial uses such as pipe storage, portable asphalt plants, equipment/materials storage yard, and similar uses may be permitted provided that, in addition to any other conditions imposed, the use is for one (1) year or less.
 4. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.
- 13.

2.01.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment (BOA).

5. Private airports, residential airparks ([see 2.20.06](#)). Prior to being placed on the BOA agenda for consideration, any request for a new private airport or residential airpark received by the County



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subsequent to the effective date of this provision must first be reviewed by the Aviation Advisory Committee whose recommendations shall be included with the other information sent to the BOA as part of the request.

6. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
7. Temporary industrial uses such as pipe storage, portable asphalt plants, equipment/materials storage yard, and similar uses may be permitted provided that, in addition to any other conditions imposed, the use is for one (1) year or less.
8. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.

2.01.06 Bulk Regulations: Bulk regulations for [AA](#) districts are prescribed in Table 2.1.

TABLE 2.1 AGRICULTURE (AA) BULK REGULATIONS	
MINIMUM LOT/PARCEL SIZE	10 acres/1 acre conditional
MAXIMUM DENSITY	No more than 1 dwelling/10 acres or No more than 1 dwelling/1 acre conditional ¹
MINIMUM BUILDING SETBACKS ²	
Front	40 feet/25 feet conditional
Sides	25 feet/10 feet conditional
Rear	25 feet/10 feet conditional
MINIMUM LOT FRONTAGE	20 feet (fronting upon a road) 50 feet conditional
MAXIMUM BUILDING HEIGHT	75 feet
MAXIMUM FLOOR AREA RATIO (Non-residential)	0.10
MAXIMUM IMPERVIOUS COVERAGE (Non-residential)	55%

NOTE: See Section [2.19.00](#) for possible additional requirements.

1 - See 2.01.04, 8, (1) – (4)

2 - If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way.



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2.02.00 RESIDENTIAL RURAL (RR) DISTRICT

2.02.01 Purpose: The purpose of the Residential Rural (RR) district is to provide areas for low-density residential land use and development that is not directly related to agricultural use but still provides an opportunity for residential living in a rural setting which may include agricultural uses and activities as well as hobby farms, ranchettes, or estate lots.

2.02.02 Intent: The intent of the RR district is to implement and put into regulatory effect the provisions of the "Rural Residential" future land use category as established in the Comprehensive Plan.

2.02.03 Location/Designation Guidelines: Lands to be designated as, or re-zoned to, an RR district are generally located outside the urban development area boundary (UDAB). However, an RR District may be located or designated within the UDAB when central water and sewer service is currently available or planned for future expansion in the area. Residential Rural districts may be allowed in the Rural Residential future land use category. The overall allowable residential density is one dwelling unit per 5 acres minimum, however, minimum lot sizes may be one acre or one-half (1/2) acre as specified in subsections 2.02.04, 3 and 4 of this Section.

2.02.04 Permitted Uses: The following uses are permitted as of right in an RR district. All other uses are permitted by special exception or prohibited.

1. Residential. Residential uses including single-family detached homes, category A & B mobile/manufactured homes, customary accessory uses and structures, home occupations, family day care home.
2. Non-Residential. Utilities (such as power lines, water mains, sewer mains, water supply wells and water treatment plants, and other similar facilities necessary for the collection, transmission or distribution of utility service), parks and playgrounds, houses of worship, small-scale agriculture, public or private primary or secondary schools and recreation.
3. One Acre Lots. One acre lots may be subdivided and created when the following conditions are met.
 - a. The gross density shall not exceed a cumulative average of 1 dwelling unit per 5 acres for the entire district.
 - b. Ten or less 1 acre lots may be subdivided and created without compliance with the subdivision requirements of this Code when each lot fronts upon a state or county maintained roadway and each lot has a minimum 50 foot frontage on such roadway.
 - c. Subdivisions of land involving more than 10 one acre lots shall be subject to the subdivision requirements of this Code.
 - d. Where two or less one acre lots are created access may be provided by a recorded easement.
 - e. No one acre lots may be created in any floodway as shown on the FIRM.
4. One-half (1/2) Acre Lots. One-half (1/2) acre lots may be subdivided and created when the following conditions are met:



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- a. The gross allowable residential density shall not exceed 1 du/5 acres for the entire district;
 - b. For the creation of one or two .5 acre lots access may be provided by a recorded easement;
 - c. For the creation of more than two .5 acre lots each lot must have access from a state or county-maintained roadway. The construction of a new road to county standards with subsequent dedication to the county will be considered a county-maintained roadway. The creation of three (3) or more lots shall be considered a subdivision subject to the subdivision and platting requirements of this Code;
 - d. Lots shall be located in a current or future water service area, and shall be required to connect to a public water supply system when it becomes available.
5. Community Residential Homes. Community residential homes with 6 or fewer residents licensed by the State and located as prescribed by [Chapter 419, Fla. Stat.](#)
 6. Customary accessory uses and structures incidental to residential uses ([see 2.21.00](#)).
 7. Utilities such as power lines, water mains, sewer mains, lift stations, water supply wells, and other similar facilities necessary for the collection, transmission, or distribution of utilities services.

2.02.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment (BOA).

1. Residential airparks, private airstrips, and airports. Prior to being placed on the BOA agenda for consideration, any request for a new residential airpark received by the County subsequent to the effective date of this provision must first be reviewed by the Aviation Advisory Committee whose recommendations shall be included with the other information sent to the BOA as part of the request.
2. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
3. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.



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2.02.06 Bulk Regulations: Bulk regulations for [RR](#) districts are prescribed in Table 2.2.

**TABLE 2.2
RESIDENTIAL RURAL BULK REGULATIONS**

MINIMUM LOT/PARCEL SIZE	5 acres 1 acre conditional ^{1,2} ½ acre conditional ¹
MAXIMUM DENSITY	No more than 1 dwelling/ 5 acres No more than 1 dwelling/1 acre conditional ¹ No more than 1 dwelling/1/2 acre conditional ¹
MAXIMUM INTENSITY	0.10 FAR 55% ISC
MINIMUM BUILDING SETBACKS	
Front	20 feet
Sides	10 feet
Rear	10 feet
MINIMUM LOT FRONTAGE	50 feet 20 feet (cul-de-sac)
MAXIMUM BUILDING HEIGHT	45 feet

NOTE: See Section [2.19.00](#) for possible additional requirements.

1 – See [2.02.04, 4, a–e](#)

2 – If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way.



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2.03.00 RESIDENTIAL – 1 (R-1) DISTRICT

2.03.01 Purpose: The purpose of the Residential - 1 (R-1) District is to provide areas for single-family detached residential dwellings, customary accessory uses, and limited non-residential uses.

2.03.02 Intent: The intent of the R-1 District is to implement and to put into regulatory effect the provision of the “Low Density Residential” future land use category as established in the Comprehensive Plan.

2.03.03 Location/Designation Guidelines: Lands to be designated as, or re-zoned to, an R-1 district may be located inside or outside the urban development area boundary. Residential - 1 districts may be located in the [Low Density Residential \(LDR\)](#) or [Mixed Use \(MU\)](#) future land use categories.

2.03.04 Permitted Uses: The following uses are permitted as of right in an R-1 district. All other uses are permitted by special exception or prohibited.

1. Residential. Single-family detached homes, townhomes as part of PUD, category A or B mobile/manufactured homes, mobile home subdivisions, customary accessory uses and structures, home occupations, home office of convenience, family day care home.
2. Non-Residential. Utilities customary to residential areas (such as power lines, water mains, sewer mains, lift stations, water supply wells, and other similar facilities necessary for the collection, transmission or distribution of utility service), parks and playgrounds, community facilities (i.e. community centers, golf course, tennis courts, swimming pools, etc.), public transit stops and shelters.
3. Community residential homes with 6 or fewer residents licensed by the State and located as prescribed by [Chapter 419, Fla. Stat.](#)
4. Public or private schools and houses of worship, subject to compatibility analysis.
5. Customary accessory uses and structures incidental to residential uses ([see 2.21.00](#)).

2.03.05 Special Exceptions: The following uses may be allowed by the granting of a special exception by the Board of Adjustment.

1. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
2. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.



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2.03.06 Bulk Regulations: Bulk regulations for [R-1](#) districts shall be as prescribed in Table 2.3.

**TABLE 2.3
RESIDENTIAL – 1 BULK REGULATIONS**

MAXIMUM DENSITY	
North of Eglin AFB	no more than 4 dwellings/acre
South of Eglin AFB	no more than 5 dwellings/acre
MAXIMUM INTENSITY (nonresidential uses)	
	0.10 FAR 55% ISC
MINIMUM BUILDING SETBACKS	
Front	20 feet ¹
Sides	10 feet
Rear	10 feet
MINIMUM LOT FRONTAGE	
	20 feet
MAXIMUM BUILDING HEIGHT	
	45 feet

NOTE: See Section [2.19.00](#) for possible additional requirements.

¹ – If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way.



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2.04.00 RESIDENTIAL – 2 (R-2) DISTRICTS SUBURBAN RESIDENTIAL (SR) DISTRICTS

2.04.01 Purpose: The purpose of the Residential - 2 (R-2) and Suburban Residential (SR) Districts is to provide areas for medium density residential housing, and to provide for certain non-residential uses that contribute to the comfort and convenience of the district.

2.04.02 Intent: The R-2 District is intended to implement and put into regulatory effect the residential dwelling provisions of the “Medium Density Residential” future land use category established in the Comprehensive Plan.

2.04.03 Location/Designation Guidelines: Lands to be designated as, or re-zoned to, R-2 or SR districts must be located within the urban development area boundary and have central water and sewer service currently available. Residential - 2 districts must be located in the Medium Density Residential or Mixed Use future land use map categories. Suburban Residential SR districts must be located in Suburban Residential future land use map categories.

2.04.04 R-2 Permitted Uses: The following uses are permitted as of right in an R-2 district. All other uses are permitted by special exception or prohibited.

1. Residential. Single-family detached and attached dwellings; category A and B mobile/manufactured homes; duplex, triplex, quadraplex dwellings; townhomes; multi-family; customary accessory uses; home occupation; home office of convenience; family day care homes.
2. Non-Residential. Utilities customary to residential areas (such as power lines, water mains, sewer mains, lift stations, water supply wells, and other similar facilities necessary for the collection, transmission or distribution of utility service) parks; playgrounds; and recreation facilities; community facilities (i.e. neighborhood civic center, golf course, tennis courts, etc.), public transit stops and shelters.
3. Community residential homes with 6 or fewer residents licensed by the State and located as prescribed by [Chapter 419, Fla. Stat.](#)
4. Public and private schools and houses of worship subject to compatibility analysis.
5. Customary accessory uses and structures incidental to residential uses ([see 2.21.00](#)).

2.04.05 SR Permitted Uses: All [R-2](#) permitted uses. All [C-1](#) and [C-2](#) permitted uses.

2.04.06 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

1. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
2. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.



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2.04.07 Bulk Regulations: Bulk regulations for [R-2](#) and [SR](#) districts are prescribed in Table 2.4.

TABLE 2.4 RESIDENTIAL (R-2) & SUBURBAN RESIDENTIAL (SR) BULK REGULATIONS				
MAXIMUM DENSITY				
Single-family detached				No more than 6 dwellings/acre
Single-family attached (townhouse, minimum 2 units/bldg)				No more than 16 dwellings/acre
Duplex/Triplex/Quadraplex				No more than 16 dwellings/acre
Multi-Family				No more than to 16 dwellings/acre
MAXIMUM INTENSITY				
(nonresidential uses)		R-2	0.10 FAR	55% ISC
		SR	0.25 FAR	60 % ISC
MINIMUM BUILDING SETBACKS				
	Single-family Detached	Single-family Attached	Duplex, Triplex Quadraplex	Multi-Family
Front ¹	20 feet	20 feet	20 feet	20 feet
Sides	7.5 feet	7.5 feet	10 feet	10 feet
Rear	10 feet	10 feet	10 feet	10 feet
MINIMUM LOT FRONTAGE			20 feet	
MAXIMUM BUILDING HEIGHT			45 feet	

NOTE: See Section 2.19.00 for possible additional requirements.

1 – If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way area.



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2.05.00 RESIDENTIAL – 3 (R-3) DISTRICT

2.05.01 Purpose: The purpose of the Residential – 3 (R-3) district is to provide areas for a functional and compatible mix of residential dwelling types, and certain limited non-residential uses of a semi-residential or incidental nature.

2.05.02 Intent: The R-3 district is intended to implement and put into regulatory effect the multi-family dwelling provisions of the “High Density Residential” future land use category established in the Comprehensive Plan.

2.05.03 Location/Designation Guidelines: Lands to be designated as, or re-zoned to, an R-3 district must be located within the urban development area boundary and have central water and sewer service currently available. Residential -3 districts must be located within the High Density Residential or Mixed Use future land use map categories.

2.05.04 Permitted Uses: The following uses are allowed as of right in the R-3 District. All other uses are permitted by special exception or prohibited.

1. Residential. Single family attached and detached dwellings; Category A & B manufactured/mobile homes; duplex, triplex, quadraplex dwellings; multi-family buildings; customary accessory uses; home occupation; home office of convenience; family day care homes.
2. Assisted living facilities, adult congregate facilities, nursing homes.
3. Non-Residential. All [R-1](#) and [R-2](#) non-residential uses; parking garages; private marinas, public transit stops and shelters.
4. Customary accessory uses and structures incidental to residential uses ([see 2.21.00](#)).

2.05.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

1. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
2. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.



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2.05.06 Bulk Regulations: Bulk regulations for [R-3](#) districts are prescribed in Table 2.5.

TABLE 2.5 BULK REGULATIONS FOR R-3 DISTRICTS	
MAXIMUM DENSITY	
Single-family detached	No more than 8 dwellings/acre
Single-family attached (townhouse, minimum 2 units/building)	No more than 16 dwellings/acre
Duplex/Triplex/Quadraplex	No more than 16 dwellings/acre
Multi-family buildings	No more than 25 dwellings/acre
MAXIMUM INTENSITY	
(nonresidential uses)	0.10 FAR 55% ISC
MINIMUM BUILDING SETBACKS	
Front ¹	20 feet
Sides	5 feet (single-family detached), 10 feet (other)
Rear	10 feet
MINIMUM LOT FRONTAGE	
	20 feet
MAXIMUM BUILDING HEIGHT	
	200 feet
<i>Subject to approval by the Aviation Advisory Committee See Section 3.09.00 for possible additional restrictions</i>	

NOTE: See Section [2.19.00](#) for possible additional requirements.

1 – If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way area.



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2.06.00 MANUFACTURED/MOBILE HOME PARK (MHP) DISTRICT

2.06.01 Purpose: The purpose of the Manufactured/Mobile Home Park (MHP) district is to provide areas for the location of manufactured and mobile homes where spaces are rented for the placement, parking or accommodation of five (5) or more homes.

2.06.02 Intent: The MHP District is intended to implement and put into regulatory effect the "Medium Density Residential" and "High Density Residential" future land use categories as established in the Comprehensive Plan.

2.06.03 State Permit Required: No person may establish, develop, or otherwise operate a manufactured/mobile home park without first obtaining a permit issued pursuant to [s. 513.02, Fla. Stat.](#)

2.06.04 Location/Designation Guidelines: Lands to be designated as, or re-zoned to, an MHP district must be located within the Urban Development Area Boundary in areas where central water and sewer service is currently available. MHP districts must be located within the Medium or High Density Residential or Mixed Use future land use categories.

2.06.05 Permitted Uses: The following uses are permitted as of right in the MHP District. All other uses are permitted by special exception or prohibited.

1. Manufactured/mobile home parks offering approved mobile home and/or recreational vehicle rental spaces for the placement of individual dwelling units.
2. Mobile home parks in which the spaces are held out for rent or lease, which are also under one ownership, are not required to meet subdivision and platting requirements.
3. Public Utilities such as power lines, water mains, sewer mains, lift stations, supply wells, and other similar facilities necessary for the collection, transmission, or distribution of utility service.
4. Customary accessory uses and structures for use by park residents such as management/rental office, swimming pools, laundry, storage areas, recreation facilities, and the like.
5. Neighborhood commercial ([C-2](#)) when located on an arterial roadway or planned as part of the mobile home park, or as allowed within the MU FLUM category.
6. Public transit stops and shelters.

2.06.06 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

1. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
2. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses or special exceptions.

2.06.07 Bulk Regulations: Regulations controlling [MHP](#) districts shall be the same as those prescribed at [Chapter 64E-15, Florida Administrative Code](#).



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2.07.00 MIXED USE DISTRICT (MU)

2.07.01 Purpose: The purpose of the Mixed Use (MU) district is to provide areas for a variety of housing types as well as a functional mix of residential and non-residential land uses. To this end, while MU developments are encouraged to include a mix of both residential and non-residential uses, single use development is allowed when the area surrounding a proposed single use development within the MU zone is predominantly of the type proposed, and requiring another use would be out-of-character with the predominant surrounding use, and would result in internal incompatibility that cannot be remedied through buffers, setbacks, or other techniques in an economically efficient manner.

2.07.02 Intent: The MU district is intended to:

1. To implement and put into regulatory effect the provisions of the ["Mixed Use"](#) future land use categories established in the Comprehensive Plan.
2. Promote more efficient and economic uses of land that are compatible both internally and with surrounding land uses.
3. Lower development and building costs by permitting smaller networks of utilities and streets and the use of more economical building types and shared facilities;
4. Allow the controlled development of land uses most suitable to the proposed site and surrounding neighborhoods;
5. Provide design and location criteria to encourage innovative development;
6. Encourage the redevelopment of existing residential and non-residential parcels with more efficient, updated uses.

2.07.03 Location/Designation Criteria: Lands to be designated as, or rezoned to, an MU district may be located inside or outside the urban development area boundary. Mixed Use districts must be located within a Mixed Use future land use category. Properties zoned Mixed Use may be developed as a Planned Unit Development.

2.07.04 Permitted Uses: The following uses are permitted as of right in the MU district. All other uses are permitted by special exception or prohibited.

1. Residential Uses. All [R-1](#), [R-2](#), [SR](#) and [R-3](#) permitted uses may be allowed when the following condition is met:
 - a. Single Family Detached Residential development shall not front an arterial or collector road, as defined in Table 4.2 of Chapter 4, Land Development Code, unless it is adjacent to an existing [R-1](#), [R-2](#), [SR](#) or [R-3](#) residential use or a property that is already within the [R-1](#), [R-2](#), [SR](#) and [R-3](#) zoning districts.
2. Non-Residential. All [C-2](#) permitted uses. All [C-3](#) permitted uses shall have direct access to an arterial or county-maintained collector road, and there is no access to the commercial part of the property through a residentially zoned area. The roads listed in Table 4.2 of Chapter 4 of the Land Development Code are the collector roads on which C-3 uses may be developed as



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provided herein. Institutional (all **INST** bulk regulations shall apply). Recreation (all **REC** bulk regulations shall apply).

3. Public transit stops and shelters.
4. Planned Unit Development (PUD) ([see 1A.03.11](#))
5. Customary accessory uses and structures ([see 2.21.00](#)).
6. Utilities such as power lines, water mains, sewer mains, lift stations, water supply wells, and other similar facilities necessary for the collection, transmission, or distribution of utility service.

2.07.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

1. Uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed as permitted uses.

2.07.06 Approval Procedure: The procedure for obtaining a Development Order shall be the same as for any other development application and site plan review prescribed within LDC Section 1A.03.03 and S.6.01.00 provided that the Board of County Commissioners must approve the issuance of a development order for any **MU** development which varies from the bulk use standards that would ordinarily apply to the type of development proposed within the **MU** development.

2.07.07 Bulk Regulations: Bulk regulations for the **MU** district shall be as shown on Table 2.6. The bulk regulations applicable to the type of use proposed on a Mixed Use parcel shall apply (e.g., all **C-2** bulk regulations shall apply to **C-2** uses, all **C-3** bulk regulations shall apply to all **C-3** uses, etc.).

**TABLE 2.6
BULK REGULATIONS FOR MU DISTRICTS**

MAXIMUM DENSITY		
Inside Urban Development Area Boundary (UDAB)	No more than 25 dwellings/acre	
Outside UDAB or Rural Community	No more than 4 dwellings/acre	
MAXIMUM INTENSITY		
2.0 FAR 75% ISC		
MINIMUM BUILDING SETBACKS	Inside UDAB	Outside UDAB
Front ¹	20 feet	20 feet
Sides	5 feet	10 feet
Rear	10 feet	10 feet
MINIMUM LOT FRONTAGE		
20 feet		



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MAXIMUM BUILDING HEIGHT

Inside UDAB	200 feet*
Outside UDAB	45 feet
Areas directly adjacent to Residentially Zoned properties	45 feet

- a. For all buildings one (1) or two (2) stories in height which are less than thirty-five (35) feet in height, the minimum side and rear yard setbacks indicated on the Schedule of Dimensional Requirements shall apply. Buildings one or two stories in height, greater than thirty-five (35) feet in height, utilized for residential or multi-family purposes on the same lot shall be a minimum of ten (10) feet apart.
- b. For all buildings three (3) stories in height or greater than thirty-five (35) feet, except single-family detached dwellings, the minimum side setback shall be fifteen (15) feet on each side and the minimum rear setback shall be twenty (20) feet; buildings located on the same lot shall be a minimum of fifteen (15) feet apart.
- c. For all buildings four (4) or more stories in height the minimum side setback shall be twenty (20) feet and increased by two (2) feet on each side for each story exceeding four (4) stories, with a minimum twenty-five (25) foot rear yard setback required.

See Section Chapter 3 for possible additional restrictions

* Subject to approval by the Aviation Advisory Committee

1 - If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way area.

2.07.08 Development Criteria: Development Order applications shall include a Master Development Plan depicting proposed density and the overall development program. The following criteria shall apply to the site design and development of Mixed Use projects:

- a. Development Mix: Development projects may be a single use or comprised of a mix of residential uses, a mix of residential and commercial uses, a mix of commercial uses, a mix of industrial uses, or a mix of residential, commercial, and industrial uses. The exact type and mix of uses shall be determined as part of the development approval process, and shall be included as a condition upon the development order.
- b. Where more than one type of use occurs on a single parcel, the compatibility buffer requirements of Chapter 6 shall be utilized, with the standards that provide the greatest buffering for surrounding properties applied unless the property is developed such that a use on the subject parcel abuts a like use on an adjacent parcel. For example, if a mixed use development includes both single family residential and C-3 commercial uses, if the commercial uses abut residential uses on an adjacent parcel, the C-3 buffering standards shall apply. However, if the single family portion of the mixed use development abuts adjacent single family uses, then no buffering is required.



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2.07A.00 MIXED USE – 1 & 2 (MU-1) (MU-2)

2.07A.01 Mixed Use – 1: Shall be the same as described in Comprehensive Plan Future Land Use Element [Policy 10.1](#), incorporated herein by reference. Residential density shall not exceed 25 dwelling units per acre. Nonresidential intensity shall not exceed 0.75 floor area ratio and 65% impervious surface coverage. The MU-1 district may be allowed either inside or outside the urban development area boundary.

2.07A.02 Mixed Use – 2: Shall be the same as Comprehensive Plan Future Land Use [Policy 10.1](#), incorporated herein by reference. Residential density shall not exceed 16 dwelling units per acre. Nonresidential density shall not exceed 0.75 floor area ratio and 65% impervious surface coverage with a minimum of 20% open space required. The MU-2 district is only allowed inside the urban development area boundary.



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2.08.00 BUSINESS OFFICE DISTRICT (C-1)

2.08.01 Purpose: The purpose of the Business Office (C-1) district is to provide areas for light commercial and office-type uses where business is conducted indoors and hours of operation are limited to regular working hours (7 AM – 7 PM) with limited potential for excessive traffic, noise, odor, dust, glare, dirt, etc.

2.08.02 Intent: The C-1 district is intended to implement and put into regulatory effect the provisions of the “[Commercial](#)” future land use category. This district is further intended to provide transitional zoning between residential areas and more intense commercial uses.

2.08.03 Location/Designation Criteria: Lands to be designated as, or rezoned to, Business Office districts should generally be located outside residential subdivisions unless planned as part of the subdivision and should be located primarily on collector or arterial roadways. This district may be located either inside or outside the Urban Development Area boundary.

2.08.04 Permitted Uses: The following uses are permitted as of right in the C-1 district, all other uses are permitted by special exception or prohibited:

1. Specific permitted uses are listed in the [North American Industry Classification System](#), U.S. Census Bureau, 2012 under the following codes.
 - a. [Code 52](#): Finance and Insurance.
 - b. [Code 531](#): Real Estate, except [53113](#), lessors of mini-warehouses and self-storage units.
 - c. [Code 54](#): Professional, Scientific, and Technical Services, except [541940](#) Veterinary Services with outside kennels or outside boarding of animals).
 - d. [Code 55](#): Management.
 - e. [Codes 5611 through 5615](#): Administrative and Support Services.
 - f. [Codes 6211 through 6213](#): Health Care and Social Assistance.
 - g. [Code 92](#): Public Administration, except [92214](#) Correctional Institutions, [92215](#) Parole and Probation Offices, [92216](#) Fire Stations, [927](#) Space Research and Technology, and 928110 National Security.
 - h. Utilities such as power lines, water mains, sewer mains, lift stations, water supply wells, and other similar facilities necessary for the collection, transmission, or distribution of utility service.
2. Residential uses with a density of 10 dwelling units per acre or less, and provided that no adjacent commercial uses shall be required to install any compatibility buffers or mitigation against the residential use.

2.08.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.



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1. Uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed as permitted uses.

2.08.06 Bulk Regulations: Intensity shall be limited to a floor area ratio of 0.75 and an impervious surface coverage of no more than 75%. Maximum building height shall be no more than 45 feet. Front setback shall be no less than 10 feet. Residential building setbacks shall be applied based on the type of building, i.e. single-family: [R-1](#); duplex: [R-2](#), etc. See Section [2.19.00](#) for possible additional requirements.



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2.09.00 NEIGHBORHOOD COMMERCIAL DISTRICT (C-2)

2.09.01 Purpose: The purpose of the Neighborhood Commercial (C-2) district is to provide areas for relatively low intensity, neighborhood-serving business enterprise intended to serve the sales and service needs of adjacent or nearby residential areas.

2.09.02 Intent: The C-2 district is intended to implement and put into regulatory effect the provisions of the "[Commercial](#)" future land use map category by designating suitable locations for small-scale commercial facilities within or adjacent to areas or neighborhoods which are essentially residential in nature, and to facilitate the development of small retail and service establishments in close proximity to residential land uses in order to encourage pedestrian activity and otherwise reduce the number and length of automobile trips, as well as providing increased convenience to all users.

2.09.03 Location/Designation Criteria: Lands to be designated as, or rezoned to, Neighborhood Commercial districts should be located outside residential subdivisions unless planned as part of the residential subdivision and should be located primarily on arterial or collector roadways. This district may be located either inside or outside the Urban Development Area Boundary.

2.09.04 Permitted Uses: The following uses are allowed as of right in the C-2 district. All other uses are permitted by special exception or prohibited.

1. Retail sales/service shopping centers not to exceed 30,000 square feet in gross floor area.
2. Food service establishments.
3. Convenience stores.
4. Gasoline service stations.
5. Drug stores/pharmacies.
6. Laundromats.
7. Dry cleaners (pick-up and delivery only).
8. Day care/child care centers.
9. Florist/flower shops.
10. Novelty/variety store.
11. Auto parts stores.
12. Package stores without consumption on premises.
13. Indoor and outdoor recreation.
14. Professional and medical offices.
15. Bed and breakfast inns.



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16. Off-site signs (billboards)
17. Communications towers.
18. Residential uses with a residential density of 10 dwelling units or less, and provided that adjacent commercial uses shall not be required to install compatibility buffers or mitigation against the residential use.
19. Utilities such as power lines and electric power substations, water mains, sewer mains, pump stations, water supply wells, and other similar facilities necessary for the collection, transmission, or distribution of utility services.
20. Car wash.
21. Medical marijuana dispensaries subject to the provisions of section 2.20.10.

2.09.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

1. Electric power substations which can demonstrate compatibility with the surrounding area through site-specific setbacks, buffering, and other conditions appropriate to the area within which the substation is proposed.
2. Other uses similar to the permitted uses appropriate for the comfort and convenience of adjacent or nearby residential areas. These shall be determined on a case-by-case basis in consideration of the following criteria: hours of operation; traffic; noise; lighting; odor, and; the potential for creating public nuisance.

2.09.06 Bulk Regulations: Maximum impervious surface coverage shall be no greater than 75% and a floor area ratio (FAR) of 0.75. Maximum building height shall be no greater than 45 feet. Minimum 10 foot front setback. Residential building setbacks shall be applied based on the type of building i.e. single-family: [R-1](#) setbacks; duplex: [R-2](#) setbacks, etc. See Section [2.19.00](#) for possible additional requirements.



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2.10.00 GENERAL COMMERCIAL (C-3)

2.10.01 Purpose: The purpose of the General Commercial (C-3) District is to provide areas for intensive commercial uses involving conducting business, professional, service, or government which generally do not involve the manufacture of new products from raw materials.

2.10.02 Intent: The General Commercial (C-3) District is intended to implement and put into regulatory effect the “Commercial” and other Future Land Use Map categories that allow commercial uses.

2.10.03 Location/Designation Criteria: A C-3 district may be located either within or outside the urban development area boundary. General Commercial districts may be located only within [“Commercial”](#), [“Mixed Use”](#), and [“Agriculture”](#) Future Land Use Map categories, and then only when the specific conditions and requirements applicable to the category involved are met.

2.10.04 Permitted Uses: The following uses are permitted as of right in C-3 districts. All other uses are permitted by special exception or prohibited.

1. All [C-1](#) and [C-2](#) permitted uses.
2. Specific permitted uses are listed in the [North American Industry Classification System](#), U.S. Census Bureau, 2012 under the following codes.
 - a. [Code 23](#): Construction.
 - b. [Code 42](#): Wholesale trade.
 - c. [Code 44 – 45](#): Retail trade.
 - d. [Code 48 – 49](#): Transportation and Warehousing, except, [481](#) Air transportation; [4831](#) Deep Sea, Coastal, and Great Lakes Water Transportation; [4881](#) Support Activities for Air Transportation; [4882](#) Support Activities for Rail Transportation; [4883](#) Support Activities for Water Transportation; and [487990](#) Scenic and Sightseeing, Other
 - e. [Code 51](#): Information.
 - f. [Code 53](#): Real estate, rental and leasing, except [532411](#) Commercial air, rail, and water transportation equipment rental and leasing.
 - g. [Code 54](#): Professional, scientific, and technical services.
 - h. [Code 55](#): Management of companies and enterprises.
 - i. [Code 56](#): Administrative and support and Waste Management and Remediation Services except [5622](#) Waste Treatment and Disposal.
 - j. [Code 61](#): Educational services.
 - k. [Code 62](#): Health and social assistance.



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- l. [Code 71](#): Arts, entertainment, and recreation, except 7132 Gambling Industries (any gaming and gambling prohibited by law), and; 713990 (Nudist Camps and outdoor shooting activities involving firearms such as firing ranges, trap shoot, skeet shoot only).
 - m. [Code 72](#): Accommodation and food services.
 - n. [Code 81](#): Other services.
 - o. [Code 92](#): Public administration, except 922140 Correctional institutions (state or federal prison).
 - p. [Code 22](#): Utilities.
 - q. Off-site signs (billboards).
 - r. Medical marijuana dispensaries subject to the provisions of section 2.20.10.
 3. Residential uses with a residential density of 10 dwelling units per acre or less, provided that any adjacent commercial uses shall not be required to install any compatibility buffers or mitigation against the residential use.
 4. Lounges, businesses or establishments, and further any business that, principally, is engaged in the dispensing of alcoholic beverages by the drink for consumption on the premises as specified in [Section 2.21.01](#) of this Code.
 5. Automobile, boat, or vehicle repair garage, mechanical and body, which shall not store or otherwise maintain any parts or waste material outside of such buildings.
 6. Building and lumber supply establishments provided the entire storage area is enclosed within a fence at least six (6) feet in height.
 7. Junk yards shall be located on parcels with a minimum of five (5) acres and shall have an eight (8) foot high chain link fence enclosing the areas within which junk is to be kept. There shall be a minimum twenty (20) foot green belt around the borders of the property which, except for ingress and egress points and their associated visibility triangles, shall be planted with evergreen trees and shrubbery sufficient to provide a visual screening of 100% opacity from the ground level to a height of eight (8) feet at the time of planting. A privacy fence or wall with a height of eight (8) feet may be used as an alternative to vegetation to achieve the required opacity provided however, that the installation of such a wall or fence shall not exempt junkyards from perimeter buffer or landscaping requirements required elsewhere in this code. Under no circumstances shall a chain link fence into which slats have been woven or any sort of screening attached be considered an opaque privacy fence or wall for purposes of this section. There shall be a minimum thirty (30) foot setback from all property lines which shall remain clear of all structures and storage of any junk or storage of materials of any kind.
 8. Trade shops including sheet metal, upholstery, electrical, plumbing, venetian blind. Cabinet making, carpentry and sign painting, provided that all operations are conducted entirely within a building.
 9. Solid waste transfer stations and recycling facilities.



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10. Utilities such as power lines and electric power substations, water mains, sewer mains, lift stations, water supply wells, and other similar facilities for the collection, transmission or distribution of utility service.
11. Communications towers.
12. Animal hospitals, veterinary clinics, commercial kennels, and animal boarding provided that no outside cages or runs shall be located closer than 100 feet from any residence or residential zoning district.

2.10.05 Special Exceptions: The following uses may be allowed by the granting of a special exception by the Board of Adjustment.

1. Uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed as permitted uses.

2.10.06 Bulk Regulations: Maximum impervious surface coverage shall be no greater than 85% and maximum floor area ratio shall be no greater than 0.75. Maximum building height shall be 75 feet and may be higher subject to compatibility analysis or approved as part of a master plan. The minimum front setback shall be ten (10) feet. Residential building setbacks shall be applied based on the type of building, i.e. single-family: [R-1](#); duplex: [R-2](#), etc. See Section [2.19.00](#) for possible additional requirements.

2.10.7 Performance Criteria: In addition to the permitted uses specified in Section [2.10.04](#), the following performance criteria may be assigned to any [C-3](#) zoning district, including any rezoning of property to [C-3](#). Once assigned, these criteria shall attach and have the effect of a new [C-3](#) zoning district.

1. Criteria A – Low Impact Commercial: The following criteria shall attach to the [C-3](#) zoning district for this criteria.
 - a. Hours of operation: 7:00 AM to 7:00 PM.
 - b. Noise: Noise levels shall be as specified in Sections [9.01.00](#) and [9.02.00](#).
 - c. Storage: There shall be no outside storage of any supplies or materials.
 - d. Odors, fumes: There shall be no detectable noxious odors or fumes that extend onto any adjacent or nearby property.
 - e. Light, glare: No continuous light or glare shall extend onto any adjacent or nearby property.
 - f. Dust, dirt: The permitted use shall not reasonably be expected to produce dust or dirt which extends onto any adjacent or nearby property on a regular basis.
 - g. Alcoholic beverages: There shall be no establishments allowed which serve alcoholic beverages consumption on premises whether with food consumption or not.
2. Criteria B – Medium Impact Commercial: The following criteria shall attach to the [C-3](#) zoning district for this criteria.



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- a. All Category A criteria except as specified herein.
- b. Hours of operation: 7:00 AM to 11:00 PM.
- c. Alcoholic beverages: There shall be no establishments allowed which serve alcoholic beverages consumption on premises unless such establishment is licensed as a food service establishment and otherwise meets the criteria of Section [2.20.01](#).



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2.11.00 AIRPORT COMPATIBILITY (AC) DISTRICT

2.11.01 Purpose: The purpose of the Airport Compatibility (AC) district is to promote and further the intent of [Chapter 333, Fla. Stat.](#) by preventing the encroachment of incompatible development and land uses in the vicinity of the Bob Sikes Airport.

2.11.02 Intent: The AC district is intended to implement and put into practical regulatory effect the provisions of the "Airport Compatibility" future land use category.

2.11.03 Location/Designation Criteria: Airport Compatibility districts shall be located only within the Bob Sikes Airport Influence Zone, and within the Airport Compatibility future land use designations located therein.

2.11.04 Permitted Uses: The following uses are permitted as of right in the AC district. All other uses are prohibited.

1. Single-family detached residential dwellings.
2. Category A and B mobile homes/manufactured houses.
3. Customary accessory structures.
4. Home occupations.
5. Parks and playgrounds.
6. Public utilities customary to residential areas.
7. Government activities.
8. Utilities such as power lines, water mains, sewer mains, lift stations, water supply wells, or other similar facilities for the delivery of utilities services.

2.11.05 Allowable Density: For allocation of residential density the AC district shall be sub-classified as either AC-.5 or AC-1. Allowable density in the AC-.5 sub-district shall be no more than 1 dwelling unit per one-half (1/2) acre. Allowable density in the AC-1 sub-district shall be no more than 1 dwelling unit per 1 acre. **No density transfers shall be allowed within AC sub-districts except as prescribed in Comprehensive Plan Future Land Use Element [Policy 10.1\(16\)](#).**



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2.11.06 Bulk Regulations: Bulk regulations for [AC](#) districts shall be as prescribed in Table 2.7.

MINIMUM LOT SIZE	
AC-.5	No less than 21,780 square feet (1/2 acre)
AC- 1	No less than 43,560 square feet (1 acre)
MAXIMUM DENSITY	
AC-.5	No more than 1 dwelling/1/2 acre
AC-1	No more than 1 dwelling/1 acre
MINIMUM BUILDING SETBACKS	
Front ¹	20 feet ¹
Sides	10 feet
Rear	10 feet
MINIMUM LOT FRONTAGE	
Square or rectangular	80 feet
Irregular or cul-de-sac	20 feet
MAXIMUM BUILDING HEIGHT	45 feet

NOTE: See Section [2.19.00](#) for possible additional requirements.

1 – If the property abuts multiple roads, the front setback shall be from the road from which the subject property's address is derived, with the rear being the side opposite the front provided, however, that in no case shall a building intrude into a visibility triangle of an adjacent property or road intersection, nor shall any building intrude into a roadway right-of-way area.



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2.12.00 INDUSTRIAL (I-1)

2.12.01 Purpose: The purpose of the Industrial (I-1) District is to provide areas for industrial activities including the production, manufacture, and distribution of goods and products.

2.12.02 Intent: The I-1 District is intended to implement and put into regulatory effect the ["Industrial"](#) future land use category as established in the Comprehensive Plan.

2.12.03 Location/Designation Criteria: Lands to be designated as, or re-zoned to, an I-1 district may be located within or outside the Urban Development Area boundary. Industrial districts are allowed only in the ["Industrial"](#) future land use category.

2.12.04 Permitted Uses: The following uses are permitted as of right in an I-1 district. All other uses are prohibited.

1. Public or private industrial or commerce parks.
2. Building materials sales yards, contractors' equipment yards and junk yards are permitted provided that the requirements of Chapter 9 of this regulation are complied with; and a minimum of two (2) acres of property is required.
3. Terminals for petroleum products.
4. Public utility structures.
5. Schools, public and private.
6. Radio, television and communication towers and antennas.
7. Municipal solid waste transfer stations and recycling facilities.
8. Construction and demolition (C & D) landfills.
9. Specific permitted uses are listed in the [North American Industry Classification System](#), U.S. Census Bureau, 2012 under the following code classifications:
 - a. [Code 21](#): Mining, (except within industrial or commerce parks) subject to the provisions of Section 6.10.00.
 - b. [Code 22](#): Utilities.
 - c. [Codes 31-33](#): Manufacturing.
 - d. [Code 42](#): Wholesale Trade.
 - e. [Codes 48-49](#): Transportation and Warehousing.
 - f. [Code 51](#): Information.
 - g. [Code 5324](#): Commercial and Industrial Machinery and Equipment Rental and leasing.



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- h. [Code 5417](#): Scientific Research and Development Services.
 - i. [Code 6115](#): Technical and Trade Schools.
 - j. [Code 8113](#): Commercial and Industrial Machinery and Equipment Repair and Maintenance.
 - k. [Code 92](#): Public Administration.
 - l. Planned, mixed-use business parks or “flex parks” which may include a mix of industry and businesses.
 - m. Water or wastewater treatment facilities.
 - n. Utilities such as power lines, water mains, sewer mains, lift stations, water supply wells and tanks, and other similar facilities necessary for the delivery of utilities services.
 - o. Off-site signs (billboards).
10. Residential uses with a residential density of 10 dwelling units per acre or less inside the urban development area or 4 dwelling units per acre or less outside the urban development area and only when used to provide workforce housing accessory to or in conjunction with a permitted industrial use.

2.12.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.

Uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed as permitted uses.

2.12.06 Bulk Regulations: Maximum impervious surface coverage shall be no greater than 85% and maximum floor area ratio (FAR) shall be no greater than 0.75. Maximum building height shall be no greater than 100 feet. See Sections [2.19.00](#) and [3.09.00](#) for possible additional requirements.



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2.13.00 AIRPORT INDUSTRIAL PARK DISTRICT (I – 2)

2.13.01 Purpose: The purpose of the Airport Industrial Park (I-2) District is to provide areas specifically for public airport operations, related facilities, and airport-related or airport-compatible business and industrial operations, facilities, and activities.

2.13.02 Intent: The I-2 District is intended to implement and put into regulatory effect the [“Industrial”](#) Future Land Use Map category as established in the Comprehensive Plan.

2.13.03 Location/Designation Criteria: Lands to be designated as, or re-zoned to, an I-2 district may be located within or outside the Urban Development area boundary. Airport Industrial Park districts may be located only in an [“Industrial”](#) Future Land Use Map category.

2.13.04 Permitted Uses: The following uses are permitted as of right in I-2 districts. Any other uses are permitted by special exception or prohibited.

1. Aircraft fueling facilities including fuel sales, fuel dispensing, fuel distribution for aircraft fuels, and oxygen delivery.
2. Aircraft repair and maintenance facilities – Fixed Base Operations (FBO).
3. Automobile rental facilities provided that vehicles available for rental do not occupy any required parking spaces for passengers, terminals, or terminal operations.
4. Hangars for the storage of aircraft and general aviation maintenance.
5. Parking concessions.
6. Aircraft communications towers.
7. Public utilities, i.e. electric substations, lift stations, water and wastewater treatment facilities, water mains, sewer mains, electric power substations, water supply wells and tanks, and other similar facilities necessary for the delivery of utilities services.
8. Wash rack facilities for aircraft with water/oil separators when in conformance with applicable FDEP and EPA regulations.
9. Auxiliary commercial uses customarily found at airports such as restaurants, lounges, car rentals, retail sales shops, charter services, novelty shops, and the like.
10. On-site signs as permitted by sign regulations.
11. Airport-related or airport-compatible industrial operations, facilities and activities.
12. Aerial scenic and sightseeing such as cable cars, gliders, helicopter rides, and hot air balloon rides.

2.13.05 Special Exceptions: The following uses *may* be allowed by the granting of a special exception by the Board of Adjustment.



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1. Construction and demolition debris landfills provided that a fifty (50) foot or greater buffer, to be determined at the time of the special exception, is provided on all adjacent property boundaries.
2. Other uses which, in the opinion of the Planning Official, are similar in nature to other uses allowed either as permitted uses.

2.13.06 Bulk Regulations: No greater than 85% impervious surface coverage and no greater than 0.75 floor area ratio. Building heights shall be no greater than 100 feet. See Sections [2.19.00](#) and [2.21.00](#) for possible additional requirements.



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2.14.00 INSTITUTIONAL DISTRICT (INST)

2.14.01 Purpose: The purpose of the Institutional (INST) District is to provide areas for the location, maintenance, and preservation of public, semi-public and institutional lands and land uses.

2.14.02 Intent: The INST District is intended to implement and put into regulatory effect the ["Institutional"](#) Future Land Use Map category as established in the Comprehensive Plan.

2.14.03 Location/Designation Criteria: Lands to be designated as, or re-zoned to, a INST district may be located within or outside the Urban Development Area boundary. Public Lands districts may be located within any Future Land Use Map category.

2.14.04 Permitted Uses: The following uses are permitted as of right in the INST district. All other uses are prohibited.

1. Public or private schools.
2. Colleges and universities, licensed by the Department of Education.
3. Vocational and technical schools.
4. Buildings and lands owned, leased, or operated by a government agency.
5. Civic and community centers.
6. Police, Fire, and emergency medical services stations.
7. Public airports.
8. Public cemeteries.
9. Hospitals and medical centers.
10. Public utilities.
11. Solid waste transfer stations.
12. Correctional institutions.
13. Mines and borrow pits subject to Section 6.10.00.
14. Telecommunications towers and antennae.
15. Oil and gas pipelines.
16. Military installations.
17. Special lease uses.
18. State or national forests, recreation areas, or parks.



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19. Conservation lands.
20. Recreation uses or activities.
21. Places of worship.
22. Other related or similar public or quasi-public facilities.
23. Landfills.

2.14.05 Density/Intensity Standards: Residential density shall be no greater than four (4) dwellings per acre outside the urban development area boundary (UDAB), and ten (10) dwellings per acre within the UDAB. Density limitations shall not apply to college/university dormitories or correctional facilities. Maximum impervious surface coverage shall be no greater than 65% and floor area ratio (FAR) shall be no greater than 0.75. Building heights shall be no greater than 75 feet. See Sections [2.19.00](#) and [2.21.00](#) for possible additional requirements.



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2.15.00 RECREATION DISTRICT (REC)

2.15.01 Purpose: The purpose of the Recreation (REC) District is to provide areas for the location, maintenance, and operation of public recreational lands, uses, or activities.

2.15.02 Intent: The intent of the REC District is to implement and put into regulatory effect the "Recreation" future land use map category as established in the Comprehensive Plan.

2.15.03 Location/Designation Criteria: Lands to be designated as, or rezoned to, a REC District may be located either inside or outside the urban development area boundary. Public recreation districts may be located within any future land use category except Conservation in which case it must be demonstrated that the permitted uses would be consistent with the intended purpose and function of the conservation area involved. Private recreation uses are only allowed in the [Agriculture](#) and [Commercial](#) future land use categories.

2.15.04 Permitted Uses: The following uses are permitted as of right in the REC district.

This district is intended for lands devoted to public parks, playgrounds, and open spaces serving local, community, and regional needs. Lands set aside for the private use of owners/residents in planned developments, mixed use areas, or other unified developments are not necessarily included within this district. Class I, II and III landfills, construction and demolition debris (C & D) landfills, solid waste transfer stations, and all other types of solid waste disposal facilities are prohibited.

2.15.05 Bulk Regulations: No more than 85% impervious coverage and no more than 0.75 floor area ratio. Building height shall be no more than 75 feet.



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2.16.00 RESERVED



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2.17.00 SCHEDULE OF BULK REGULATIONS

Zoning District	Minimum Lot Size	Maximum Density	Minimum Building Setbacks			Minimum Lot Frontage	Maximum Building Height * +	Non Residential Uses	
			Front	Side	Rear			Maximum Lot Coverage Impervious Surface Coverage (ISC)	Maximum Floor Area Ratio (FAR)
<u>AA</u>	10 acres 1 acre *	1 du/10 acres 1 du/1 acre *	40' 25'	25' 10'	25' 10'	20' 50'	75' 75'	55% 55%	0.10 0.10
* Conditional									
<u>RR</u>	5 acres 1 acre ½ acre	1 du/5 acres 1 du/1 acre * 2 du/1 acre *	20' 20' 20'	10' 10' 10'	10' 10' 10'	50' * 50' * 50' *	45' 45' 45'	55% 55% 55%	0.10 0.10 0.10
* Conditional						20' (for Cul-de-sac)			
<u>R-1</u>		4 du/1 acre 1 5 du/1 acre 2	20' 20'	10' 10'	10' 10'	20' 20'	45' 45'	55% 55%	0.10 0.10

1 - North of Eglin AFB
2 - South of Eglin AFB

+ See Section [2.19.00](#) for additional building height restrictions



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Zoning District	Minimum Lot Size	Maximum Density	Minimum Building Setbacks			Minimum Lot Frontage	Maximum Building Height * +	Non Residential Uses	
			Front	Side	Rear			Maximum Lot Coverage Impervious Surface Coverage (ISC)	Maximum Floor Area Ratio (FAR)
<u>R-2</u> 1 - Single-family detached 2 - Single-family attached (Townhouse, minimum 2 units per building) 3 - Duplex, triplex, quadraplex 4 - Multi-family building		6 du/1 acre 1	20'	7.5'	10'	20'	45'	55%	0.10
		16 du/1 acre 2	20'	7.5'	10'	20'	45'	55%	0.10
		16 du/1 acre 3	20'	10'	10'	20'	45'	55%	0.10
		16 du/1 acre 4	20'	10'	10'	20'	45'	55%	0.10
<u>SR</u> 1 - Single-family detached 2 - Single-family attached (Townhouse, minimum 2 units per building) 3 - Duplex, triplex, quadraplex 4 - Multi-family building		6 du/1 acre 1	20'	7.5'	10'	20'	45'	60%	0.25
		16 du/1 acre 2	20'	7.5'	10'	20'	45'		
		16 du/1 acre 3	20'	10'	10'	20'	45'		
		16 du/1 acre 4	20'	10'	10'	20'	45'		

+ See Section [2.19.00](#) for additional building height restrictions



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Zoning District	Minimum Lot Size	Maximum Density	Minimum Building Setbacks			Minimum Lot Frontage	Maximum Building Height * +	Non Residential Uses	
			Front	Side	Rear			Maximum Lot Coverage Impervious Surface Coverage (ISC)	Maximum Floor Area Ratio (FAR)
<u>R-3</u>		8 du/1 acre 1	20'	10'	10'	20'	200' 5	55%	0.10
		16 du/1 acre 2	20'	10'	10'	20'	200' 5	55%	55%
		16 du/1 acre 3	20'	10'	10'	20'	200' 5		
		25 du/1 acre 4	20'	10'	10'	20'	200' 5		
1 - Single-family detached 2 - Single-family attached (Townhouse, Minimum 2 units per building) 3- Duplex, Triplex, quadraplex 4- Multi-family building 5- Subject to approval by the Aviation Advisory Committee									

+ See Section [2.19.00](#) for additional building height restrictions



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Zoning District	Minimum Lot Size	Maximum Density	Minimum Building Setbacks			Minimum Lot Frontage	Maximum Building Height * +	Non Residential Uses	
			Front	Side	Rear			Maximum Lot Coverage Impervious Surface Coverage (ISC)	Maximum Floor Area Ratio (FAR)
<u>MU</u> Inside UDAB		25 du/1 acre	20'	5'	10'	20'	200' 1	75%	0.75
		4 du/1 acre	20'	10'	10'	20'	45'	50%	0.10
<u>MU-1</u>		As specified in Comprehensive Plan Future Land Use Element Policy 10.1, 5						65%	0.75
<u>MU-2</u>		As specified in Comprehensive Plan future Land Use Element Policy 10.1, 6						65%	0.75
<u>C-1</u>		subject to the density limitations of the R-3	10'	0'	10'			75%	0.75

+ See Section [2.19.00](#) for additional building height restrictions

Non Residential Uses



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Zoning District	Minimum Lot Size	Maximum Density	Minimum Building Setbacks			Minimum Lot Frontage	Maximum Building Height * +	Maximum Lot Coverage Impervious Surface Coverage (ISC)	Maximum Floor Area Ratio (FAR)
			Front	Side	Rear				
<u>C-2</u>		subject to the density limitations of the R-3	10'	0'	10'		45'	75%	0.75
<u>C-3</u>		subject to the density limitations of the R-3	10'	0'	10'		75'	85%	0.75
<u>AC-.5</u>	½ acre	2 du/1 acre	20'	10'	10'	80' 20' (for Cul-de sac)	45'		
<u>AC-1</u>	1 acre	1 du/1 acre	20'	10'	10'	80' 20' (for Cul-de sac)	45'		
<u>I-1</u>									
Inside UDAB		10 du/1 acre					100'	85%	0.75
Outside UDAB		4 du/1 acre					100'	85%	0.75
<u>I-2</u>							100'	85%	0.75
<u>INST</u>									
Inside UDAB		10 du/1 acre					75'	65%	0.75
Outside UDAB		4 du/1 acre					75'	65%	0.75
<u>REC</u>							75'	85%	0.75

+ See Section [2.19.00](#) for additional building height restrictions



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2.18.00 RESIDENTIAL DESIGN ALTERNATIVES

2.18.01 Purpose: The purpose of this section is to provide innovative and flexible residential development design alternatives for the purposes of: promoting the development of housing that the average household can afford; preserving open space and environmental resources; promoting the economy and efficiency of development design, and; making more efficient use of public and/or private infrastructure.

2.18.02 Design Alternatives: Design alternatives authorized by this section are:

1. Cluster subdivisions;
2. Zero-lot-line development;
3. Angled Z-lots, and;
4. Zipper lots.

2.18.03 Cluster Subdivisions: The cluster subdivision is intended to permit a reduction in lot area and bulk regulations, provided there is no increase in the overall density of the development, so that the remaining land area may be devoted to open space, recreation, or preservation of environmental resources. The following requirements shall apply to cluster subdivisions.

1. Cluster subdivisions are allowed only in [R-1](#), [R-2](#), [R-3](#) and Mixed Use zoning districts.
2. Permitted/conditional uses and bulk regulations shall be the same as for the [R-1](#), [R-2](#), and [R-3](#) zoning districts, except that setbacks may be reduced to a minimum 20 feet front, 10 feet rear, and 5 foot sides to accommodate smaller lots.
3. Allowable density shall not exceed the allowable densities for the [R-1](#), [R-2](#), and [R-3](#) zoning districts.
4. The subdivision must be located on one contiguous parcel of land.
5. A minimum of 25% of the overall parcel must be set aside for open space, public or private recreation, or preservation of environmental resources. Any such reservations made in this manner shall be in perpetuity through dedications, conservation easement, homeowner's association, restrictive covenants or other similar means.
6. Lot sizes outside the dedicated area may be reduced in size to the extent necessary to re-capture the allowable density for the entire property involved provided, however, lot sizes shall not be smaller than 5,000 square feet.
7. In the event a cluster subdivision property abuts or is adjacent to a less dense residential subdivision the lots shall be clustered to the interior of the property or otherwise away from the less dense subdivision so that the area to be preserved acts as a buffer area between the two.

2.18.04 Zero-Lot-Line Development: The zero-lot-line development concept shifts the house to one side of a building lot with the primary yard space to the other side. This provides for smaller lots with greater usable yard on each lot. The following requirements shall apply to zero-lot-line developments.

1. Zero-lot-line developments are allowed only in [R-1](#), [R-2](#), [R-3](#) and [MU](#) zoning districts.



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2. Permitted/conditional uses shall be the same as for the [R-1](#) zoning district.
3. Allowable residential density shall be up to 8 dwelling units per acre.
4. Minimum lot size shall be 5,500 square feet.
5. Yard setbacks shall be:
 - Front – 20 feet
 - Sides – 0 feet, 10 feet
[no portion of a building may extend across a property line]
 - Rear – 10 feet
6. Minimum lot frontage:
 - Square or rectangular – 50 feet
 - Irregular or cul-de-sac – 20 feet
7. Maximum building height: 45 feet
8. In the event a zero-lot-line development abuts or is adjacent to a less dense residential subdivision the lots shall be arranged so that the side of the lot where the yard is located shall abut the less dense subdivision; and a fence, wall, berm, or vegetated buffer shall be installed between the zero-lot-line development and the less dense subdivision.

2.18.05 Z-Lots and Angled Z-Lots: Angled Z-lots provide for a portion of opposite sides of the lot to be placed on the lot line. An angled Z-lot tilts the lot 30 – 40 degrees to alternate side and front entry garage. Requirements for angled Z-lots shall be the same as for zero-lot-line developments.

2.18.06 Zipper Lots: For zipper lots the rear lot line jogs back to vary the depth of the rear yard and to concentrate usable open space on the side of the lot. The following requirements shall apply to zipper lots.

1. Zipper lots are allowed only in [R-1](#), [R-2](#), [R-3](#) and [MU](#) zoning districts.
2. Permitted/conditional uses shall be the same as for the [R-1](#) and [R-2](#) zoning districts.
3. Allowable residential density shall be up to 8 dwelling units per acre.
4. Minimum lot size shall be 5,500 square feet.
5. Yard setbacks shall be:
 - Front - 20 feet
 - Sides - 7.5 feet
 - Rear - 0 feet
6. Minimum lot frontage:
 - Square or rectangular - 50 feet
 - Irregular or cul-de-sac - 20 feet
7. Maximum building height: 35 feet



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2.19.00 BULK REGULATIONS FOOTNOTES

Footnotes defining requirements:

1. In all zoning districts, the setback requirements from the mean high-water line (MHWL) do not apply to boat docks, piers, bulkheads (seawalls) or boathouses. For principal structures on tidal waterfront lots, the setback from the mean high-water line (MHWL) is fifty (50) feet.
2. The setback from any natural non-tidal waters shall be twenty-five (25) feet from the ordinary high-water line. A vegetative buffer shall be retained as required by [Chapter 6](#) of this ordinance.
 - a. For all buildings one or two stories in height which are less than thirty-five (35) in height, the minimum side and rear yards indicated on the Schedule of Dimensional Requirements shall apply. Buildings one or two stories in height utilized for residential or multi-family purposes on the same lot shall be a minimum of ten (10) feet apart.
 - b. For all buildings three (3) stories in height or greater than thirty-five (35), except single-family detached dwellings, the minimum side setback shall be fifteen (15) feet on each side and the minimum rear setback shall be twenty (20) feet and further; buildings located on the same lot shall be a minimum of fifteen (15) feet apart.
 - c. For all buildings four or more stories in height the minimum side setback shall be twenty (20) feet and increased by two (2) feet on each side for each story exceeding four (4) stories, with a minimum twenty-five (25) foot rear yard setback required. All setbacks to be unobstructed for access with construction and landscaping of setbacks to be reviewed and recommended by the Fire Chief of the District involved. All buildings four (4) or more stories in height, the distance apart on the same lot shall be increased by two (2) feet for each story starting with the fourth story; with a maximum of fifty (50) feet between buildings being required.
3. In all commercially zoned ([C-1](#), [C-2](#), and [C-3](#)) districts for all buildings two (2) stories or less in height, no side or rear yards are required except where the property line is contiguous with a residential use; then a buffer or screen, as required in Section 6.05.07 shall be installed. Two (2) or more buildings located on the same lot shall be a minimum ten (10) feet apart for one (1) or two (2) story buildings.
4. Density Bonus for Affordable Housing:
 - a. When the developer of a housing project with five (5) or more units agrees to build at least one-quarter (1/4) of a project's units for persons and families of low or moderate income, the County will grant a density bonus of at least twenty-five (25) percent more units than normally allowed by the existing zoning of the property.
 - b. Specifically, "density bonus" means a density increase of at least twenty-five (25) percent over the otherwise allowable residential density under the applicable zoning district.
 - c. Persons and families of low and moderate income are defined as those whose incomes are less than eighty (80) percent of the median income in the area, adjusted for family size.



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- d. Affordable Housing projects shall receive expedited review as a minor development, requiring Technical Review Committee and Board of County Commissioners approval only.
 - e. The affordability of the identified housing units shall be secured by a restrictive covenant, or deed restriction recorded prior to the issuance of a certificate of occupancy.
6. Compatibility Analysis: Requests to exceed the seventy-five (75) foot maximum height shall be subject to a Compatibility Analysis consisting of the following items: (1) Type of use in relation to established and stable land uses; (2) Building location, dimensions, Floor Area Ratio building height and orientation; (3) Parking and access; (4) Traffic impacts of noise, hours and lighting; (5) Light and air as they affect visibility and shadows; (6) Setbacks, buffers, including fences, walls, landscaping and open space treatment.



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2.20.00 SPECIAL USES

2.20.01 Alcoholic Beverage Establishments:

1. General Provisions: It shall be unlawful to sell, or offer to keep for sale, alcoholic beverages containing more than one percent (1%) of alcohol by weight in any place or establishment, including a private club or bottle club, for which the appropriate Florida Department of Business and Professional Regulation/Division of Alcoholic Beverages and Tobacco license has not been issued.
2. Distance from churches, schools, cemeteries, residential zoning districts, and residential uses: Except those vendors licensed in accordance with [Section 561.422](#), and non-profit civic organizations permitted pursuant to [Section 561.422](#), and other exemptions provided herein, no vendor of alcoholic beverages as described in (1.) above establishment licensed pursuant to (1.) above for consumption on premises shall be located within one thousand five hundred feet (1,500') of a church, school, cemetery, residential zoning district or residential use. The distance shall be determined by measuring a radius from the closest improved part of the property (excluding stormwater treatment facilities and landscape buffers) supporting the alcoholic beverage establishment to the nearest parcel of land on which occurs a school, church, cemetery, residential zone, or residential use. If any portion of a parcel of land in use as a residence lies within such radius, or if any portion of a parcel of land containing a church, school or cemetery lies within the radius, or if a residential zone lies within the radius, then the establishment shall be deemed to be within such distance. This methodology shall apply to all distance measurements undertaken pursuant to [2.20.01](#).
3. Notwithstanding the requirements of 2, above, the following uses that serve or sell alcoholic beverages for consumption on premises may be located closer than 1,500 feet of a church, school, or cemetery, residential zoning district, or residential use:
 - a. Uses listed in sections [561.20\(2\) and \(7\), Fla. Stat.](#);
 - b. Restaurants which do not qualify for the special State license (4COP-SRX) allowing on premise consumption of beer, wine, and liquor may also be allowed provided the following criteria are met:
 - i. except as provided in (5.), below, there is no outdoor serving of alcoholic beverages within 300 feet of a residential use or zone;
 - ii. at no time will the kitchen be closed while the establishment is serving beverages or other foods to customers, including private parties;
 - iii. no less than 51% of gross receipts are from the sale of non-alcoholic food and beverages;
 - c. Private clubs that are included among the uses allowed in a master-planned community or mixed use development at the time of approval when such approval was obtained through a public hearing;
 - d. Yacht clubs; and
 - e. Uses authorized pursuant to [Section 561.422](#), Fla. Stat.;



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4. The provisions of [Section 2.20.01 \(3.\)](#) notwithstanding, the on-premise consumption of alcoholic beverages at establishments licensed pursuant to A, above, shall be prohibited within 100' of any residential use or residential zoning district unless **all** of the following are met:
 - a. the use is a restaurant at which no less than 51% of gross receipts are from the sale of non-alcoholic food and beverages,
 - b. alcohol is limited to beer and wine only,
 - c. there is no outside serving of alcoholic beverages, and
 - d. there is no service of alcohol after 10:00 PM Sunday through Thursday, or after 11:00 PM on Friday and Saturday.
5. Notwithstanding (3.) and (4.), above, in order to facilitate in-fill development, mixed use development, and re-development, alcoholic beverage establishments licensed pursuant to A, above, may be allowed less than 100 feet from residential uses or residential zoning districts when the only residential uses or zones within 100 feet from the proposed alcoholic beverage establishment are authorized through the same development order, Master Plan Development Order, Development Agreement, Development of Regional Impact Development Order, or Planned Unit Development ordinance as the proposed alcoholic beverage establishment.
6. Outdoor serving of alcoholic beverages within 300 feet (measured using the same method as provided in [Section 2.20.01 \(2.\)](#) of a residential zone or use is permitted only through the granting of a Special Exception as provided by [Section 1.11.03](#) and [Section 11.02.09](#) of this Code and shall cease between the hours of 10:00 PM and 7:00 AM Central Time unless more restrictive hours are established by the Board of Adjustment as a condition of approval of the special exception.
7. All new applications for alcoholic beverage licenses at locations that have not previously been occupied by an alcoholic beverage establishment within 300' of a residential use or zone shall include a compatibility analysis that illustrates consistency with applicable compatibility criteria provided in the Comprehensive Plan, and which shall specifically include proposed hours of operation.
8. The Growth Management Director or his/her designee, shall be responsible for verifying to the Florida Division of Alcoholic Beverages and Tobacco or such other regulatory agencies, compliance with the above requirements for a restaurant seeking the issuance of an alcoholic beverage license. The Growth Management Director, or his/her designee, is authorized to require that applicants provide all documentation (such as site plans, floor plans, lease agreements, etc) necessary to verify compliance with the above requirements.
9. The above requirements are solely intended to determine whether a proposed food and beverage establishment is consistent with zoning and other Okaloosa County codes. This part is not intended, nor shall it be construed, to preempt, overrule, waive, or otherwise exempt any proposed establishment from any other applicable federal, state, or local law or regulation. In the event the provisions contained herein conflict with any other applicable federal, state, or local law or regulation, the more stringent shall apply.
10. Uses in existence as of the effective date of this section shall not be rendered non-conforming by these provisions, nor shall the provisions of this section preclude the reconstruction of an



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alcoholic beverage establishment following a disaster (fire, flood, etc), provided all other applicable building, zoning, and other codes are met.

2.20.02 Animal Hospitals, Veterinary Clinics, Commercial Kennels and Businesses that Board Animals:

1. Minimum setbacks: Any animal hospital, veterinary clinic, commercial kennel or business that boards animals, which includes outside cages and runs, shall be located no closer than one hundred (100) feet to a residence or residential zoning district boundary line, measured from the outside of the building, cages or runs to the residential property or residential zoning district line, and such line being measured from the nearest residential property or residential zoning district to the closest building, cage or run.
2. Buffer Yard Required: The animal hospital, veterinary clinic, commercial kennel or business that boards animals which includes outside cages or runs shall comply with buffer yard regulations established in [Chapter 6](#) of this Code. In addition to the buffer requirements in [Chapter 6](#), the outside cages, runs or exercise yards shall be totally enclosed by a solid fence at least six (6) feet in height.

2.20.03 Cemeteries:

1. "Cemetery" means a place dedicated to and used or intended to be used for the permanent interment of human remains or cremated remains. A cemetery may contain land or earth interment; mausoleum, vault, or crypt interment; a columbarium, ossuary, scattering garden, or other structure or place used or intended to be used for the interment or disposition of cremated remains; or any combination of one or more of such structures or places.
2. All cemeteries must comply with applicable law and rules including [Chapter 497, Fla. Stat.](#) and [Rule 69-K, Fla. Admin. Code.](#)
3. Cemeteries are allowed in [AA](#), [C-3](#), and [INST](#) zoning districts. A family cemetery less than two acres in size which does not sell or offer out burial spaces, rights, or merchandise may also be allowed in the [RR](#) zoning district when:
 - a. a letter of no objection is obtained from all adjacent property owners for parcels one acre or less;
 - b. the cemetery site is located no closer than 25 feet from any property line, and;
 - c. there is adequate ingress and egress to allow family members to visit the burial spaces.

2.20.04 Churches and Other Religious Institutions:

1. Regulations: All churches and other religious institutions shall comply with building setback, area and height regulations set forth within each zoning district. Where a church or other religious institution is proposed adjacent to a residential land use or vacant property within or contiguous to a residential zoning district, there shall be a buffer as established in [Chapter 6](#) between the church and the surrounding property line.



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2. Off-street parking: Parking shall comply with the applicable regulation in [Chapter 6](#). On-street parking within five hundred (500) feet of the building, except in residential districts, may be used toward fulfilling this requirement.
3. Lot coverage in residential districts: The maximum combined area of all principal and accessory buildings shall not exceed thirty (30) percent of the site.

2.20.05 Public Schools and other Public Institutions

1. Public Schools and other public institutions are permitted in all zoning districts.
2. Minimum Site Area: For new public schools and other public institutions, the minimum lot size shall comply with state standards.
3. Setbacks: All new public schools and public institutions shall have a front setback
4. of forty (40) feet, and side and rear setbacks of twenty-five (25) feet.
5. Reference [Section 6.04](#) for parking requirements.
6. Reference [Section 6.05](#) for landscaping and buffering requirements.

2.20.06 Private Airports; Residential Airparks

A. Private Airport

1. "Airport" means an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including appurtenant areas, buildings, facilities, or rights-of-way necessary to facilitate such use or intended use. "Private airport" means an airport, publicly or privately owned, which is not open or available for use by the public, but may be made available to others by invitation of the owner or manager. Private airports may be allowed by special exception in [AA](#), [INST](#), and [I-1](#) zoning districts subject to requirements specified herein.
2. All private airports must comply with the provisions of [Chapter 330, Fla. Stat.](#) as well as any other federal or state permits, licenses or authorizations. Any such authorizations must be obtained prior to or as a condition of the granting of a special exception.
3. Uses and activities allowed within a private airport include the following:
 - a. Runway(s), taxiways, parking ramps, and hangars for the use of the licensee and licensee invitees for the parking and storing of aircraft.
 - b. Residential dwellings provided that it does not constitute a subdivision as defined in [Chapter 177, Fla. Stat.](#), a copy of which is attached hereto. Noncommercial fuel facilities for the not for profit use of the licensee and invitees, provided the facility is properly permitted to meet health and safety standards.
 - c. Permitted and accessory uses as allowed by the applicable zoning district regulations.



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- d. Activities essential to and commensurate with the operation of an airport, including but not limited to flight instruction, aircraft storage, aircraft maintenance, aircraft fueling and other activities appropriate at a private airport.

B. Residential Airparks

1. A Residential Airpark is a residential subdivision containing a private airport for the use of the owner(s) and invitees. Residential airparks may be allowed by special exception in the [AA](#) and [RR](#) zoning districts subject to requirements specified herein.
 - a. All requirements for a private airport shall apply.
 - b. Any residential airpark shall be compatible with the established character of the surrounding neighborhood and be of a scale and intensity that shall not result in an adverse impact on residential uses in the surrounding neighborhood.
 - c. A legal entity shall be created to be responsible for ownership and maintenance of any common space. The legal entity may be a property owner's association, homeowner's association or other appropriate entity approved by the County. A document shall be prepared and recorded which contains either restrictions or protective covenants. The document shall be included with the recorded plat for the subdivision.
 - d. The following uses may be allowed within the airpark to be determined by the special exception.
 - i. Single and multi-family dwelling units provided they do not exceed the Future Land Use category density, and aircraft hangars on individual platted lots.
 - ii. Private runway(s), taxiway(s), and parking ramp(s) on designated common areas or area under unified control of the subdivision.
 - iii. Noncommercial fuel facilities for the not for profit use of owners of platted lots and invitees.

2.20.07 Dog Friendly Dining Establishments:

1. Pursuant to [section 509.233\(1\), Fla. Stat.](#) there is hereby created a local exemption procedure to certain provisions of the United States Food and Drug Administration Food Code, as amended from time to time, and as adopted by the State of Florida Division of Hotels and Restaurants of the Department of Business and Professional Regulation, in order to allow patrons' dogs within certain designated outdoor portions of public food service establishments, which exemption procedure may be known as the Okaloosa County Dog Friendly Dining Program.
2. Definitions. As used in this section,
 - a. "Division" means the Division of Hotels and Restaurants of the State of Florida Department of Business and Professional Regulation.
 - b. "Dog" means an animal of the subspecies [Canis lupus familiaris](#).



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- c. "Outdoor area" means an area adjacent to a public food service establishment that is predominantly or totally free of any physical barrier on all sides and above.
 - d. "Patron" has the meaning given to "guest" by [section 509.013, Fla. Stat.](#).
 - e. "Public food service establishment" has the meaning given it by [section 509.013, Fla. Stat.](#)
 - f. "Planning Official" is the Director of the Department of Growth Management.
3. Permit Required; Submittals.

Applications for a permit under this part shall be made to the Planning Official, on a form provided for such purpose by the Planning Official, and shall include, along with any other such information deemed reasonably necessary by the Planning Official to implement and enforce the provisions of this part, the following:

- a. The name, mailing address, and telephone contact information of the permit applicant and the subject food service establishment.
 - b. A diagram and description of the outdoor area to be designated as available to patrons' dogs, including dimensions of the designated area; a depiction of the number and placement of tables, chairs, and restaurant equipment, if any; the entryways and exits to the designated outdoor area; the boundaries of the designated area and of any other areas of outdoor dining not available for patrons' dogs; any fences or other barriers; surrounding property lines and public rights-of-way, including sidewalks and common pathways; and such other information reasonably required by the Planning Official. Any dog-friendly dining area established pursuant to this part located on a property adjacent to any public or private beach must be secured such that dogs cannot access the beach from the premises. The diagram and description provided pursuant to this part shall clearly illustrate and describe how dogs shall be prevented from accessing the beach. The diagram or plan shall be accurate and to scale but need not be prepared by a licensed design professional.
 - c. A description of the days of the week and hours of operation that patron' dogs will be permitted in the designated outdoor area.
 - d. All application materials shall contain the appropriate division issued license number for the subject public food service establishment.
4. General Regulations; Cooperation; Enforcement; Penalty.

In order to protect the health, safety, and general welfare of the public, and pursuant to [section 509.233, Fla. Stat.](#) all permits issued pursuant to this part are subject to the following requirements:

- a. All public food service establishment employees shall wash their hands promptly after touching, petting, or otherwise handling any dog. Employees shall be prohibited from touching, petting, or otherwise handling any dog while serving food or beverages or handling tableware or before entering other parts of the public food service establishment.



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- b. Patrons in a designated outdoor area shall be advised that they should wash their hands before eating. Waterless hand sanitizer shall be provided at all tables in the designated outdoor area.
- c. Employees and patrons shall be instructed that they shall not allow dogs to come into contact with serving dishes, utensils, tableware, linens, paper products, or any other items involved in food service operations.
- d. Patrons shall keep their dogs on a leash at all times and shall keep their dogs under reasonable control.
- e. Dogs shall not be allowed on chairs, tables, or other furnishings.
- f. All table and chair surfaces shall be cleaned and sanitized with an approved product between seating of patrons. Spilled food and drink shall be removed from the floor or ground between seating of patrons.
- g. Accidents involving dog waste shall be cleaned immediately and the area sanitized with an approved product. A kit with the appropriate materials for this purpose shall be kept near the designated outdoor area.
- h. At least one sign reminding employees of the applicable rules, including those contained in this part, and those additional rules and regulations, if any, included as further conditions of the permit by the Planning Official, shall be posted in a conspicuous location frequented by employees within the public food service establishment. The mandatory sign shall be not less than eight and one-half inches in width and eleven inches in height (8 ½ x 11) and printed in easily legible typeface of not less than twenty (20) point font size.
- i. At least one sign reminding patrons of the applicable rules, including those contained in this part, and those additional rules and regulations, if any, included as further conditions of the permit by the Planning Official, shall be posted in a conspicuous location within the designated outdoor portion of the public food service establishment. The mandatory sign shall be not less than eight and one-half inches in width and eleven inches in height (8 ½ x 11) and printed in easily legible typeface of not less than twenty (20) point font size.
- j. At all times while the designated outdoor portion of the public food service establishment is available to patrons and their dogs, at least one sign shall be posted in a conspicuous and public location near the entrance to the designated outdoor portion of the public food service establishment, the purpose of which shall be to place patrons on notice that the designated outdoor portion of the public food service establishment is currently available to patrons accompanied by their dog or dogs. The mandatory sign shall be not less than eight and one-half inches in width and eleven inches in height (8 ½ x 11) and printed in easily legible typeface of not less than twenty (20) point font size.
- k. Dogs shall not be permitted to travel through indoor or undesignated outdoor portions of the public food service establishment, and ingress and egress to the designated outdoor portions of the public food service establishment shall not require entrance into or passage through any indoor or undesignated outdoor portion of the public food service establishment.



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- I. A permit issued pursuant to this part shall not be transferred to a subsequent owner upon the sale or transfer of a public food service establishment, but shall expire automatically upon such sale or transfer. The subsequent owner shall be required to reapply for a permit pursuant to this part if such owner wishes to continue to accommodate patrons' dogs.
- m. In accordance with [section 509.233\(6\), Fla. Stat.](#) the Planning Official shall accept and document complaints related to the Dog Friendly Dining Program within the County, and shall timely report to the division all such complaints and the County's enforcement response to such complaint. The Planning Official shall also timely provide the division with a copy of all approved applications and permits issued pursuant to this part.
- n. Any public food service establishment that fails to comply with the requirements of this part shall be guilty of violating this part of the Land Development Code and shall be subject to any and all enforcement proceedings consistent with the applicable provisions of the Code and general law.

2.20.08 Tall Structures:

In zoning districts where tall structures and/or temporary or permanent obstacles are permitted, structures and/or temporary or permanent obstacles in excess of one hundred (100) feet will be required to obtain determination of "No Hazard to Aviation" from the Federal Aviation Administration, be submitted to the Aviation Advisory Committee and the Planning Commission for recommendation, and the applicant must obtain final approval from the Board of County Commissioners.

2.20.081 Towers and Telecommunications Facilities:

Purpose: The general purpose of this section is to regulate the placement, construction and modification of towers and telecommunication facilities in order to protect the health, safety and welfare of the public. The specific purposes of this section are:

1. To regulate the location of towers and telecommunications facilities in the County;
2. To protect residential areas and land uses from potential adverse impact of tower and telecommunications facilities;
3. To minimize adverse visual impact of towers and telecommunications facilities through careful design, siting, landscaping, and camouflaging techniques;
4. To promote and require shared use and co-location of towers and antenna support structures as opposed to the construction of additional single-use towers;
5. To avoid potential damage to property caused by towers and telecommunications facilities by ensuring that such structures are sound and carefully designed, constructed, modified, maintained and removed when no longer used or determined to be structurally unsound;
6. To ensure that towers and telecommunications facilities are compatible with surrounding land uses, and their location and height do not interfere with or degrade the U.S. military mission or activities, and



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7. To facilitate the provision of wireless telecommunications services to the residents and businesses of the County in an orderly fashion.

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

1. Antenna Array: means one or more rods, panels, discs or similar devices used for the transmission or reception of radio frequency signals, which may include omni-directional antenna (rod), directional antenna (panel), or parabolic antenna (disc), but does not include the support structure.
2. Applicant: means any person that applies for a tower development permit.
3. Application: means the process by which an applicant submits a request to develop, construct, build, modify or erect a tower. Application includes all written documentation, verbal statements and representations, in whatever form or forum, made by an Applicant to the County concerning a request.
4. CMRS: means Commercial Mobile Radio Services, as defined in §704 of the [Telecommunications Act of 1996](#), which includes cellular, personal communications, specialized mobile radio, enhanced specialized mobile radio, and similar services that currently exist or that may in the future be developed.
5. Co-location or Co-locate: means the use of a tower by two (2) or more CMRS license holders or by one CMRS license holder for more than one type of communications technology.
6. Engineer: means any engineer licensed by the State of Florida. Radio frequency engineers do not have to be licensed by the State, however their qualifications must include specific experience in the field and employment or retention by the telecommunications provider in a professional, technical capacity.
7. Owner: means any person with fee title, or with written permission from a person with fee title, to any plot of land within the County who desires to develop, construct, build, operate, modify or erect a tower upon such land.
8. Person: is any natural person, firm, partnership, association, corporation, company or other legal entity, private or public, whether for profit or not-for-profit.
9. Telecommunications Facility: means any cables, wires, lines, wave guides, antennas and any other equipment or facilities associated with the transmission or reception of communication which a person seeks to locate or has installed upon or near a tower or antenna support structure. However, the term "telecommunications facilities" shall not include:
 - a. Any satellite earth station antenna two (2) meters in diameter or less which is located in an area zoned for industrial or commercial uses; or
 - b. Any satellite earth station antenna one (1) meter or less in diameter, regardless of zoning category.



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10. **Tower:** means a self-supporting lattice, guyed or monopole structure constructed from grade which supports telecommunications facilities.

Applicability:

1. Towers and telecommunications facilities for which a permit has been issued prior to the effective date of this section shall not be required to meet the requirements of this section, except as provided herein.
2. This section shall not govern the installation of any amateur radio facility that is owned and operated by a federally licensed amateur radio station operator or is used exclusively for receive-only antennas.
3. In the event of any conflict or inconsistency between this Section and Subsection [365.172\(11\), Fla. Stat](#) the applicable statutory provision shall control and govern.

Applications: Applications shall comply with the following when requesting to construct or erect a tower or place or locate a telecommunications facility or alteration or extension of an existing tower or telecommunications facility thereupon, an owner must submit and obtain approval of an application. Applications shall include:

1. The name, address and telephone number of the owner and lessee of the parcel of land upon which the tower is proposed to be situated. If the applicant is not the actual owner of the parcel of land upon which the tower is proposed to be situated, the written consent of the actual owner shall be included with the application.
2. The legal description, parcel identification number and address of the parcel of land upon which the tower is proposed to be situated.
3. The names, addresses and telephone numbers of all owners of other towers or usable antenna support structures within a one half (1/2) mile radius of the proposed tower site.
4. Written documentation that the applicant made diligent, but unsuccessful efforts for a minimum of thirty (30) days prior to submission of the application to install or co-locate the applicant's telecommunications facility on towers or usable antenna support structures located within a one-half (1/2) mile radius of the proposed tower site or written, technical evidence from a registered professional engineer that the proposed tower or telecommunications facility cannot be installed or co-located on another tower or usable antenna support tower site, and must be located at the proposed site in order to meet coverage requirements of the applicant's wireless communication system.
5. Written, technical evidence from a registered professional engineer that the proposed structure meets the standards set forth in this article.
6. Written, technical evidence from a registered professional engineer that the proposed site of the tower and telecommunications facility does not pose a risk of explosion, fire or other danger due to its proximity to volatile, flammable, explosive or hazardous materials.
7. Written evidence that the tower and telecommunication facility are in compliance with Federal Aviation Administration regulations. Where an antenna array will not exceed the highest



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- point of an existing structure upon which the array is to be mounted, such evidence shall not be required.
8. Written, technical evidence from a registered professional engineer that construction and placement of the tower and telecommunications facility will not interfere with public safety communications and the usual and customary transmission or reception of radio and television service enjoyed by adjacent residential and non-residential properties.
 9. A certification from a registered professional engineer documenting the co-location capability of the applicant's proposed tower.
 10. A map showing the location of the proposed tower and the applicant's existing network and proposed construction and tower location plans in Okaloosa County for the next twelve 12 months.

Height and Co-location: Towers will only be allowed in those districts where they are permitted ([AA](#), [C-2](#), [C-3](#), [I-1](#), [INST](#)), and shall comply with the following:

1. Except as provided in this code, a tower shall be permitted to a height of up to one hundred (100) feet.
2. Towers which have co-location of two (2) or more licensed carriers shall be permitted to a height of up to one hundred eighty (180) feet in the [C-2](#) and [C-3](#) zoning districts meeting the setback requirement in Paragraph E below, towers in excess of one hundred eighty (180) feet and up to a maximum height of three hundred thirty (330) feet shall be permitted in the [AA](#) and [I-1](#) zoning districts, provided they have co-location ability and present commitment letters from a minimum of three (3) licensed carriers at the time of application for review and approval provided they are situated on a site a minimum of ten thousand (10,000) sq. ft. with setbacks not less than five hundred (500) feet from the nearest existing residence unless waived by the residential property owner. In that case, the minimum setback shall be one hundred (100) percent of the tower height.
3. Antenna arrays shall not rise more than twenty (20) feet above the height of the tower or antenna support structure.
4. New tower construction shall be required to provide co-location for a minimum of three (3) licensed carriers. A tower shall be deemed to have co-location ability if its design is certified by the registered professional engineer as being appropriate for co-location and the applicant certifies that it is prepared to offer adequate space on the tower to others on commercially fair and reasonable terms. An applicant's requirement to provide adequate space on its tower for co-location may be subject to the following factors (a) structural engineering capabilities, taking into account planned future use by the applicant and municipal emergency services, (b) radio frequency inter-modulation acceptance, (c) the acknowledgement of other CMRS licensees wishing to co-locate on applicant's tower to permit applicant to co-locate on a reciprocal basis.

Setbacks:

1. All towers shall be designed, sited, and erected so that the tower will be set back a minimum of 100 percent of the height of the proposed tower from the property line of any property zoned for residential use or used for residential purposes, OR; the proposed tower will be



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- designed, sited and erected within a specified “fall radius” which is totally within the boundaries of the property where the tower is located, such fall radius to be certified and sealed by a registered structural engineer.
2. Antenna arrays for antenna support structures are exempt from the setback standards of this section and from the setbacks for the zone in which they are located. However, such antenna arrays may extend no more than five (5) feet horizontally beyond the vertical plane of the outer edge of the antenna support structure.

Separation: Proposed towers shall be separated from all other existing towers by a minimum of seven hundred and fifty (750) feet, except where a tower field or antenna farm has been established and the proposed tower can be safely located within the boundaries, the separation requirements may be reduced, if approved by the County.

Illumination: Towers shall be lighted as required by the [Federal Aviation Administration \(FAA\)](#). Further, unless prohibited by the FAA, towers for which illumination is not otherwise required by the FAA shall have a beacon light placed at the top of the tower. To the extent allowed by the FAA, all lighting and beacons upon a tower which, at the time of commencement of construction, shall be erected with shields mounted underneath the lights or beacons in such a manner so as to obstruct the view of lights or beacons from the ground.

Structural Requirements: Towers must be constructed in accordance with Electronic Industries Association/Telecommunication Industries Association (EIA/TIA) 222 Revision F Standard entitled [“Structural Standards for Steel Antenna Towers and Antenna Supporting Structures”](#) (or equivalent), as it may be updated or amended. All towers must be constructed of approved corrosion and resistant noncombustible material. All towers must be permanently and effectively grounded. All towers must be located and equipped with step bolts and ladders so as to provide ready access for inspection purposes.

Maintenance:

1. Owners shall at all times employ ordinary and reasonable care and shall install, maintain and use nothing less than commonly accepted methods and devices for preventing failures and accidents which are likely to cause damage, injuries, or nuisances to the public.
2. Owners shall install and maintain towers and telecommunications facilities in substantial compliance with the requirements of the National Electric and Safety Code and all FCC, state and local regulations.
3. All towers, telecommunications facilities and antenna support structures shall at all times be kept and maintained in good condition, order and repair so that the same shall not menace or endanger the life property of any person.
4. In the event the use of a tower is discontinued by the owner, or if the owner ceases to operate the tower, the owner shall provide written notice to the County of its intent to discontinue use or cease operations, and the date when the use shall be discontinued.

Aesthetic Considerations:

1. All towers not requiring FAA painting or marking, shall have an exterior finish which enhances compatibility with adjacent uses.



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2. Antenna arrays attached to antenna support structures which are significantly viewable to adjacent residences shall be designed so as to blend in with existing structures to the extent feasible, including placement in a location which is consistent with proper functioning of the telecommunications facility, and the use of compatible or neutral colors.
3. Antenna arrays attached to antenna support structures which are significantly visible to adjacent residences, which have aesthetic impacts that are not able to be reasonably mitigated by placement or color solutions, can be required to be screened in a reasonable and achievable manner, provided that such screening does not intentionally increase the costs of constructing, erecting, and installing the antenna arrays.
4. All new tower bases, guy anchors, outdoor equipment, accessory buildings and accessory structures erected for use in connection with towers and telecommunication facilities shall be required to meet the minimum setback requirements established for the district in which they are located, and be visually screened to a height of at least eight (8) feet by trees, large shrubs, solid walls and/or fences, or as required by [Section 6.05.074](#).

Removal of Abandoned Facilities: A tower and/or telecommunication facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner thereof shall remove the same within ninety (90) days of abandonment or discontinuation of use. If such tower or telecommunication facility is not removed within said ninety (90) days, the County may remove such tower or telecommunications facility at the owner's expense. If there are two or more users of a single telecommunications facility, then this provision shall not become effective until all users cease using the tower or telecommunications facility.

Inspections: The County and its agents shall have the authority to enter onto the property upon which a tower is located, between the inspections and certifications required above, to inspect the tower for purposes of determining whether it complies with all applicable laws and regulations. The County reserves the right to conduct such inspections at any time, upon reasonable notice to the owner. All expenses relating to such inspections by the County shall be upon the owner.

Nonconforming towers and telecommunication facilities: Towers and telecommunications facilities in existence as of the effective date of this section that do not comply with the requirements of this section are subject to the following:

1. Nonconforming towers and telecommunication facilities may continue in use for the purposes now used, but may not be expanded without complying with this ordinance, except as provided in this section
2. Nonconforming towers and telecommunications facilities may add additional antennas belonging to the same carrier or other carriers, subject to administrative review otherwise applicable to the addition and erection of antenna arrays
3. Nonconforming towers and telecommunication facilities which are hereafter damaged or destroyed due to any reason or cause may be repaired or restored to their former use, location and physical dimension subject to obtaining a building permit therefore, but without otherwise complying with this section.
4. The owner of any nonconforming tower and telecommunications facility may replace, repair, rebuild and/or expand such tower and telecommunication facility in order to improve the structural integrity of the facility, to allow the facility to accommodate co-location, or to



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upgrade the facility to current engineering, technological or communications standards, without having to conform to the provisions of this section, so long as the facilities are not increased in height and setbacks are not decreased.

2.20.082 Residential: The height limitations contained in the Schedule of Dimensional Requirements do not apply to spires, belfries, cupolas, non commercial radio/television antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

2.20.083 Exemption:

1. Amateur Radio antennas shall conform to the Federal Communication Commission regulations and are exempted from requirements of this code regarding placement, screening, and height pursuant to [Section 125.561, Fla. Stat.](#)

2. Towers erected by government agencies for the purpose of official communication and emergency response such as law enforcement, emergency medical service, evacuation, or national security are essential public infrastructure and are allowed in any zoning district. Towers constructed pursuant to this exemption shall be approved through the issuance of a building permit and development permit and shall not be required to receive a development order or approval by the Planning Commission or Board of County Commissioners.

A. At the time of application for a building permit, the following documentation shall accompany the building permit application submitted to the Growth Management Department which shall be reviewed by the Planning Division concurrent with the review of the building permit application conducted by the Inspections Division:

1. The name, address and telephone number of the owner and lessee of the parcel of land upon which the tower is proposed to be situated. If the applicant is not the actual owner of the parcel of land upon which the tower is proposed to be situated, the written consent of the actual owner shall be included with the application.
2. The legal description, parcel identification number and address of the parcel of land upon which the tower is proposed to be situated.
3. Written, technical evidence from a licensed professional engineer that the proposed site of the tower and telecommunications facility does not pose a risk of explosion, fire or other danger due to its proximity to volatile, flammable, explosive or hazardous materials.
4. Written evidence that the tower and telecommunication facility will be constructed in compliance with Federal Aviation Administration regulations. Towers 100 feet or more in height shall be required to obtain a determination of "No Hazard to Air Navigation" from the Federal Aviation Administration and shall also be submitted to the Aviation Advisory Committee for review and comment prior to the submittal of permit applications to the Growth Management Department. Where an antenna array will not exceed the highest point of an existing structure upon which the array is to be mounted, such evidence shall not be required.
5. Written, technical evidence from a licensed professional engineer that construction and placement of the tower and telecommunications facility will not interfere with radio, television, or commercial wireless communication service enjoyed by adjacent residential and non-residential properties.



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6. A study performed by a licensed professional engineer specific to the proposed location demonstrating that the proposed height of the tower is the minimum necessary to serve the intended public services. Sections 3.09.03 and 3.09.04 of the Land Development Code notwithstanding, the height of the emergency response tower may exceed the height identified in the 2006 Air Installation Compatible Use Zone Study for Eglin Air Force and the Eglin Joint Land Use Study Final Report dated June 2009 if the FAA issues a determination that the tower does not constitute a hazard to air navigation. In no case shall the height of a proposed tower or antenna array exceed 75 feet on Okaloosa Island.
- B. The Growth Management Department shall issue the requested permits upon determination that the application is in compliance with the Florida Building Code and meets the following conditions:
1. Applications for towers 100 feet or more in height have received a determination of "No Hazard to Air Navigation" from the Federal Aviation Administration.
 2. The height of the tower shall be limited to the height identified pursuant to A.6., above.
 3. The tower shall be located no closer to any property line than the radius of the fall zone as identified in an engineering analysis signed and sealed by a licensed structural engineer plus 10%.
- C. A Level IV landscape buffer shall be installed along any property line abutting a residential zoning district or residential use, and the site shall be fenced and secured against unlawful entry.

2.20.084 Okaloosa Island: Any proposed tall structure or temporary or permanent obstacle on Okaloosa Island shall comply with Okaloosa Island (Santa Rosa Island) Protective Covenants and Restrictions.

2.20.09 Aircraft Restricted Zone

2.20.091. Purpose: Protect the public health, safety, and welfare by reducing potential conflicts between aircraft operations and lawful water-related recreational activities such as boating, fishing, swimming, etc. due to intense and extensive boating activity and water-related recreational use, vessel traffic congestion, obstructed visibility, danger of crash and collision, frequency and occurrence of boating accidents, and availability of other areas for aircraft operations.

2.20.092 Aircraft Defined: For purposes of this subsection "aircraft" means a device that is used or intended to be used for flight in the air. This specifically includes: hang gliders, parasail rides, hot air balloons, helicopter rides, seaplane rides, glider excursions, and similar operations.

2.20.093 Restrictions: Within the zone shown on Exhibit 1A the departure and takeoff or arrival and landing of any aircraft as defined herein shall be prohibited. This includes any such departure and takeoff or arrival and landing conducted from the water, a vessel, barge, platform, floating structure or other similar means. This restriction relates strictly to control over ground space and is not intended in any way to regulate aircraft safety, navigable airspace, aircraft noise, aircraft in flight, vessel equipment performance or safety standards, or the operation of vessels.

2.20.094 Exemptions: The provisions of this section shall not apply to public aircraft, those of the federal government, state or political subdivision hereof, or any tax district, city, county, mosquito control district, or the emergency use of helicopters while such aircraft are providing services to the citizens, nor shall this



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section apply to publicly or privately owned helicopters serving as ambulances, or search and rescue vehicles, or when in use for police, fire, or public service or like duties.

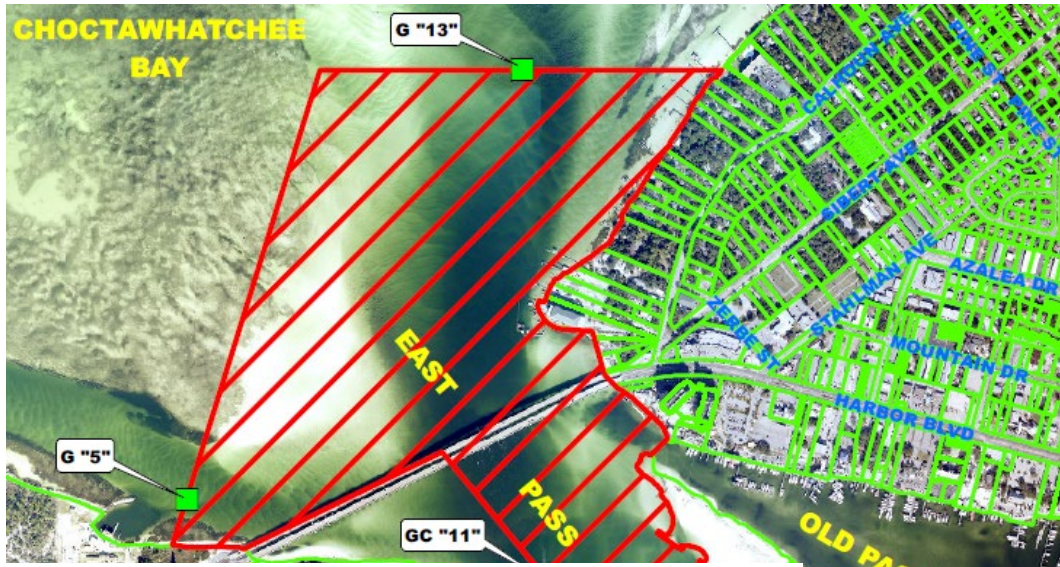

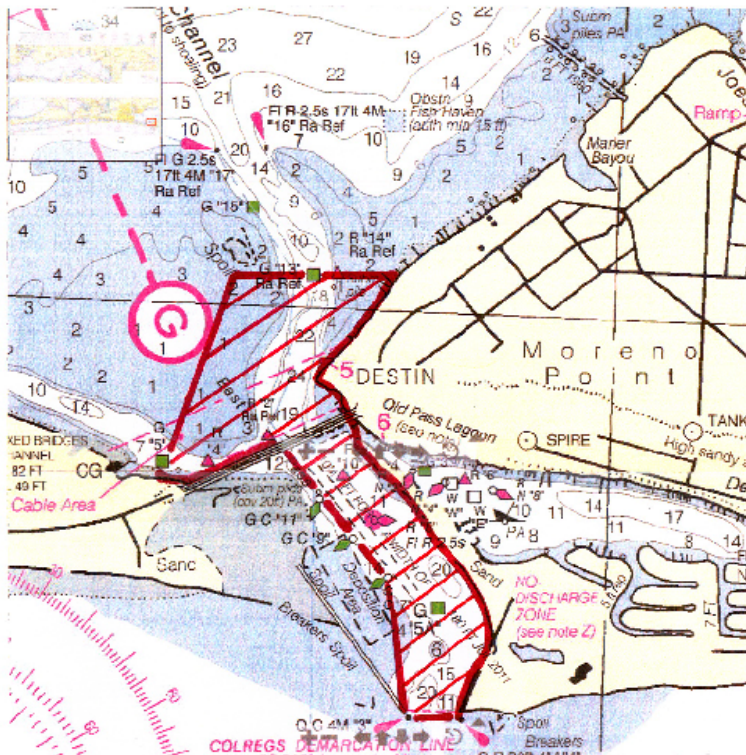


EXHIBIT 1A

 AIRCRAFT RESTRICTED ZONE



Legend

-  AIRCRAFT RESTRICTED ZONE
-  DAYBEACON
-  BUOY
-  LIGHT





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2.20.10 MEDICAL MARIJUANA DISPENSARIES

The operation of medical marijuana dispensing facilities or treatment centers shall comply with the following performance standards:

- (1) *Dispensing.* Dispensing by payment for and receipt of medical marijuana shall only be allowed within the facility of a properly registered medical marijuana dispensing facility or treatment center, except that this provision shall not be construed to prohibit delivery to a qualifying patient or caregiver registered with the State of Florida.
- (2) *No drive through service or mobile vendor.* No medical marijuana dispensing facility or treatment center shall have a drive through or drive in service aisle. Medical marijuana shall not be dispensed, paid for and received via the method of mobile vending. All dispensing, payment for and receipt of products shall occur from inside the medical marijuana dispensing facility or treatment center; provided however, this provision shall not be construed to prohibit delivery of medical marijuana to a qualified patient, as permitted by state law or rule.
- (3) *On-site consumption of medical marijuana.* The consumption of medical marijuana is prohibited within a medical marijuana dispensing facility or treatment center, or anywhere on the premises outside of the facility, including, but not limited to the parking areas, sidewalks, or rights-of-way surrounding the facility or center.
- (4) *Sole use.* The sole use permitted on the premises of any medical marijuana dispensing facility or treatment center shall be limited to those uses permitted by Florida law and county regulations. No other goods or services shall be provided or sold, and no additional activities shall be conducted on the site which are not authorized by this section. As used in this part, "premises" may include an individual stall in a multi-tenant commercial building (e.g., a stall in a strip mall).
- (5) *Separation distances.* No medical marijuana dispensing facility or treatment center shall operate within five hundred feet (500') feet of any pre-existing public or private elementary, middle, or secondary school, located in either unincorporated or incorporated Okaloosa County. For purposes of this section, distance shall be determined by measuring a radius from the closest improved part of the property (excluding stormwater treatment facilities and landscape buffers) supporting the marijuana dispensing facility or treatment center to the nearest parcel of land on which occurs the school. If any portion of a parcel of land containing a pre-existing school lies within the radius, then the dispensing facility or treatment center shall be deemed to be within such distance.



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- (6) *Prohibited Activities.* Any other activity related to preparation, wholesale storage, distribution, transfer, cultivation, or processing of any form of marijuana or marijuana product not specifically authorized by the license issued by the Florida Department of Health to the dispensing organization for the subject facility or center.
- (7) *Business Tax Receipt Requirement.* Owners or ownership entities of medical marijuana dispensing facilities or treatment centers licensed by the Florida Department of Health, must obtain a Business Tax Receipt from the Okaloosa County Tax Collector for such use.
- (8) *Compliance with other laws.* Medical marijuana dispensing facilities or treatment centers shall at all times be in compliance with all applicable state and local laws and regulations. In the event of a conflict between the provisions of state law and this Ordinance, then the provisions of state law shall control.
- (9) *Enforcement.* The provisions of Section 2.20.10 may be enforced by the Code Enforcement Division of the Okaloosa County Growth Management Department or by the Okaloosa County Sheriffs Office. Nothing herein shall preclude or limit the ability of the Okaloosa Sheriffs Office or any other law enforcement entity from pursuing any action authorized by law.

2.21.00 ACCESSORY USES AND STRUCTURES

2.21.00 Purpose: Provide guidelines and standards for those uses and structures that may be customarily incidental or commonly associated with permitted uses as may be appropriate to maintaining the purpose and integrity of any particular zoning district.

2.21.01 Applicability: Accessory uses and structures are a permitted use on any lot or parcel when such use is customarily incidental and commonly associated with a principal permitted use as may be specified in any particular zoning district. A finding of whether or not a use or structure is customarily incidental to or commonly associated with a permitted use shall be supported by the following:

1. the use is so necessary or commonly to be expected that it cannot be supposed that the zoning regulations were intended to prevent it, and;
2. consideration of the impact upon the surrounding area and the zoning district involved. Any range of accessory uses and structures may be permitted when it has been commonly, habitually, and by long practice established that such uses and structures are reasonably related to, and associated with, a principal permitted use. The requirements specified herein are not intended to apply to temporary uses and structures.

2.21.02 Residential Accessory Uses and Structures: The following accessory uses and structures are considered commonly associated with residential uses.

1. The following are permitted on lots or parcels in [R-1](#), [R-2](#), [R-3](#), [SR](#) and [MU](#) zoning districts.
 - a. Private, freestanding garage or carport;



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- b. Fence (except barbed wire, razor wire, glass-topped or other similar type not commonly associated with residential use);
 - c. Storage shed;
 - d. Freestanding deck, patio;
 - e. Dock or pier;
 - f. Swimming pool and enclosure, pool house;
 - g. Gazebo, cabana;
 - h. Vegetable or ornamental garden;
 - i. Playhouse;
 - j. Television or radio antennae;
 - k. Keeping of domesticated animals as pets;
 - l. Guest house;
 - m. Garage apartment.
 - n. Home occupation/office;
 - o. Home or kitchen garden;
 - p. Other similar uses and structures.
2. The following are permitted as part of an overall residential neighborhood or development and as part of a mixed use development or multi-family building development in [R-1](#), [R-2](#), [R-3](#), [SR](#) and [MU](#) zoning districts.
- a. Recreation areas including playgrounds, fields, courts, trails, etc.;
 - b. Community center, club house;
 - c. Community parking area or garage;
 - d. Vehicle/boat storage area;
 - e. Maintenance facilities and yards;
 - f. Security gates, guard house;
 - g. Docks or piers, private marina;
 - h. Golf course, including club house, pro shop, and restaurant;
 - i. Identification and directional signs;
 - j. Business office;
 - k. Dumpsters;
 - l. Home or kitchen garden;
 - m. Other similar uses and structures.

2.21.03 Nonresidential Accessory Uses and Structures: Commercial accessory uses and structures commonly associated with commercial, industrial, or institutional permitted uses are permitted in [C-1](#), [C-2](#), [C-3](#), [I-1](#), [I-2](#), and [INST](#) zoning districts as follows.

1. Drive-up/through windows;
2. Automatic tellers, kiosks;
3. Vehicle/equipment storage areas;
4. Dumpsters;
5. Facilities operated primarily for the convenience of employees, clients, or customers of a permitted principal use which is operated as an integral part of such use and does not create a separate business or commercial activity;



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6. Home or kitchen garden;
7. Other similar uses and structures.

2.21.04 Agriculture Accessory Uses and Structures: Agriculture accessory uses and structures commonly associated with agricultural permitted uses are permitted in the [AA](#) zoning district as follows.

1. General Agriculture: Barn; stable; keeping farm animals, livestock, poultry, bees ([see paragraph 10](#)); produce/vegetable stand; equipment and storage shed; silo; windmill; fuel tank; water tank; poultry house; animal pen; irrigation devices, and; other similar uses.
2. Conservation, Outdoor Recreation, Public/Institutional: Uses and structures commonly associated with these permitted uses.

2.21.05 Limitations and Restrictions: Permitted accessory uses and structures shall be subject to the following limitations and restrictions.

1. No accessory use or structure shall be installed, constructed, or placed so as to prevent the safe use of any driveway, or to cause a vision obstruction in any intersection vision triangle, or otherwise create a hazard by obstructing the view of pedestrians, cyclists, or motorists.
2. Accessory uses or structures located in side or rear yards shall be no closer than five (5) feet to any property line, except as otherwise specified herein.
3. Accessory uses and structures located in front yards must conform to the front minimum building setback requirement for the zoning district in which it is located, except as otherwise specified herein.
4. Fences: Fences are permitted in any zoning district subject to the following restrictions.
 - a. Fences may be installed or constructed along or within any property line.
 - b. Fences must be constructed using customary fencing materials such as wood, metal, wire, or masonry.
 - c. Use of barbed wire, razor wire, or chicken wire is prohibited in residential districts.
 - d. Fences shall not exceed eight (8) feet in height.
 - e. No fence shall be placed across any public right-of-way or public easement unless permission is granted by the agency of jurisdiction.
 - f. Certain uses may be subject to state fencing laws including, but not be limited to: game preserves (s. [379.302](#), F.S.); open pits (s. [768.10](#), F.S.); waste disposal (s. [62-701](#), FAC); junkyards (s. [339.241](#), F.S.); swimming pools ([Ch. 515](#), F.S.); livestock fences ([Ch. 588](#), F.S.).
5. Dumpsters: Dumpsters are permitted in all zoning districts except [R-1](#) and [R-2](#) subject to the following restrictions.
 - a. Temporary construction dumpsters are permitted in [R-1](#) and [R-2](#) zoning districts.



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- b. Dumpsters may be located on single-family, detached dwelling unit lots for construction purposes only. The dumpster(s) must be removed upon completion of construction.
 - c. All dumpsters must be screened from view of adjoining property owners and streets at first floor level. Dumpsters shall be screened on at least three (3) sides. Temporary construction and demolition debris dumpsters are exempted from the screening requirement.
 - d. All dumpsters shall be located off the public right-of-way, on a paved pad or hard surface and vehicular access shall be paved or improved with a stable surface.
 - e. The following structures may be permitted as screening for dumpsters.
 - i. Wood Fence.
 - ii. Concrete block and stucco wall, masonry wall, brick wall, or walls of similar material.
 - iii. Vegetative screening shall comply with [Section 6.05.07](#).
 - f. Dumpsters may be permitted within the building setback area provided there is no obstruction of vision of adjacent streets.
 - g. Screening for dumpsters shall be exempted from height limitations for fences provided there is no obstruction of vision of adjacent streets.
 - h. Screening of dumpsters shall be exempted in the Industrial Protected (IP) Zoning District if the dumpsters are located greater than two hundred feet (200) from residentially zoned or used property and are not located within front yards, Agricultural Districts, or during construction in all other zoning districts.
6. Guest House/Garage Apartment: Guest houses and garage apartments are permitted in all zoning districts subject to the following restrictions.
- a. No more than one guest house shall be permitted on any lot or parcel.
 - b. Guest houses are to be detached from the principal dwelling unit but may be connected by a covered walkway.
 - c. The guest house shall not exceed the total square footage of the principal structure located on the lot.
7. Storage Sheds: Storage sheds are permitted in all zoning districts subject to the following restrictions.
- a. Storage sheds must be located in side or rear yards in any residential zoning district.
 - b. Vehicles, recreational vehicles, manufactured homes, mobile homes or truck trailers shall not be used as storage sheds.



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8. Swimming Pools: Swimming pools and associated enclosures are permitted in any zoning district. All swimming pools must be located and constructed in compliance with applicable law including the Florida Statute [Ch. 515, F.S.](#) and the Florida Building Code, Ch. 41 (Residential) and Ch. 424 (Commercial).
9. Home Occupation: The standards for home occupations are intended to ensure compatibility with other permitted uses and with the residential character of the neighborhood. No home occupation shall be permitted which might interfere with the general welfare of the surrounding area due to potential noise, increased pedestrian or vehicular traffic or might entail any other condition which would constitute an objectionable use of residential property. Home occupations shall be allowed in any zoning district which permits residential dwellings as a principal permitted use or as a special exception use, provided the following criteria are met upon review by the planning staff:
 - a. Criteria
 - I. Up to two (2) non-residents and family residing on the premises shall be engaged in such occupation.
 - II. The business shall be "secondary" to the residential use.
 - III. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, including outside storage or accessory buildings, other than one sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building. Outside storage or accessory structures may be used for "incidental uses" associated with the business.
 - IV. Any need for parking generated by the conduct of such home occupation shall be improved; while parking in the right-of-way shall be prohibited.
 - V. No equipment or process shall be used in the home occupation which creates noise, vibration, glare, fumes, or odors detectable to the normal senses off the premises of the dwelling unit.
 - VI. No equipment or process shall be used which creates visual and/or audible interference in any radio or television receiver, or causes fluctuations in the line voltage off the premises of the dwelling unit.
 - b. Application
 - i. An application for a home occupation shall be made to the Planning and Inspection Department for a determination of compliance with the criteria set forth in Section a. prior to obtaining a license from the Tax Collector's Office (refer to Chapter 12 for the home occupation application fee).



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- ii. Applicant must sign a notarized affidavit, agreeing to continue to comply with all criteria contained in Section a, and acknowledge that any departure from the conditions authorizing the use shall be grounds for revocation of the applicable occupational license, without refund of application fee, and forfeit their right to continue the home occupation at the permitted site.
 - iii. When a nuisance complaint is received, an inspection shall be made to ensure compliance with this chapter. If lack of compliance is evident, the permittee shall be given thirty (30) days in which to comply or cease operation at the permitted site.
10. Livestock; Poultry; Beekeeping: The keeping or harboring of livestock, poultry, or honeybees is permitted only as specified herein. "Livestock" includes all animals of the equine, bovine, or swine class including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals. "Poultry" means all kinds of poultry and includes chickens, turkeys, ducks, guineas, geese, pigeons raised as domesticated food birds, quail, and other domesticated food birds. "Beekeeping" means maintaining a site or location where honeybee hives, frames, supers, pallets, queen excluders, and/or other such equipment used in the cultivation of honeybees and the harvesting of products produced by honeybees.
- a. Livestock. The keeping or harboring of livestock is not considered customarily incidental to residential uses of property and is prohibited in the R-1, R-2, and R-3 zoning districts unless approved by special exception as provided in d, below.
 - b. Poultry. The keeping of poultry is permissible as a principal use in the AA and RR zoning districts. The keeping of poultry is allowed as an accessory use on lots with an existing land use of single family residential, regardless of current zoning or Future Land Use Map designation in accordance with the following:
 - i. Poultry shall mean chickens (*Gallus gallus domesticus*) and domesticated ducks (*Anas platyrhynchos domesticus* - Pekins and Indian runner ducks only)
 - ii. Roosters are prohibited except in the AA and RR zoning districts
 - iii. The minimum lot size shall be no less than one-fifth of an acre, and no more than four (4) chickens shall be allowed for the first fifth of an acre and three (3) additional chickens allowed per each additional fifth acre (areas less than one-fifth of an acre will not qualify for additional chickens) on each respective property with an existing land use of single family residential.
 - iv. Poultry must be kept in an enclosed structure at night (coops, hen houses, etc.).
 - v. Coops or enclosures housing poultry shall be located:
 - a) in the rear yard behind the dwelling unit
 - b) at least twenty-five (25) feet from the door or window of any other dwelling or occupied structure other than the owner's dwelling
 - c) outside of the applicable district's accessory structure setback areas



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- vi. All items such as feed that may attract rodents or other wildlife shall be kept in rodent/pest proof containers.
 - vii. If poultry are allowed to free range, the free-ranging area must be secured such that the poultry cannot leave the rear yard of the subject property, including by flight.
 - viii. If ducks are kept, they shall be provided a wading pool (a children's "kiddie pool" with a minimum radius of no less than 48 inches will suffice) which must be maintained with clean, fresh water.
 - ix. There shall be no odors associated with the keeping of poultry discernible at the property lines.
- c. Beekeeping. Beekeeping shall be allowed as authorized and regulated by the State of Florida.
- d. A special exception may be approved by the Board of Adjustment as specified in Section 11.02.09 of this Code after consideration of the following:
- i. size of the property involved;
 - ii. nature and character of the adjacent and surrounding area;
 - iii. impact upon the adjacent and surrounding area and zoning districts;
 - iv. potential for nuisance such as water pollution, dust, odor, noise, and vermin; and
 - v. the type and number of animals to be kept or harbored.
- e. In granting a special exception to allow the keeping of poultry as specified in subsection b., above, the Board of Adjustment will require the following as conditions:
- I. Roosters are prohibited.
 - II. No person shall slaughter any chickens or ducks on any residential property.
 - III. The sale of eggs or any other products is prohibited.
 - IV. The chickens or ducks shall be provided with a house/coop and must be kept in the house/coop during non-daylight hours. The space per bird in the house/coop shall not be less than four (4) square feet per bird. The house/coop must be impermeable to rodents, wild birds and predators, including dogs and cats.
 - V. Ducks must be provided a wading pool (a children's "kiddie pool" with a minimum radius of no less than 48 inches will suffice) which must be maintained with clean, fresh water.
 - VI. During daylight hours the chickens or domesticated ducks may be kept either in the hen house/coop or a fenced enclosure in order to allow open air ranging. The top of any fenced enclosure must be covered with fence or chicken wire to prevent the birds from leaving the enclosure and to prevent the entry of predators.
 - VII. Enclosed areas may not be any closer than five feet (5') from any property line,
 - VIII. All fenced enclosures shall be so constructed and maintained as to prevent the harboring of rodents or other pests within the enclosure.



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- IX. Houses/coops and covered enclosures may not be located in the front yard.
 - X. Odors from chickens or ducks, their manure, or other chicken or duck related substances shall not be detectable at the property boundaries.
 - XI. Houses/coops and enclosures shall be kept in a neat condition, including provision of clean dry bedding materials and regular removal of waste materials. All manure not used for composting or fertilizing must be removed promptly.
 - XII. All feed and other items associated with the keeping of chickens or ducks that are likely to attract or to become infested with or infected by rodents or other pests shall be kept in secure containers or otherwise protected as to prevent rodents and other pests from gaining access.
 - XIII. No dog or cat that kills a chicken or duck will, for that reason alone, be considered a dangerous or aggressive animal.
- f. Any chicken or duck kept in an R-1, R-2, or R-3 district must have a leg band or bands providing the telephone number of its owner.
 - g. The requirements herein shall not apply to the keeping and raising of household pets. "Pet" means any animal kept for companionship or amusement rather than utility, burden, or associated with food products or food production, and which is not otherwise regulated by this code and which is not classified by the Florida Fish and Wildlife Conservation Commission (FWC) as a Class I or Class II wildlife species, a Class III Wildlife Species not exempt from FWC permitting, a Conditional Non-native Wildlife species, or a venomous reptile.
11. Home or Kitchen Garden: Gardens for the growing of fruits and vegetables for personal or household food consumption are allowed in any zoning district, this includes areas that may be used for "community gardens" or "urban farms."