



SANTA ROSA COUNTY LAND DEVELOPMENT CODE

DRAFT 3/7/2023

Santa Rosa County Planning and Zoning Department

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Land Development Code Revisions

Ord. No.	Date	Ord. No.	Date
<u>2021-18</u>	<u>10/28/2021</u>	<u>2022-05</u>	<u>04/28/2022</u>

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1. General Provisions

Chapter 1. General Provisions

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1.01.00 GENERALLY

These land development regulations are codified and published as an appendix to the Code of Ordinances of Santa Rosa County and form an integral part of that Code.

1.02.00 TITLE

These land development regulations shall be known as the “Land Development Code of Santa Rosa County, Florida,” and may be referred to as the LDC.

1.03.00 AUTHORITY

The LDC is enacted pursuant to the requirements and authority of section 163.3202, *Florida Statutes (F.S.)*, the general powers in Chapter 125, *F.S.* and Articles II and VIII of the *Florida Constitution*.

The lands subject to this ordinance include all unincorporated areas of Santa Rosa County.

1.03.01 Effective Date

The effective date of this ordinance shall be the date of receipt, by Santa Rosa County, of notice from the Florida Department of State that this Ordinance has been received and duly filed.

1. General Provisions

1.03.02 Ordinances Repealed and Replaced

This ordinance repeals and replaces Ordinance 91-24 as amended. The provisions shall prevail over the terms of any previously adopted ordinance or resolution.

1.03.03 Review and Update of the Land Development Code

It is intended that a full review and update be accomplished every five (5) years at a minimum. This does not preclude the ability to make amendments to the LDC during this time as the Board of County Commissioners see fit, see Section 11.05.08 for requirements.

1.04.00 APPLICABILITY

1.04.01 Generally

- A. The use of any parcel of land or any structure or any combination thereof, within the unincorporated areas of Santa Rosa County shall be in conformance with the requirements of the LDC.
- B. All development shall conform to the applicable standards, criteria, requirements and procedures of the LDC.
- C. Unless otherwise authorized in this LDC, no development shall proceed without a Final Development Order or Land Development Certificate and a Building Permit issued by the County, or where permitted by Section 11.01.02 or 11.01.03 only a Building Permit by the County.
- D. A Change of Use shall conform to the standards, criteria, requirements and procedures of the LDC.
- E. Unless otherwise authorized in this LDC, no Change of Use shall be permitted without a Final Development Order or Land Development Certificate and a Building Permit, or where permitted by Section 11.01.03 only a Building Permit by the County.

1.04.02 Division of Land

- A. Every division of land within the County into parcels(s) **less than 15 acres in size** (other than a division of land authorized by subsections **B D and minor subdivisions, or other provisions of the LDC**) ~~resulting in new roads being created,~~ shall be made by reference to a recorded Plat. Plats shall be approved in accordance with the procedural requirements set forth in Chapter 4 of the LDC.
- ~~B. Owner/Developer will need to submit a drawing showing the metes and bounds descriptions of the lots, parcels, tracts, etc.; a sketch to scale showing the configuration, acreage and square footage of the original Lot and proposed division. Every minor subdivision, division of land within the County which results in new lots, parcels, tracts, etc. not part of an existing subdivision made~~

1. General Provisions

~~pursuant to this subsection and resulting in new lots, parcels, tracts, etc. shall either comply with subsection A or if they meet any of the following criteria:~~

- ~~1. If the land is located on an Access Management Corridor;~~
- ~~2. If the land is located in a Military or Public Airport Zone as specified in Chapter 8;~~
- ~~3. If the land is in the Garcon Point Protection Area as identified in the Santa Rosa County Comprehensive Plan;~~
- ~~4. If the new Lots, Parcels, Tracts, etc. are less than four (4) acres in size.~~

~~For those divisions meeting criteria #4 above, an engineered drainage plan as required by Section 3.04.09.~~

~~Land conveyed in such developments may be described by metes and bounds, and shall be recorded by deed. This exemption will not apply to parcels located on deeded county right of ways where the actual roadway has not been constructed and has not been accepted for maintenance by the County and to parcels located on private roadways that were not approved by the County through the platting process, except those private roadways that existed as of April 24, 1986 and are shown and named on the County's original zoning maps.~~

C. The County shall not issue a Final Development Order, Land Development Certificate or a Building Permit for Development proposed on a Lot, Parcel, Tract, etc. established in violation of this LDC.

D. An assembly of platted lots may be disassembled (subdivided) without complying with either subsections A or B so long as no resulting lot bears a description or size other than as shown on a currently applicable, recorded Plat and each such resulting, previously platted lot complies in all respects with this LDC.

1.04.03 Relationship to the Comprehensive Plan

A. The LDC is intended to implement the Santa Rosa County Comprehensive Plan through the establishment of procedures for review of proposed Development and through the adoption of standards and criteria for such Development.

B. Pursuant to Florida Statutes Ch. 163, Part II (Growth Policy), the LDC is based upon and implements the Comprehensive Plan. The Comprehensive Plan standing alone establishes only general guidelines and principles. It is not self-executing. It is implemented by the LDC. The Comprehensive Plan is general, while the LDC is specific.

1. General Provisions

The LDC is designed to implement the goals, policies and objectives of the Comprehensive Plan and is hereby deemed to be consistent and in accordance with the adopted Comprehensive Plan. The LDC is intended to guide development in compliance with the goals, policies, and objectives of the Comprehensive Plan.

E. Any amendment to the text of the LDC shall be consistent with and in accordance with the Comprehensive Plan.

1.04.04 Injunctive and Other Relief

Upon verification by the Code Enforcement Director or their his/her designee that any provision of provision of this law ~~are~~ is being violated, the Code Enforcement Director or their designees his/her designee may notify in writing the person responsible for the violation, stating the provisions of this law being law being violated and shall order the necessary steps to abate the violations within a reasonable time. If the violation is not abated or abatement commenced and diligently pursued within the time specified, the Code Enforcement Director or their his/her designee, may institute any appropriate action or procedure to bring about compliance with any ~~of the~~ of the provisions of this ordinance. This remedy is in addition to any other remedy available to the County.

1.04.05 Savings Clause

Should any chapter, section, subsection, provision or clause of this LDC be declared by any court of competent jurisdiction to be unconstitutional or invalid for any reason whatsoever, the same shall not affect the validity of the LDC as a whole or any part thereof other than the part judicially determined to be invalid.

1.04.06 General Penalty for Violations

A. Whenever in this Land Development Code or the ordinances of the County relating to the Land Development Code any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Land Development Code or the ordinances of the County relating to the Land Development Code the doing of any act is required, or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of any such provisions of the Land Development Code or such ordinances of the County shall be punished by a fine. This section shall not apply to offenses which are recognized by the laws of the state as misdemeanors, the penalties for which are provided by the laws of the state, which state penalties shall likewise be applicable under this Land Development Code. Each day any violation of any of the provisions of this Land Development Code or of any ordinances of the County relating to the Land Development Code shall continue shall constitute a separate offense.

B. In addition to the penalties provided in subsection (A), any conditions caused or permitted to exist in violation of any of the provisions of this Land Development Code or the ordinance of the County related to Land Development

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shall be deemed a public nuisance and may be abated by the County as provided by law, and each day that any such offensive condition continues shall be regarded as a new and separate offense.

1.05.00 PURPOSE

The LDC is adopted for the purpose of promoting the health, safety and general welfare of the people of the County and to provide orderly growth management rules and regulations for the unincorporated areas of Santa Rosa County. This ordinance is not intended to terminate growth but rather to provide mechanisms for growth management in order to serve the citizens of Santa Rosa County and toward that end, this ordinance is to be construed to accomplish its stated purposes and objectives.

1.05.01 Residential Districts Purpose

The residential districts are designed to protect the health and safety of the public by providing sufficient space in appropriate locations to adequately meet the housing needs of the present and future population of the County, efficiently utilize the existing public ways and mitigate the effects of heavy traffic, protect residential areas against flood, fire, explosions, toxic and noxious matter, radiation, offensive noise, vibration, dust, and other particulate matter and glare. Protection against undue congestion by regulating density of population by requiring open space and landscaping where practical in order to open up residential areas to light and air and to enhance recreation and scenic qualities and facilitate surface drainage.

1.05.02 Commercial Districts Purpose

The commercial districts are designed to promote the health and safety of the public by providing sufficient spaces for local retail services and trades catering specifically to the recurring shopping needs of the occupants of nearby residents and to protect both retail and service developments and nearby residences against flood, fire, explosion, toxic and noxious matter, radiation, offensive noise, vibration, dust, and other particulate matter and glare. Protection against undue congestion by regulating the intensity of retail and services developments consistent with their marketing functions, preserving open space and access to light and air and to provide sufficient and appropriate space, to meet the needs of the County's expected future economy and to encourage planned commercial development concentrated in regional, community and local commercial centers with adequate areas for vehicular and pedestrian circulation, open space and landscaped areas to facilitate surface drainage and enhance the scenic quality and to discourage a proliferation of commercial uses in non-commercial areas.

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1.05.03 Industrial Districts Purpose

The industrial districts are designed to promote the health and safety of the public by providing sufficient space in appropriate locations to meet the needs of the urbanizing area's expected economic expansion for all types of disruptive, industrial and related activities and to protect distributive, industrial and related activities as well as residential and related activities by providing for the separation of these uses and as far as possible provide that appropriate space needs for distributive and industrial activities by discouraging the use of such space for residential purposes. To permit industrial development which is reasonably free from danger of fire, explosions, toxic and noxious matter, radiation, dust, or other particulate matter, offensive noise, vibration, odorous matter, and glare by regulating the emission of such nuisances, through appropriate performance standards.

1.06.00 RULES OF INTERPRETATION

1.06.01 Generally

The text within the LDC shall control where there is any conflict between text within the LDC and any caption, illustration or graphic presentation. Unless prohibited by context, references to any chapter, section or subsection shall include all subdivisions that chapter, section or subsection.

1.06.02 Rules of Construction

- A.** Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; and words used in the plural number shall include the singular number.
- B.** In computing any period of time prescribed or allowed by the LDC, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or legal holiday. When the period of time prescribed or allowed is less than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.
- C.** A word importing the masculine gender only shall extend and be applied to female persons and to firms, partnerships and corporations, as well as to male persons.
- D.** The words "may" and "should" are always permissive and never mandatory.
- E.** The word "shall" is always mandatory and not merely permissive.
- F.** The word "month" shall mean thirty (30) calendar days.

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G. The word “person” shall extend and be applied to associations, clubs, societies, firms, partnerships and bodies politic and corporate, as well as to individuals.

H. Whenever the LDC shall refer to a specific portion of the Code of Ordinances or the LDC itself, that reference shall include any subsequent amendment to the referenced portion or any subsequent provision superseding the provision.

1.06.03 Responsibility for Interpretations

All interpretations shall be the responsibility of the Planning Director.

1.06.04 Rules for Interpretations of Boundaries

Where uncertainty exists as to the boundaries of districts shown on the Zoning Map or any other map incorporated in or referenced by the LDC, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of Streets, Alleys or other public rights-of-ways shall be construed to follow such centerlines. Where the Street, Alley or right-of-way has been vacated through official action of the governing body, the boundary shall be construed to follow the centerline of the vacated right-of-way.

B. Boundaries indicated as approximately following platted Lot Lines, section lines or tract lines shall be construed to follow those lines.

C. Boundaries indicated as approximately following City or Town limit lines shall be construed to follow such City or Town limit lines.

D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

E. Boundaries indicated as following shorelines shall be construed to follow such shorelines and in the event of change in the shoreline shall be construed as moving with the actual shoreline.

F. Boundaries indicated as approximately following the centerlines of canals, streams or other bodies of water shall be construed to follow such centerlines.

G. Boundaries indicated as parallel to features described in sections 1.06.04.A through F above shall be construed as parallel to such features at the distance from the feature indicated on the Zoning Map. If a distance is not indicated on the Zoning Map, the distance shall be determined by the scale of the map.

H. Where interpretation is needed as to the exact location of boundaries of any mapped area, the Planning Director shall make the necessary interpretation.

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1.06.05 Applicability of Sign Code

The County has adopted comprehensive regulations for Signs in the unincorporated areas of Santa Rosa County as part of this Land Development Code. Whenever this Land Development Code provides a regulation for a sign that meets the definitions of a sign as provided by the Sign Code, such requirement or regulation shall be subject to the Sign Code and such Sign shall comply with the Sign Code, unless that requirement or regulation states an express exemption from the Sign Code. In addition, if another section of the Land Development Code requires a sign that the Sign Code would not allow, the sign shall be allowed, but shall otherwise comply with and be subject to the requirements to the Sign Code.

1.07.00 ACRONYMS AND DEFINITIONS

Words and phrases shall be construed according to the common approved uses of the language. Words with specific meaning in this LDC are defined below.

1.07.01 Acronyms

- ADA** – American with Disabilities Act
- BOCC** – Board of County Commissioners
- dbh** – diameter at breast height
- DBPR** – Florida Department of Business and Professional Regulations
- FAA** – Federal Aviation Administration
- F.A.C.** – Florida Administrative Code
- FBC** – Florida Building Code
- FDEO** – Florida Department of Economic Opportunity
- FDEP** – Florida Department of Environmental Protection
- FDOT** – Florida Department of Transportation
- FHA** – Federal Housing Administration
- FS** – Florida Statutes
- GLA** – Gross Leasable Area
- ITE** – The Institute of Transportation Engineers
- LDC** – Land Development Code
- MUTCD** – Manual on Uniform Traffic Control Devices
- NWFWMD** – Northwest Florida Water Management District
- PUD** – Planned Unit Development

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PBD – Planned Business District

USACE – United States Army Corps of Engineers

ZB – Zoning Board

1.07.02 Definitions

As used in the LDC, the following terms shall have the meanings assigned to them. When one or more defined terms are used together, their meanings shall also be combined as the context shall require or permit. All terms not specifically defined shall carry their usual and customary meanings. Undefined terms indigenous to a trade, industry or profession shall be defined when used in such context in accordance with their usual and customary understanding in the trade, industry or profession to which they apply.

Abandon – To discontinue the Use or occupancy of a structure or Lot.

Abandoned Well – A well that has had its use permanently discontinued or is in such disrepair that continued use for obtaining groundwater is impractical.

Abutting/Contiguous Property – Any property that is immediately adjacent to, touching.

Access, Point of – A driveway or other opening for vehicles into a public street.

Access – A way or means of approach to provide vehicular entrance or exit to a property.

Accessory Dwelling Unit – See Guest Cottage.

Accessory Parking Lots – **A parcel of land used by an individual, partnership, firm, or corporation in any commercial or industrial district or by conditional use within the R-2, R-2M or R-3 districts, exclusively for the parking of vehicles of its employees or customers, and for which no charge is made.**

Accessory Structure or Facility – A structure, or facility that is located on the same Parcel of property as the Principal Structure, the Use of which is incidental to the Use of the Principal Structure and subject to the provisions in section 5.02.00. Examples of Accessory Structures are detached garages, carports, storage sheds, swimming pools, screened enclosures, pole barns, hay sheds **and steel shipping containers**. For the purposes of Section 3.02.00, Floodplain Management, the term includes only accessory structures used for parking and storage.

Accessory Uses – A Use or structure which is incidental to the Principal Use or structure and which is located on the same Lot as the Principal Use or structure and subject to the provisions of section 5.02.00.

Accident Potential Zones (APZ's) – Those areas which have been identified as being significantly impacted by accident potential from aircraft as it applies to public and military airfields.

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Addition (to an existing building) – Any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. If the walled and roofed addition is connected by a fire wall or is separated by independent perimeter load bearing walls it is considered new construction.

Administrative Services – Community facility activities typically performed by not-for-profit private or public social services, charitable organizations and utility administrative offices.

Adult Day Care – Used to relieve the caregiver of his or her duties for the day while ensuring that the care recipient will still receive the proper care in a safe, friendly environment. These centers usually operate during normal business hours five days a week, and some centers also offer additional services during evenings and weekends

Adversely Affected Person or Aggrieved Person – Any person, natural or otherwise, who is suffering or will suffer an adverse effect to an interest protected or furthered by one or more of the ordinances of the County, including but not limited to interests related to health and safety, police and fire protection, densities and intensities of Development, transportation facilities or recreational facilities. The alleged adverse effect may be shared in common with other members of the community at large, but must exceed in material degree the general interest in community good shared by all persons.

Agriculture – The production of food and/or fiber.

Agriculture Related Activities – Those activities which are customarily incidental or accessory to an agricultural use, including but not limited to, the maintenance of barns, storage sheds and farm equipment.

Agritourism – Any agricultural related activity consistent with a bonafide farm or ranch or in a working forest which allows members of the general public to view or enjoy activities related to farming, ranching, historical, cultural or harvest-your-own attractions for recreational, entertainment or educational purposes. An activity directly linked to a farm, ranch or forest that is actually in production and that activity must be related to agriculture.

Air Cargo – Mode of transport used to transport cargo swiftly by air.

Air Operations – Airborne movement of aircraft in controlled or noncontrolled airport terminal areas and counts at en route fixes or other points where counts can be made.

Aircraft Hangars – A building or structure designed to hold aircraft or spacecraft. Hangars are built of metal, wood, or concrete.

Aircraft Operation – Landing and take-off of any aircraft at the Airport;• the taxiing of aircraft associated with landing and take-off and other surface movements of aircraft for the purpose of taking an aircraft from one part of the Airport to another;•

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aircraft flying along any Flight Path.

Aircraft Production – Construction of any vehicle designed to travel through the air, such as an aircraft, helicopter or other vehicle capable of flight

Aircraft Rentals – Commercial operation of renting or leasing aircraft to the public for compensation.

Airport – Any area of land or water designated and set aside for the landing and taking off of aircraft and utilized in the interest of the public for such purposes, including but not limited to:

1. Peter Prince Airport
2. NAS Whiting Field (North and South) (fixed-wing & rotary-wing)
3. Outlying Landing Field (OLF) Choctaw (Jet & fixed-wing)
4. OLF Harold (rotary-wing)
5. OLF Spencer (rotary-wing)
6. OLF Pace (rotary-wing)
7. OLF Santa Rosa (rotary-wing)
8. OLF Site X (rotary-wing)

Airport Elevation – The highest point of the airport's land area measured in feet above mean sea level.

Airport Environs – That area which has been identified as being significantly impacted by airport noise and accident potential.

~~**Airport Hazard** – Any structure or tree or use of land which would exceed the federal obstruction standards contained in C.F.R. Section 77.21 (scope) 77.23 (standards), 77.25 (civil airports), 77.28 (military airports), 77.29 (helicopters), FAA Handbook 7400.2C (Procedures for Handling Airspace Matters), and FAA circular 1500/5300-4B (zoning and grants) which obstructs airspace required for the flight of aircraft in landing and taking off at an airport or is otherwise hazardous to such landing or taking off of aircraft.~~ **An obstruction to air navigation which affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation.**

Airport Hazard Area – Any area of land or water upon which an airport hazard might be established if not prevented by this ordinance.

Airport Obstruction - Any existing or proposed object, terrain, or structure construction or alteration that exceed the federal obstruction standards contained in 14 C.F.R. part 77, subpart C, as may be amended. The term includes: any object of nature growth or terrain; permanent or temporary construction or alteration, including equipment or materials used and any permanent or temporary apparatus; or alteration of any permanent or temporary existing structure's height, including appurtenances, lateral dimensions, and equipment or materials used in the structure.

Airspace Height – To determine height limits in all zones set forth in this ordinance, the data shall be above mean sea level elevation (AMSL) unless otherwise specified.

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Alcoholic Beverage – A liquid brewed or distilled for human consumption containing more than one (1) percent alcohol by weight, including beer, wine and liquors.

Alley – A approved private way, not less than twenty (20) feet in width, which affords only a secondary access to abutting properties and which is not intended for general traffic circulation. A roadway which provides rear lot access to abutting properties. Alleys can provide the primary vehicular access to a property which fronts on a restricted access roadway or the secondary means of access to abutting property. Alleys are not intended for general traffic circulation, and on-street parking is prohibited. “No Parking” signs for each alley shall be maintained by the HOA. Alleys will not be accepted for maintenance by the County.

All Weather Access - A road with a hard driving surface (compacted clay, gravel or shell or asphaltic materials) when such road is designed and constructed in such a way as to permit runoff of stormwater from the driving surface under normal rainfall conditions. The driving surface must be free of water at 3" depths during normal rainfall events.

Alteration – Any construction which would result in a change in height or lateral dimensions of an existing structure.

Alteration of a Watercourse – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

Amusement – A use, building or device intended or used primarily to entertain or amuse persons by means of physical or mechanical activity. Examples include but are not limited to carnival type concessions, rides such as roller coasters, go-cart rides, giant slides, bumper cars, helicopter rides or acceleration and bungee rides, arcades with game machines, rentals of personal water craft, sailboats, sailboards or water cycles, or miniature golf courses.

Antenna – A transmitting or receiving device used in telecommunications that radiates or captures electromagnetic waves.

Antenna Support Structure – Any building or other structure, other than a tower, which can be used for the location of Telecommunication Facilities.

Antique – **Collectible object such as a piece of furniture or work of art that has a high value because of its considerable age.**

Antique Shop – **Retail store specializing in the selling of antiques.**

Apartment – An independent housekeeping unit (room or suite of rooms) used exclusively for permanent or seasonal residential occupancy as a home or residence of one individual, family or household, and not including hotel rooms, motel rooms, lodging rooms, or other living units used for short-term occupancy of less than six months and

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one day. Each apartment unit shall contain a kitchen area with sink, and the unit shall contain a bathroom with bath and toilet facilities.

Apartment House – A building with at least three (3) separate housekeeping units and certain mechanical conveniences such as heat, light, or elevator service in common.

Appeal – A request for a review of the Planning and Zoning Department's interpretation of any provision of this ordinance or a request for a variance.

Appeal, Floodplain – A request for a review of the Floodplain Administrator's interpretation of any provision of Section 3.02.00

Appliance and Equipment Repair – The repair or modification of a device or instrument designed to perform a specific function, especially an electrical device, such as a toaster, for household use. Small appliances shall be those devices or instruments of thirty (30) pounds or less in weight. Large appliances shall be those devices or instruments more than thirty (30) pounds in weight.

Applicant – Any person that applies for a development order, access management, coastal construction, conditional use, itinerant vendor, major land clearing, minor land clearing, parent parcel, rezoning, special exception, variance, communication tower and/or communication antenna development permit or any other application within the Planning and Zoning Department or Engineering Department.

Application – The process by which an applicant submits a request to rezone, develop, construct, build, or modify a property. An application includes all written documentation, verbal statements and representations, in whatever form or forum made by an applicant to the County concerning a request.

Archery Range – Shooting range posted for use of bows and crossbows.

Architect – A person registered and currently licensed to practice architecture in the State of Florida.

ASCE 24 – A standard titled *Flood Resistant Design and Construction* that is referenced by the *Florida Building Code*, ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Asphalt Plant – Plant used for the manufacture of asphalt, macadam and other forms of coated roadstone, sometimes collectively known as blacktop or asphalt concrete.

Assisted Living Facility – A system of housing and limited care that is designed for citizens who need some assistance with daily activities but do not require 24 hour nursing care.

Auditorium – Large building or hall used for public gatherings, typically speeches or stage performances.

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Automobile Rental Service – The establishment primarily engaged in renting or leasing passenger automobiles.

~~**Automobile Services: Major** – The repair, alteration, restoration, towing or painting of automobiles, trucks, RVs, boats and other vehicles as a primary use. This use includes major engine/transmission repair, engine/transmission removal and replacement, and vehicle body work – repair facilities dealing with entire vehicles; such facilities typically provide towing, collision repair, other body work and painting services.~~

~~**Automobile Services: Minor** – Minor facilities specialize in limited aspects of repair and maintenance (e.g. muffler and radiator shops, quick-lube shops, brake repairs, air conditioning repairs, tire installation and repair centers, tune-up shops and car wash facilities). Does not include repair shops that are part of a vehicle dealership on the same site.~~

Average Grade – The average elevation between the highest and lowest exposed portion of the foundation of a building. For single family and duplex structures, average grade shall be the average grade of the subject and abutting lots.

Aviation Activities – This classification includes the design, development, production and operation of aircraft; activities such as air operations; aircraft storage hangars and accessory uses; flying clubs; rental excursions of aircraft and air cargo.

Background Traffic – The most recently available annual average daily traffic volume for a roadway segment, growth adjusted to the current year; plus “trips from approved development”. Background traffic shall be adjusted for the: 1) Addition of newly approved development trips assigned to each roadway segment, and 2) Subtraction of trips associated with development orders which expired.

Bait and Tackle Shop – A fisherman's go-to supply shop for bait. Normally, a bait and tackle shop is located near boat launches, piers, and lakes. If they're licensed, a bait and tackle shop can make extra money by selling drinks and beer to fisherman. Some bait and tackle shops also sell snacks.

Bakeries, Retail – Sells its baked goods to individual customers, often in a retail setting.

Bakeries, Wholesale – Sells their product in bulk to restaurants, grocery stores, and other establishments like coffee shops.

Barber Shop – A shop where men can get their hair cut

Barn – Large farm building used for storing grain, hay, or straw or for housing livestock.

Base Flood – The flood having a one percent change of being equaled or exceeded in any given year.

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Base Flood Elevation – The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section 202.]

Baseball Fields – Also called a ball field or baseball diamond, is the field upon which the game of baseball is played.

Basement (or Cellar) – A story, whether or not suitable for living purposes, partly underground by having more than one-half (1/2) its clear floor-to-ceiling height below the mean grade. The distance from grade to ceiling shall be at least four (4) feet, six (6) inches. For the purposes of 3.02.00, Floodplain Management, the term includes any portion of a building having its floor subgrade (below ground level) on all sides.

Basketball Court – Basketball court is the playing surface, consisting of a rectangular floor, with baskets at each end.

Bathing Beach – Beach or bathing area offered to the public for recreational bathing or swimming.

Beach Access Boardwalk – A walk constructed along a beach

Beauty Shop – Shop where women get their hair cut, colored, styled and/or permed.

Bed and Breakfast Establishments – Guest house or small hotel offering sleeping accommodations for a night and a morning meal.

Beer – The term beer or the term "malt beverage", as used in this Ordinance, shall extend to and include all brewed beverages containing malt.

Bicycle Paths – Pathway separated from motorized traffic and dedicated to cycling or shared with pedestrians or other non-motorized uses.

Bird and Wildlife Sanctuary – Area of land in which birds and animal habitats are protected

Block – A tract of land bounded by street, alleys, shorelines, waterways or other definite boundaries.

Boarding House – A dwelling used for the purpose of providing meals or lodging or both to persons other than members of the family occupying such dwelling.

Boat Anchorage – Place on the water where boats can lower their anchors and stay awhile.

Boat Basin – A facility, for recreational purposes only and neither for profit nor to render any service customarily carried on as a business, which is designed and used for the security or mooring of watercraft or accessories is allowed, except for the storage of fuel used by such craft.

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Boat Dock – Manmade structure that protrudes into a body of water for the purpose of mooring a boat or other water related recreation.

Boat Launching Ramp – Inclined paved surface consisting of one or more launching lanes extending waterward of the mean high tide line.

Boat Repair Yard – A place where construction or repair of vehicles (including engines) designed to be operated on the water occurs.

BOCC – The Santa Rosa County Board of County Commissioners.

Borrow Pit – An area from which soil or other unconsolidated materials are removed and transported off the site to be used as fill for activities such as landscaping, building construction, highway construction and maintenance, or any other purpose. Excluded from this definition is excavation necessary and incidental to site development or building construction consistent with an approved development order.

Botanical Gardens – Public garden where many types of flowers, plants, and trees are grown for people to enjoy and for scientific study.

Bridle Paths – Pathway used for horseback riding.

Buffer Strip – A landscaped area of land separating two or more zoning districts or land uses.

Buildable Area – A building site area which shall be on a lot that is at least the minimum area required for the zone in which said lot is located. Such lot shall be consistent with all lot requirements within the respective zoning district. The term "buildable area" is not necessarily synonymous with the term "lot" as defined herein.

Building – Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods or materials of any kind, which is not intended to be moved once erected.

Building Area – The total ground area, taken on a horizontal plane at the mean grade level, of each building and accessory building, but not including uncovered entrance platforms, terraces and steps.

Building Frontage – The length of that side of the principal building on a premises which faces the frontage of that premises measured in a straight line and excluding any canopy or other portion of the building extending beyond its foundation.

Building Height – The vertical distance between the floor of the lowest habitable floor and the average of the height to the peak of the roof.

Building Line – The inner-most edge of any required yard or set back.

Building Official – The Director of the Building Department and all inspectors working under their his/her authority.

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Building, Setback – A line parallel to or concentric to the front lot line, tangent to the nearest part of the principal building, extending from side lot line to side lot line.

Building Permit – Written permission issued by the County to an applicant for the repair, replacement or improvement of land or a structure issued pursuant to one or more Building or life safety codes adopted by the County.

Bulk Plant (Liquified Petroleum) – The term bulk plant shall mean a facility, the primary purpose of which is the storage of liquified petroleum gas, and which facility has a bulk storage capacity of 2,000 gallons water capacity or more.

Bulk Regulations – Provisions of the zoning code which govern the size of buildings and other structures and their relationships to each other and lot lines. Bulk regulations include: regulations relative to height limitations, required yards, limitations on floor area, building coverage, location of exterior walls with respect to lot lines, streets or other buildings, or other structural components and other similar development characteristics.

Business and Professional Office – Insurance and real estate brokerage services; photographic studio services, excluding sale of supplies and equipment; the provisions of advice, information or consultation of a professional nature (other than services classified as community facility activities or financial and banking services or medical services). This also includes executive management and administrative activities of private, profit oriented firms. These activities generally do not include the storage of goods and chattels for the purpose of sale.

CMRS – Commercial Mobile Radio Services, as defined in section 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.

Cabanas – **Tentlike structure usually with an open side facing the beach or swimming pool.**

Campground – A place where buildings or sites for recreational vehicles or tents are rented for use as temporary living quarters for recreational purposes.

Canopy Tree – A canopy tree is defined as a plant species having an average mature crown spread of fifteen feet or greater, a mature height of over 25 feet when growing in Santa Rosa County and having a trunk(s) that eventually can be maintained in a clean condition, clear of lateral woody growth of five feet or greater.

Cemetery – 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.

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Certificate of Occupancy – Written permission issued by the County to an applicant indicating that a structure or improvement to land is complete and may be used, occupied or energized.

Champion Tree – A living tree measured to be the largest specimen of its species in the state as recorded in the champion tree registry of the University of Florida and the Division of Forestry, Florida Department of Agriculture and Consumer Services.

Change of Use – A process or result of replacing an existing use identified or similar to a use named in Table 2.03.02 with a different Use identified or similar to a different Use named in Table 2.03.02.

Charterboat Dock – Manmade structure that protrudes into a body of water for the purpose of mooring a charterboat(s)

Child/Adult Care Center – An establishment where children or adults, other than members of the family occupying the premises, are cared for away from their own home by day or night. The term includes day nurseries or adult day care but does not include foster homes.

Child/Adult Care Facility – Any child or adult care center (including day care or nursery school) or child/adult care arrangement that provides adult or child care for more than five children or adults unrelated to the operator and that receives a payment, fee or grant for any of the children receiving care, wherever operated and whether or not operated for profit. The following are not included:

1. Public schools and non-public schools and their integral programs
2. Summer camps having children in full time residence
3. Summer day camps; and
4. Religious schools normally conducted during vacation periods

Child Care Facility – Family Day Care Home – An occupied residence in which child care is regularly provided for children from at least 2 unrelated families and which receives a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. A family day care home shall be allowed to provide care for one of the following groups of children, which shall include those children under 13 years of age who are related to the caregiver:

- (a) A maximum of four children from birth to 12 months of age.
- (b) A maximum of three children from birth to 12 months of age, and other children, for a maximum total of six children.
- (c) A maximum of six preschool children if all are older than 12 months of age.
- (d) A maximum of 10 children if no more than 5 are preschool age and, of those 5, no more than 2 are under 12 months of age.

Church – A building designed and/or used for public worship.

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Civic or Cultural Activities or Clubs – Includes libraries, musical and dramatic presentations, art exhibits, adult education programs, public meeting place and other facilities for carrying on an activity

Clinics (Medical) – The provision of the therapeutic, preventive or corrective personal treatment services by physicians, dentists, and other licensed medical practitioners, as well as the provision of medical testing and analysis services. These services are provided to patients who are admitted for examination and treatment by a physician and with no overnight lodging.

Club – Activities typically performed by a group of persons for social or recreational purposes not operated for profit or to primarily render services which are customarily carried on as a business for profit.

Cluster Housing – A development in which homes are situated in groupings relatively close together, while larger areas of open space within the development form a buffer with adjacent land uses. Often this is accomplished through small individual lots, with the remainder of the land becoming common ground but it can include townhouses and condominiums.

Coastal A Zone – Flood hazard areas that are:

1. Subject to wave heights between 1 ½ feet and 3 feet and seaward of the Limit of Moderate Wave Action shown on the Flood Insurance Rate Map,
2. Designated Zone AE in the Navarre Beach Planning Area.

Coastal Construction Control Line – The line established by the State of Florida pursuant to section 161.053, F.S., and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100 year storm surge, storm waves or other predictable weather conditions.

Coastal High Hazard Area – A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as “high hazard areas subject to high velocity wave action” or “V Zones” and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V

Code of Ordinances, County Code or Code – Code of Ordinances of Santa Rosa County.

Code Enforcement Officer – The Code Enforcement Officer of the County or their designee.

Collocation – The mounting or installation of an Antenna on an existing tower, Building or structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes. The use of a communication tower by two or more CMRS license holders or by one license holder for more than one type of communication

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technology.

Commercial Canopy – A roof like cover that is intended for the shielding of parking areas, gas pumps, above ground storage tanks and areas from the elements.

Commercial Use – Activity carried out for monetary gain.

Commercial Agriculture – **Activities involved in the production of crops or livestock for wholesale trade.**

~~Commercial Amusement~~ – **~~Active or passive recreation facilities by profit oriented firms.~~**

Commercial or Club Buildings – **Building or part of a building where a club is operated in a for profit or not for profit capacity.**

Commercial Marina – **Facility for the docking of watercraft that is made available for use to non-owners of the lot for remuneration including, but not limited to rental fees and user fees.**

Commercial Parking Lot – **Parking lot or parking garage that is built as a facility to provide parking for rent or lease to the general public.**

Commercial Pier – **Structure generally built from shore extending out over the water to provide moorage for commercial recreation water craft or for commercial water oriented recreational use.**

Commercial Subdivision – Is the division of a lot or parcel of land into two or more lots, sites, or other divisions of land for the purpose of creating a development for commercial or business related purposes with a building(s) constructed on the land or lot.

Communication Antenna – Any system of electrical conductors designed to transmit and/or receive electromagnetic waves.

Communication Tower – A structure which does not exceed ~~two hundred fifty feet (250)~~ **three hundred (300)** feet in height (including antenna) measured from grade on which transmitting and/or receiving antennas are located. This term “communication tower” shall not include towers utilized by amateur radio operators licensed by the Federal Communication Commission (FCC). Communications towers are generally described as either monopole, lattice, or guyed.

Community Center – A stand-alone public owned facility that provides facilities, services and activities.

Community Garden – Any piece of land gardened by a group of people, utilizing either individual or shared plots on private or public land. The land may produce fruit, vegetables or plants grown for their attractive appearance.

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Community Residential Home – A dwelling unit licensed to serve six (6) or fewer residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or licenses by the Agency for Health Care Administration who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents. Homes licensed by the Agency for Health Care Administration that provide a living environment for 7 to 14 unrelated residents shall be considered ***Licensed Facilities or Special Residential Facilities.***

Community Water System – Community water systems are those public water systems which serve at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

Concession Stand – Stall where food, drinks, or other items are sold at a theatre or other venue.

Concrete Plant – Production of concrete that uses a manufacturing process involving the mixing of a number of aggregates, sand, water, cement, and/or other components. This use also includes the stockpiling of bulk materials required for the process and the storage of the required equipment used in the operation.

Conditional Use – A conditional use is a permitted use but is permitted only if certain conditions are satisfied. The Zoning Board reviews and acts on petitions for conditional uses and makes recommendations to the County Commission who then makes the final determination (see Section 5.07.00 et. seq.).

Construction – The act of any building, clearing, filling, excavation or substantial improvement in the size of use of any structure or the appearance of any land. When appropriate to the context, "construction" refers to the act of construction or the result of construction.

Construction and Demolition Debris – As defined by 403.703, Florida Statute.

Construction and Demolition (C&D) Debris Disposal Facility – A site, location, tract of land, or structure used solely for the disposal of construction and demolition (C&D) debris for which applicable state and local permits are required.

Construction Materials – Any material which is used for construction purposes. Materials include manufactured products such as components fittings, items of equipment and systems; naturally occurring materials such as stone, timber and thatch; fabric; mud and clay; cement, metals, bricks; aggregates; and concrete.

Contiguous – Sharing a common border, touching

Cooking Grill – Grill is a piece of cooking equipment where the cooking surface consists of an open rack or grate with a heat source underneath.

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Country Club – A club, usually in a suburban district, with a clubhouse and grounds, offering various social activities and generally having facilities for tennis, golf, swimming, etc.

County – County shall mean Santa Rosa County, Florida.

Crossfit Club – A place of business that features a high-intensity fitness program incorporating elements from several sports and types of exercise usually involving a workout program that integrates multiple sports and training regimens all in one.

Crosswalk – Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signals, lines or other markings on the road surface.

Crossroad Communities (Residential) – Residential Crossroads Communities would allow residential development up to four units per acre within one mile of identified crossroads and the Town of Jay.

Cultural Center – An area for the display, preservation and exhibition of objects of community and cultural interest in one or more of the arts or sciences. Cultural centers include museums, art galleries, libraries and similar uses.

Day-Night Average Sound Level (Ldn) – A basic measure for quantifying noise exposure, namely: The A-weighted sound level averaged over a 24-hour time period, with a 10 decibel penalty applied to night time (10:00 p.m. to 7:00 a.m.) sound levels.

dBA – The unit of corrected noise level measured in accordance with the "A-weighting scale" which replicates the response characteristics of the ear.

Decibel – A unit for measuring the relative loudness of sound or sound pressure equal approximately to the smallest degree of difference of loudness or sound pressure ordinarily detectable by the human ear, the range of which includes about 130 decibels on a scale beginning with 1 for the faintest audible sound. Abbreviated dB.

Density – The number of dwelling units permitted per acre and expressed in terms of gross or net acreage.

Derelict Vehicle – A vehicle that exhibits a defect, damage or deterioration sufficient to preclude proper operation on the highway.

Derelict Vessel - A vessel is considered derelict when it is left stored or abandoned in a wrecked, junked or demolished condition on public waters or private property. Derelict vessels, relocation or removal per 823.11 F.S.

Design Flood – The flood associated with the greater of the following two areas:

1. Area with a floodplain subject to a 1-percent or greater chance of flooding in any year; or
2. Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

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Design Flood Elevation – The elevation of the “design flood,” including wave height, relative to the datum specified on the community’s legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the buildings building’s perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as equal to 2 feet.

Developer – An individual, partnership, corporation or other legal entity, or agent thereof, who undertakes the activities covered by this ordinance.

Development – Any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, tanks, temporary structures, mining, dredging, filling, major land clearing, grading, paving, excavating, drilling operations other land disturbing activities or permanent storage of materials, but not including routine maintenance activities.

Distillery – Place or establishment where alcoholic drinks are produced by the process of distilling.

Distribution Center – An establishment engaged in the receipt, storage and distribution of goods, products, cargo and materials.

Drip Line – The circumferential vertical plane defined by the farthest points of foliage extending from the trunk of a tree.

Dock Master Facilities – Facility where the Dock Master conducts business while overseeing the mooring, unmooring, docking or undocking of a vessel at any outport.

Dock, Pier, or Mooring Device – Platform extending from a shore over water, used to secure, protect and provide access to a boat or ship.

Dog Boarding – Any building or structure and associated premises in which animals are fed, housed, and/or exercised for commercial gain.

Dog Kennels – Commercial operation where dogs are boarded for compensation and/or bred and/or sold on the premises.

Dormitories – A room, apartment or building containing sleeping accommodations operated for the use of students enrolled in an educational institution.

Drive-In Restaurant – An establishment where food is served to persons in vehicles for consumption on or off-premises.

Drive-In or Drive-Through Facilities – Those establishments where persons receive goods or services or drop off goods while remaining in a vehicle.

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Drive-Through – That portion of a driveway through which the driver or passenger of a motor vehicle may conduct business or transfer items with an occupant of a building either through a window or through a device such as a mechanical drawer or a pneumatic tube.

Driveway (or Drive) – A vehicular use area used for traffic circulation internal to a developed site.

Driveway Connection – That part of a vehicular use area located between the paved portion of any public, vehicular right-of-way owned, maintained or controlled by the County and the nearest private property line.

Drop-Off – That portion of a driveway incorporating an area where passengers may disembark from a vehicle.

Dry Cleaners – An establishment where the process of removing stains from wearing apparel, textiles, fabrics, rugs, etc. is carried on. It may include the process of dyeing clothes or fabrics.

Dune – A mound or ridge of loose sediments, usually sand-size sediments, lying landward of the beach and deposited by any natural or artificial mechanism.

Duplexes – Structure divided into two separate living quarters with a separate entrance for each.

Dwelling Unit (DU) – One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling for the exclusive use of a single family maintaining a household.

Dwelling (Multiple) – A structure or group of structures on a parcel or building lot designed for occupancy by three (3) or more families living independently of each other, and which individually or collectively comprise three (3) or more apartments (see "Apartment").

Dwelling (Single Family) – A detached building designed for or occupied exclusively by one family as a housekeeping unit.

Dwelling (Two Family, Duplex) – A detached building designed for or occupied exclusively by two (2) families only living independently of each other.

Easement – An interest in land owned by another which entitles the holder to a specific use or enjoyment.

Eaves – The extension or overhang of a roof, measured from the outer face of the supporting wall or column to the farthest point of the overhanging structure.

Educational Institution (Private and Public) – A place for systematic instruction with a curriculum the same as customarily provided in a public school or college. These activities include nursery school and kindergarten facilities designed to provide a

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systematic program to meet organized training requirements.

Efficiency Apartment – A housekeeping unit consisting principally of one room and alcoves, equipped with kitchenette and bath.

Elevations – Means the height measured above mean sea level. All mean sea level (msl) elevations in this ordinance shall be measured from certified bench marks throughout the area.

Enclosed Living Area – Defined by measurements made from outside of exterior walls. Screened porches, garages, patios, and closets not opening to the interior shall not be construed to mean enclosed living area.

Encroachment, Flood – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Enforcement Official – The County Administrator or their his/her designee.

Engineer – A person registered and currently licensed to practice professional engineering in the State of Florida. Radio frequency engineers do not have to be licensed by the State, however their qualifications must include specific experience with the field and employment or retention by the telecommunications provider in a professional, technical capacity.

Equestrian Events – **Events that use horses as the main part of the event, usually in the form of a rider being on the horses back or the horses pulling some sort of vehicle. These can include, but are not limited to, dressage, show jumping, eventing, combined driving, endurance, reining and vaulting.**

Essential Service – The provision, by public utility, or communication services to the public related to fire safety, law enforcement, weather, provisions of electric, natural gas, water, or sanitary sewer service, or other circumstances affecting the health, safety, or welfare of the public.

Existing Building and Existing Structure – Any buildings and structures for which the “start of construction” commenced before June 26, 1976. [Also defined in FBC, B, Section 202.]

Façade – The portion of any exterior elevation of a building extending from finished grade to the top of the parapet wall or eaves, extending the entire width of the building elevation and exposed to public view.

Family – Two or more individuals related by blood, marriage or adoption and not more than four unrelated persons living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding house, lodging house or hotel, as herein defined.

Federal Emergency Management Agency (FEMA) – The federal agency that, in addition to carrying out other functions, administers the National Flood Insurance

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Program.

Fence – A structure functioning as a boundary or barrier usually made of posts, boards, wire, rails, or netting. A fence differs from a wall in not having a solid foundation along its whole length.

Financial and Banking Services – Including full service banking; drive-in banking; loan companies; savings and loan services and stock brokerage services.

Finished Floor Elevation (FFE) – The top of the structural slab and its elevation above sea level.

First Floor Level – Lowest floor of structure, as it relates to land use and zoning requirements.

Fishing Pier – Platform extending from a shore over water and supported by piles or pillars which people walk along or use for fishing.

Flood or Flooding – Means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Damage-Resistant Materials – Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair.

Flood Hazard Area – The greater of the following two areas:

1. The area within a floodplain subject to a 1 percent or greater chance of flooding in any year.
2. The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM) – An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) – The official report provided by the Federal Emergency Management Agency. The report contains the Flood Insurance Rate Maps, flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodplain Violation – The failure of a structure or other development to be fully compliant with Santa Rosa County's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other compliances required and presumed to be in violation until such time as that documentation is provided.

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Floodplain Administrator – The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the Floodplain Manager).

Floodplain Development Permit or Approval – An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this ordinance.

Floodway – The channel of a river or other riverine watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway Encroachment Analysis – An engineering analysis of the impact that a proposed encroachment into a floodway is expected to have on the floodway boundaries and base flood elevations; the evaluation shall be prepared by a qualified Florida licensed engineer using standard engineering methods and models.

Floor – The top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor Area – The usable floor area of any dwelling unit, including outside walls, but exclusive of basements, garages or porches.

Floor Area, Gross – Total floor area of all stories of any structure including halls, stairways, elevator shafts, and other related uses, measured to outside faces of exterior walls.

Floor Area, Minimum – The area included within the surrounding walls of a building exclusive of vent shafts, courts, carports, garages, breezeways, patios, stairwells, and the like.

Floral Gardens – Public garden where many types of flowers, plants, and trees are grown for people to enjoy and for scientific study.

Florida Building Code – The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Flying Club – Any group of persons owning, leasing or operating one or more aircraft, not for profit or reward and using the aircraft for the purpose of providing it's members with an aircraft for their personal use and enjoyment.

Football Fields – Rectangular area of grass or artificial turf measuring 100 yards long between goal lines and 160 feet wide .

Footprint – The surface area enclosed or covered by the footing, foundation or outermost projection for any floor of a building whichever area is greatest.

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Forestry – The cultivation and harvesting of trees. The term shall not include the retail sale of trees or similar products.

Foster Care Facility – A Licensed Facility under this chapter that provides a family living environment including supervision and care necessary to meet the physical, emotional, and social needs of its residents. The capacity of such a facility may not be more than three residents.

Frontage – All of the property abutting any street, measured along the right-of-way.

Fuel Dispensing Station – Marina – Facility where fuels are stored and dispensed from fixed equipment into the fuel tanks of marine craft.

Functional Area of Intersection – Physical area of the intersection, plus the vehicle storage queue area and the driver PIEV (perception, identification, evaluation, and volition) decision distance. Reference the Transportation Research Board Access Management Manual for further guidance.

Functionally Dependent Use – A use which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, including only docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, and ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

Funeral Homes – Undertaking and funeral services involving the care and preparation of the deceased prior to burial, excluding cremators, crematory operations and columbaries.

Garage (Private) – A detached accessory building or portion of a principal building for the parking or temporary storage of automobiles of the occupants of the premises, including carport.

Garage (Service and Repair) – A building or portion thereof, used to provide major automotive repair not permitted as a part of a limited vehicular service and maintenance activity (see Section 6.03.03(P)). A storage and repair garage shall be classified as a limited impact manufacturing activity as defined in Section 6.03.04(B)(4).

Garage (Storage) – A building designed or used for the storage of automobiles. Services other than storage shall be limited to refueling, lubrication, washing, waxing and polishing.

Garage (Parking) – Governmental or private commercial building or structure solely for the off-street parking or storage of operable motor vehicles.

Gas Station – Any business engages primarily in the servicing of automotive vehicles, including the sale and delivery of fuel, lubricants and other products necessary to the operation of automotive vehicles. This term also includes the sale and installation of accessories, tires, batteries, seat covers and tire repair, cleaning facilities, minor engine tune up, wheel balancing and aligning, brake service,

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convenience stores with gas pumps, gas stations with or without repair facilities, and gas stations with or without fast food or drive-through restaurants.

Gazebo – A covered structure with open sides and designed to provide a shady resting place.

General Industrial – This classification includes activities such as heavy manufacturing, saw mills, asphalt and concrete plants, truck or bus terminal, service maintenance and storage facilities, solid waste disposal facilities, and salvage yards; manufacturing of products, primarily from extracted or raw material, or bulk storage and handling of such products and materials.

General Retail Sales and Services – Retail sale or rental from the premises of goods or both goods and services for personal, informational, or instructional service; department stores; hardware stores (without large scale warehousing); decorating services and sales; carpet stores, dry goods stores; personal sales and services; household goods and services; dry cleaning establishments using only non-flammable Class IV solvents; lawn and garden supplies; office equipment and supplies, and other similar goods and services.

Golf Course – A tract of land for playing golf, improved with tees, greens, fairways, hazards and which may include club houses and shelters. Commercial miniature golf courses and driving ranges and similar facilities are excluded from this activity as defined.

Governmental Buildings – Building that houses a branch of government.

Grade – The level, contour, or slope of the finished or natural surface of the ground.

Grandfathered -- a clause which permits the operator of a business or a land owner to be exempt from restrictions on use if the business or property continues to be used as it was when the law was adopted. This also pertains to approvals that have not expired but were obtained prior to the adoption of the new Land Development Code.

Gravel, Dirt, and Earth Material Excavation – Removal of all surface and subsurface material not classified as rock.

Grass – Narrow-leaved green herbage typically grown as lawns.

Greenbelt – An open area which may be cultivated or maintained in a natural state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

Gross Acre – The horizontal area of 43,560 square feet that includes all surfaces.

Gross Acreage – The total number of acres within the perimeter boundary of a parcel of land.

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Ground Cover – Plants, other than turf grass, normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

Ground Story or Ground Floor - The story having its floor level closest to grade at the entry of the building shall be considered the ground story or ground floor.

Group Home (Community Residential Facility) – A dwelling unit licensed to serve residents who are clients of the Florida Department of Elderly Affairs, the Florida Agency for Persons with Disabilities, the Florida Department of Juvenile Justice, or the Florida Department of Children and Families or licensed by the Florida Agency for Health Care Administration. Such facilities shall be located consistent with the requirements of Chapter 419, F.S. as follows:

- (a) Group homes which provides a living environment for six (6) or fewer unrelated residents are deemed a single family dwelling unit may be located in single family or multifamily residential districts;

Group homes housing seven (7) or more residents shall be deemed multi-family dwelling units and permitted in any zoning district where multi-family dwellings are permitted, including the mixed-use land use categories.

Guest Cottage – A building occupying not more than 50% of the total floor area square footage of the main building under total roof. It shall comply with the general building height and yard regulations for main buildings. No mobile home or recreation vehicle as defined herein shall be considered as a guest cottage. An accessory building used for living quarters (guest house, guest cottage or accessory dwelling unit (ADU) must meet the requirements of the Florida Building Code.

Guest House (or Boarding House) – Any structure including converted dwellings in which less than ten rooms, with or without meals, are rented or otherwise provided for compensation to transients for their temporary care and lodging.

Habitable, First Floor – The first floor usable for living which includes working, sleeping, eating, cooking or recreation, or any combination thereof. A floor used only for storage purposes is not a habitable floor.

Handcraft Shops – Shop that sells decorative objects made by hand or the materials and tools used for making such objects.

Handball Court – Court 40 meters by 20 meters, with a goal in the center of each end where handball is played.

Health Club – A place of business with equipment and facilities for exercising and improving physical fitness, including gymnasiums, indoor athletic service and similar uses.

Heavy Equipment – Refers to heavy-duty vehicles, specially designed for executing construction tasks, most frequently ones involving earthwork operations or other large construction tasks. Examples of heavy equipment could be backhoes, treaded tractors,

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dump trucks, and front end loaders this is not all inclusive (**gross vehicle weight rating more than 8,500 lbs.**).

Heavy Industry – The manufacturing of goods associated with mining, paper production, petroleum, chemicals, leather tanning, pulp or paper mills, fertilizer, ready mix concrete, transportation equipment, or electric power generation.

Height – The overall height of a structure, including any appurtenance thereon, and for the purposes of determining the height limitations set forth herein, the datum shall be mean sea level elevation unless otherwise specified. The height for a building shall be the vertical distance from the lowest habitable floor elevation to the highest finished roof surface in the case of flat roofs or to a point at the average height of the highest roof having a pitch.

Heritage Tree – A living tree of special protected status, 48 inches in diameter in North and Central Santa Rosa County and 24 inch in diameter in South Santa Rosa County or greater at four and one half (4 ½) feet above grade.

Highest Adjacent Grade – The highest natural elevation of the ground surface, prior to construction, next to the proposed walls or foundation of a structure.

Historic Structure – For the purpose of Section 3.02.00, any structure that is determined eligible for the exception of the flood hazard area requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings.

Home Occupation – Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit.

Horse Farms – Farm for the raising of horses.

Horseshoe Pitching Courts – Court used to play a game of horseshoe pitching. Usually played by two or four players and in which the players attempt to throw horseshoes around a stake.

Hospital – A building where medical and surgical diagnosis or treatment is available to persons under the care of doctors and nurses and as an integral part of the institution, related facilities, central service facilities and staff offices can be accommodated.

Hotels and Motels – A building or other structure used, maintained, or advertised as a place where ten (10) or more rooms are offered on a short term or transient basis for sleeping or living accommodations and which may include as an accessory use one or more main dining room areas.

Hotel/Motel Unit – One or more rooms designed, occupied or intended for sleeping purposes by a transient guest.

Housekeeping Unit – (See Dwelling).

Impervious Surface – “Impervious” for purposes of applying permitting thresholds and exemption criteria means surfaces that do not allow, or minimally allow, the penetration

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of water, including semi-impervious areas, but excluding wetlands or other surface water. For other purposes, “impervious” means all artificial surfaces that are not pervious. Included as examples are building roofs and normal concrete asphalt pavements, sidewalks, awnings, etc..

Incidental – Accompanying but not a major part of something; of less importance.

Institutions – A not-for-profit establishment for public use.

Intersection – The area, whether or not signalized, within which vehicles traveling different roadways joining at any angle might collide.

Irrigation System – A permanent artificial watering system designed to transport and distribute water to plants.

Indoor Commercial Amusement Activities – Uses that provide commercial amusement indoors, including but not limited to movie theatres, bowling alleys, pool rooms.

Indoor Pistol and Rifle Range – Specialized facility or venue designed specifically for fire arms usage.

Indoor Theatre – Structure where theatrical works, performing arts and musical concerts are presented.

Itinerant Vendor – All persons, firms and corporations who engage in the business of selling, offering for sale or exhibiting for sale, any goods, wares or merchandise from a fixed location, and in the course of carrying on such business, do not operate from a permanent building or in conjunction with a lawful commercial use which utilizes a permanent building. Itinerant vendors shall not include persons, firms, or corporations making sales by visiting individual homes or businesses

Kennel, Veterinary or Animal Hospital, or Animal Shelter – (1) The commercial business of breeding, buying, selling or boarding animals permitted in the County as pets, (2) a licensed Veterinary or Animal Hospital where a licensed veterinarian is in charge, or (3) a facility to shelter or board animals permitted in the County as a pet.

Kindergarten – A building used for the instruction of pre-school-aged children.

Land Area – The total land area within the property lines of a lot.

Landscape Business and Services – Business that offers or provides, for compensation or with the intent to be compensated, the services of a landscape contractor.

Landscape Nursery – Where plants are propagated and grown to a desired size.

Land Clearing Activity (Major) – Any activity involving the clearing, cutting, movement of soil, including stump removal, “root raking”, excavation, filling or grading of land, or any other activity which alters land topography or vegetative cover. Also referred to as

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land disturbing. The term does not include routine maintenance activities; routine agriculture, silviculture activity in an agriculture zoning district; silviculture activity that has a Florida Division of Forestry Management Plan; or minor land clearing as defined herein.

Land Clearing Activity (Minor) – Any activity that removes vegetative ground cover without disturbing the soil and without the removal of protected trees. The term does not include routine agriculture, silviculture activity in an agriculture zoning district, silviculture activity that has a Florida Division of Forestry Management Plan; or routine maintenance activity in any zoning district. Minor land clearing activities are exempt in agriculture zoning districts or on property with a single family residence or duplex located on it.

Land Clearing Debris – Rocks, soils, tree remains, trees and other vegetative matter which normally results from land clearing or land development operations

Land Clearing Debris (LCD) Disposal Facility – A site or facility used for the disposal of land clearing debris for which applicable state and local permits are required per 62-701.83 F.S. for OFF-site disposal of yard trash.

Land Development Certificate (or Development Order) – A certificate issued by a Santa Rosa County official indicating that a proposed use of land is in conformity with the land use regulations as contained herein and is in conformity with the adopted Comprehensive Plan.

Land Disturbing – See Land Clearing (Major)

Land Surveyor – A land surveyor registered and currently licensed by the State of Florida.

Landfill – A solid waste disposal facility (distinguished from Construction & Demolition Debris and Land Clearing Debris Disposal Facilities) as defined in Chapter 62-701.200, Florida Administrative Code, for which specific permits are required.

Landscape – The surroundings of a structure which provide setting for that structure.

Landscaping – An act of modifying a landscape, or features used in such modification such as, but not limited to trees, lawns, vegetation and grade changes.

Larger Plan of Development - Common plan of development or sale” or “larger plan of other commercial or residential development” means any activity that facilitates the advancement of land use (such as multiple residences, a residential subdivision, or phased site development) on the subject property, or that comprises a total land area divided into multiple lots, parcels, tracts, tiers, blocks, sites, or units, if such areas are under common ownership or control. This includes any activity on contiguous real property that comprises a total land area divided into parcels, tracts, tiers, blocks, sites, or units, and is served by a common road or road network or common stormwater management systems within that land area. Areas of land that are divided by public or private roads are

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considered contiguous if such areas are under common ownership or control.

Laundry, Self-Service – A business that provides coin operated washing, drying, dry cleaning and/or ironing machines for hire to be used by customers on the premises.

Lawnbowling – **Game played with wooden balls on a level, closely mowed gree having a slight bias, the object being to roll one's ball as near as possible to a smaller white ball at the other end of the green.**

Letter of Map Change (LOMC) – An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study, Letters of Map Change include:

1. Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
2. Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
3. Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure of parcel of land has been elevated by fill above the base flood elevation and is therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
4. Conditional Letter of Map Revision (CLOMR): A Formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

Libraries – **Building or room containing collections of books, periodicals, film, music for people to read, borrow, or for reference.**

Licensed Facility – A location providing day or residential care or treatment for elderly persons or disabled adults. The term "facility" may include, but is not limited to any hospital, training center, state institution, nursing home, assisted living facility, adult family care home, adult day care center, group home, mental health treatment center, or continuing care community.

Light-Duty Truck – As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

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1. Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
2. Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
3. Available with special features enabling off-street or off-highway operation and use.

Light Industry or Light Industrial – Research and Development activities, the manufacturing, compounding, processing, packaging, storage, assembly and/or treatment of finished or semi-finished products from previously prepared materials.

Limit of Moderate Wave Action – Line shown on FIRMs to indicate the inland limit of the 1 ½ foot (457mm) breaking wave height during the base flood.

Limited Impact Industrial – Activities such as processing, fabrication, assembly, packaging, wholesaling, warehousing, storage and distribution; limited manufacturing, fabricating, or assembling of parts or products, primarily from previously prepared materials; and service establishments such as heavy machinery or heavy equipment rental, laundry or dry cleaning, which are other than convenience sales services. Activity is performed in a fully enclosed building whenever practical and outdoor storage is allowed when visually screened. This classification excludes basic industrial processing from raw materials.

~~**Limited Vehicular Service and Maintenance** – Establishments such as gas stations for the dispensing of motor fuels and related products as retail and having pumps, underground storage tanks and other facilities for such activity and which may include the retail sale of minor automobile parts and accessories such as tires, batteries, spark plugs, fan belts, shock absorbers, mirrors, floor mats, cleaning and polishing materials and similar items, and which may include the inspection, servicing or minor repair of motor vehicles. These services shall not include body repair and painting, frame straightening, or tire recapping or vulcanizing.~~

Liquified Petroleum Gas – The term liquified petroleum gas shall mean and include any material which is composed predominantly of the following hydrocarbons, either by themselves or as mixtures: propane, propylene, butanes (normal butane or isobutane), and butylenes (including isomers).

Liquor – The term liquor, when used herein, shall be taken to include the words "distilled spirits" and shall extend to and include all spirituous beverages created by distillation and by mixture of distilled beverages by what is commonly termed "blending."

Live Work – Property which combines residential living space with commercial or manufacturing space.

Livestock Farms – Property used for the raising of livestock (ostrich, alpaca, cattle, sheep, goats, pigs, and horses) for use or pleasure.

Loading Space – A space on the lot or parcel of land accessible to an alley or street.

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Lot – A parcel of land situated in a platted subdivision occupied or intended for occupancy by one or more principal buildings or structures with or without accessory buildings and structures; including open space and parking spaces required by this Ordinance. A lot also may be defined by a metes and bounds description when such lot is not within a platted subdivision.

Lot (Corner) – A lot abutting upon two or more streets at their intersection.

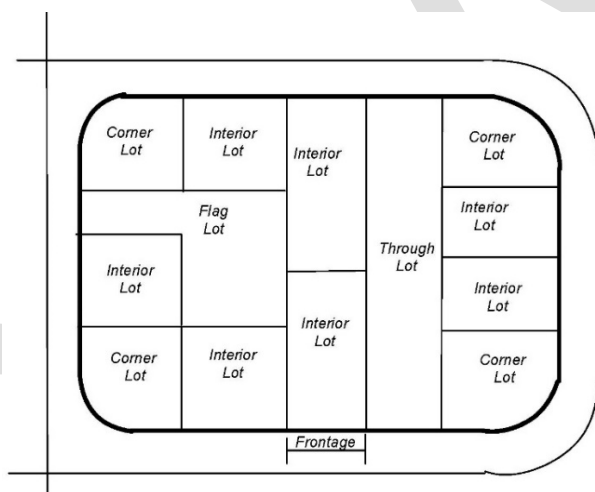
Lot (Depth) – The depth of a lot is the distance measured in the mean direction of the side lines of the lot from the midpoint of the front lot line to the midpoint of the opposite main rear line of the lot.

Lot (Double Frontage or Through Lot) – A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot.

Lot (Flag) – A lot fronting on or abutting a public road and where access to the public road is by a narrow private strip of land.

Lot (Interior) – A lot other than a corner lot.

Examples of Lot Types



Lot (Lines) – The lines bounding a lot.

Lot (of Record) – A lot which is a part of a subdivision, the map of which has been recorded in the Office of the County Clerk of Santa Rosa County or a lot described by metes and bounds, the description of which has been thus recorded.

Lot (Width) – The distance between the side lot lines; measured along the minimum front building setback line when a front yard is required in these regulations; otherwise, the lot width shall be the mean horizontal distance of the lot measured at right angles to the depth. **The lot width shall be configured when measured at the bottom (chord) of the arc of the minimum front setback line.**

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Lounges – Room or building where people can relax or wait.

Lowest Floor – The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of the Florida Building Code or ASCE24.

Lumber Yard – Place that sells lumber or other building materials.

Mailed Notice – Notice as specified in sections 11.03.02.

Manufactured Home – A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle” or “park trailer.” [Also defined in 15C-1.0110, F.A.C.]

Manufactured Home Park or Subdivision – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Marina – A public facility which provides secured moorings or dry storage for watercraft for value (a fee).

Marina (Recreational and Commercial) – Public facilities located adjacent to a public navigable waterway and which are provided with slips and/or moorings for securing, servicing or repairing of watercrafts, but excluding industrial craft. Major repairs, such as construction or rebuilding of boats, installations of new bottoms or substantial structural additions or alterations, are prohibited as they are industrial activities.

Marina (Industrial) – Public facilities located adjacent to a public navigable waterway and which are provided with slip and/or moorings for major repairs such as construction or rebuilding of boats.

Marina (Private) – Facility associated with a private development as an amenity to the development and not open to the public

Market Value – The value of buildings and structures, excluding the land and other improvements on the parcel. Market value is the Actual Cash Value (like-kind replacement cost depreciated for age, wear and tear, neglect, and quality of construction), determined by a qualified independent appraiser, or tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser.

Marquees or Canopies - Any shelter, cover or projection extending beyond the outer face of the building wall designed and intended to be used for protection of entrances, walkways or windows.

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Mean Sea Level (MSL) – The average height of the surface of the Gulf for all stages of the tide, usually determined from hourly readings; or the mean between high and low tides as established by the National Geodetic Vertical Datum of 1929.

Medical Marijuana Dispensary – A dispensary is a location (whether business or non-profit) where patients can access cannabis (marijuana) in a legal and safe manner. Users get assistance from experts who find an optimal dosage and recommend the delivery method to achieve the optimal results when using medical marijuana.

Medical Services – The provision of therapeutic, preventative or corrective personal treatment services by physicians, dentists and other licensed medical practitioners, as well as the provision of medical testing and analysis services. These services are provided to patients who are admitted for examination and treatment by a physician and with no overnight lodging.

Military Owned Lands – Land owned by the federal government that is part 832 of an active or closed federal defense and military installation, or facility, including any leased land or facility that is part of a base, camp, post, station, yard, center, or installation.

Miniature Golf Course – Informal version of golf played on a series of short constructed obstacle courses.

Mining – Operation or activity for the purpose of extracting any mineral on, in or under the earth, water or any residue deposit, whether by underground or open working or otherwise and includes any operation or activity incidental thereto.

Mini-warehouses or Self Storage Facilities – One (1) or more structures containing two (2) or more exclusive, private access warehouse spaces.

Minor Subdivision – Minor subdivisions refer to any division of one parcel of land **which was a legal lot of record as of 1/1/2023** into two or more **less than three new** four parcels in which all parcels have adequate existing county-maintained or county-approved street frontage and require no new streets or change in existing public streets. ~~Parcels fronting on a deeded or platted right-of-way where the actual roadway has not been constructed and has not been accepted for maintenance by the County shall not qualify as minor subdivisions.~~ For the purposes of this definition, county-approved street frontage shall include private named streets that were in existence as of April 24, 1986, and are shown and named on the County's original zoning maps, and private roads and their associated rights-of-way that have been approved by the County through the platting process.

Mobile Home – A structure transportable in one or more sections which is eight (8) body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein and is constructed to standards as promulgated by the United States Department of Housing and Urban

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Development and bearing the "H.U.D." insignia.

Mobile Home Park or Subdivision – A parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale. A new mobile home park or subdivision means a mobile home park or subdivision for which the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Mobile Lift, Marine – Tool designed specifically to allow in the transport, set up or to safely separate boats from boat trailers. Typically found in a shipyard, or dry dock.

Modular Home – A residential structure, built in sections (modules) at a factory, assembled on site and bearing the insignia DBPR or its successor regulatory state agency on the inside of the home's electrical panel, designed for, erection or installation on a site-build permanent foundation.

Motels – Hotel on a major highway that offers ample parking and hotel services for long-distance travelers. Motels have a one or two floor layout which makes it easier for customers to access the rooms from the car park. Motels offer short term accommodations to travelers.

Motor Vehicle – A self-propelled free moving vehicle, usually with four or more wheels, primarily for conveyance on a street or roadway.

Mulch – Non-living organic or synthetic materials customarily used in landscape design to retard erosion to retain moisture. Material such as straw, wood fiber, seed and hay, have been found to be very effective in preventing soil erosion. Bark chips and shredded bark by products of timber processing often are used as landscape mulches. They may be applied by hand or with a mulch blower.

Multi Family Residential – Multiple separate housing units for residential inhabitants are contained within one building.

Multi Use Paths – Paved facilities physically separated from motorized vehicular traffic by an open space or barrier.

Mylar – Shall mean a stable polyester film resistant to chemicals and heat. It shall be at least 0.003 inches thick.

Native Vegetation – Plants which occur naturally or have evolved in Santa Rosa County without assistance from humans.

Neighborhood Eateries – Locally owned restaurant or commercial establishment serving food.

Net Acreage – The total number of acres within the perimeter boundary of a parcel of land excluding, but not limited to, right-of-way, easements and lakes.

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New Construction – Structures for which the "start of construction" commenced on or after the effective date of this ordinance. However, for the purposes of administration of the flood resistant construction requirements of Chapter Three and the *Florida Building Code*, structures for which the "start of construction" commenced on or after June 26, 1975 and includes any subsequent improvements to such structures.

New Development – Development of essentially vacant land, regardless of whether preexisting improvements have been removed from such land.

Non-Commercial Agriculture – Cultivation of crops and the raising of livestock for personal consumption.

Non-complying Building or Structure – Any building or other structure which is a lawful use (permitted or non-conforming) but which does not comply with all applicable provisions of this Ordinance including bulk regulations, Performance Standards, or other requirements, either on the effective date of this Ordinance or as a result of any subsequent amendment.

Non-conforming Use – A use of a building or structure or of a tract of land which, at the time of the commencement of the use, was a permitted use in the zoning district, or any legal change thereto from time of the commencement thereof until the effective date of this Ordinance, but which does not, on the effective date of this Ordinance, conform to any one of the current permitted uses of the district in which it is located.

Nursing Home (Rest Home or Convalescent Home) – Activities customarily performed by a home for the elderly or infirm in which three or more persons not of the immediate family are received, kept or provided with food, shelter and care for compensation. This activity shall not include state licensed volunteer adult foster care homes in which three or less foster adults are placed. Neither does the principal activity include hospitals, clinics or similar institutions devoted to the diagnosis and treatment of the sick or injured.

~~***Obstruction*** – Any structure or tree which exceeds permissible height limitations or is otherwise hazardous to the landing or taking off of aircraft.~~

Office Buildings – Building in which administrative, clerical or educational activities are conducted.

Oil and Fuel Storage Facilities – Facilities used to store gasoline, motor fuel, diesel or other petroleum products.

Open Space – Land or portions of land to be preserved and protected, whether municipally or privately owned and perpetually maintained for active or passive recreation or to meet lot coverage requirements. Includes, but is not limited to the following terms: developed recreation, natural and landscaped areas, common open space, etc.

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Outdoor Rifle and Pistol Range – Improved area that is commercially operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, air guns, archery, or any similar sport shooting in an outdoor environment.

Overlay District – A special district which addresses special land use circumstances or environmental safeguards and is superimposed over the underlying existing zoning districts. Permitted uses in the underlying zoning district shall continue subject to compliance with the regulations of the overlay district.

Owner – The owner of the fee simple title of record, a binder, under a contract by agreement for deed, or a lessee under a written lease.

Parapet – A false front or wall extension above the roof of a building.

Parcel – A lot or contiguous group of lots in single ownership or under single control, and considered a unit for purposes of development.

Parent Parcel - A parent parcel is defined as those lots of record as of October 22, 1998.

Parking Garages – A public or private commercial building or structure solely for the off-street parking or storage of operable motor vehicles.

Parking Lot (Off-Street Public or Private) – An open area at ground level providing two or more parking spaces with or without a parking fee and in which no sales are permitted.

Park Model Home – A unique trailer type RV that is designed to provide long-term or permanent placement at a destination where an RV could use. Park model homes are also known as recreational park trailers and are built on a single chassis mounted on wheels and which has a body width not exceeding fourteen (14) feet. They are certified by their manufacturer to comply with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard. Park model RVs are titled as vehicle. Also known as Park Trailer's and defined in F.S. 320.01.

Parking Space – An area used for and sufficient in size to store one automobile.

Park Trailer – See Park Model Home definition and defined in F.S. 320.01.

Parks and Greenbelt Areas – Natural, undeveloped, and/or agricultural lands that surround urban areas. The lands may include open spaces, parks, farms, ranches, wildlands or a combination thereof.

Patio Home – A house in a suburban setting that is part of a unit of several houses attached to each other, typically with shared walls between units and with exterior maintenance and landscaping provided through an association fee. Patio homes are similar architecturally to townhouses or condo, only in miniature. Townhouses and condos are typically at least two stories high, patio homes typically max out at one to one and a half stories.

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Pawn Shops – Shop or business who loans money o people who bring in valuable items which they leave with the pawnbroker.

Permissible Use (Permitted Use) – Any use authorized in a particular zoning district or land use category, a permitted use, conditional use, or special exception use.

Person – Any individual, firm, co-partnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.

Personal Service – A beauty parlor, shop, or salon, barber shop, massage, reducing or slenderizing studio, steam or Turkish baths or similar use.

Pet Grooming – Act of bathing, brushing, clipping, or styling a pet, trimming a pet's nails, or providing anal gland expression.

Pickleball Courts – Court that measures 20 feet by 44 feet and can be used for singles or doubles. An indoor/outdoor racket/paddle sport where two or four players hit a perforated hollow polymer ball over a net.

Picnic Areas – Tract of land set aside in a park to accommodate picnic tables and barbeques.

Picnic Tables – Table that is designed for picnicking and typically has adjacent or attached benches for sitting.

Pit/Solid Waste Disposal Facilities – This classification includes activities such as borrow pits, resource extraction or mining, solid waste disposal facilities, and such activities.

Place of Worship – Activities customarily performed in a building where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

Planned Business District (PBD) – An area of land of at least ~~fifteen (15)~~ **five (5)** acres devoted by its owner to development as a single entity for a number of dwelling units, and/or commercial uses in accordance with a plan which does not necessarily comply with the provisions of this ordinance with respect to lot size, lot coverage, setbacks, off-street parking, bulk or type of dwelling, density and other regulations.

Planned Business District and Planned Unit Development Definitions –

Common Open Space – An area of land, or an area of water, or combination of land and water within the area of a Planned Business Development or Planned Unit Development districts which is designed an intended for the use of enjoyment of residents or users of the Planned Business Development or Planned Unit Development in common. Common open space may contain such recreation structures and improvements as are desirable and appropriate for the

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common benefit and enjoyment of residents or users of the Planned Business Development or Planned Unit Development.

Gross Acreage – The total number of acres within the perimeter boundaries of a Planned Business Development or Planned Unit Development.

Land Owner – The legal or beneficial owner or owners of all the land proposed to be included in a Planned Business Development or Planned Unit Development: the holder of an option or a contract to purchase; or a person having possessory rights of equal dignity (such as a lease) will be deemed to be a land owner for the purpose of this Section.

Net Acreage – The total number of acres within the perimeter boundaries of a Planned Business Development or Planned Unit Development excluding areas devoted to streets, rights-of-way, easements, lakes, public and private open space and recreation areas.

Plan – Plans for development of land approved for Planned Business District or Planned Unit Development shall be processed in accordance with procedures established in the Santa Rosa County Subdivision Regulations. The preliminary development plan is to be submitted to the Santa Rosa County Planning and Zoning Department and County Engineer with the preliminary plat. The final development plan is submitted in the same manner for final plat approval.

Planned Unit Development Project (PUD) – An organized comprehensive program for flexible planning approval of improvements on a parcel of land in compliance with basic and specific development objectives and regulations, allowing individualized land use and site plans.

Plant Nurseries and Landscape Services – Cultivation and sale of flowers, shrubs, trees and plants at wholesale, retail or both, as well as provision of related consultative services.

Plat – A map or drawing depicting the division of lands and lots, blocks, tracts, or sites being a complete exact representation of the boundary lines, streets, easements and other information in compliance with the Florida Plat Act and applicable County ordinances including this code.

Pole Barn – Large agricultural structure with no basement, a high ceiling, and wide open sides. Pole framing or post frame construction.

Political Subdivision – Any county, city, town, village or other political subdivision or agency thereof, of any district, port commission, port authority or other such agency authorized to establish or operate airports in the state.

Pond (Lake/Surface Water Storage) – A natural or man-made body of open water. Soil removed for the construction of man-made ponds must remain on the site from which it was removed.

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Portable Storage Unit – Any container designed for the storage of personal property which is typically rented to owners or occupants of property for temporary use and which is delivered and removed by truck. Examples of Portable Storage Units include but are not limited to moving and storage containers, road and storage trailers and steel shipping containers.

Poultry Farm – Place where domesticated birds such as chickens, ducks, turkeys and geese are raised to produce meat and eggs for food.

Premises – Any land together with any structures occupying it.

Principal Building – The building in which the principal use of the lot on which it is situated is conducted.

Principal Use or Structure – The primary activity or the structure in which the primary activity occurs.

Private Airstrip – Privately owned airstrip 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 Clubs and Lodges – An association of persons organized for some common purpose, including fraternal organizations, but not including groups organized primarily to render a service which is customarily carried on as a business.

Private Training Facility – Building or facility where a private business offers instruction or training in a vocation.

Product Display – A special presentation of the products a business is selling that is used to attract and even entice consumers. The nature of these displays can vary between industries. This is not intended to display the entire inventory, but a sample of each of the items offered for sale.

Project Parcel – That tract of real property comprising the gross acreage of all the land and water areas of a given project or development, including open space and parking. (See Gross Acreage).

Property Line – The recorded boundaries of a lot or tract of land under one ownership.

Protected Tree – A living tree eight (8) in diameter at a point four and one-half feet above ground level, unless being of size to be classified as a "heritage tree" as defined in this LDC or a "champion tree" as defined by the Florida Department of Agriculture and Consumer Services, Division of Forestry.

Public/Private Utilities and Public Facilities – Buildings, structures, equipment, or uses of land which are customary and necessary to the maintenance and operation of essential public services and major capital improvements, including transportation, sanitary sewer, electric and gas transmission systems, water distribution, collection and disposal, law enforcement, fire protection, communication, drainage, potable water,

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educational, parks and recreational, health systems and facilities, solar electrical generation facilities, and similar services and facilities.

Public Fairground – Area where a fair or other public event is held; a commercially operated collection of rides, games and other entertainment.

Public Parking – Area dedicated to or maintained for the parking of vehicles by the general public.

Public Restrooms – Room containing one or more toilets and possibly lavatories or shows for use by the member of the general public.

Public Supply Potable Water Well – Public supply potable water well is any water well which supplies water for human consumption to a community water system.

Reasonable Access – The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the thoroughfare, as consistent with the purpose and intent of this LDC and any applicable plans and policies of the County.

Recreation – Uses devoted to public or private parks, playgrounds, golf courses, dedicated beaches and similar uses.

Recreational Vehicle – A vehicle, including a park trailer, which is: [See section 320.01, F.S.)

1. Built on a single chassis;
2. Four hundred (400) square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recreational Vehicle Minor Repair – Recreational vehicle retail sales and service use. in which general recreational vehicle repair is conducted.

Recreational Vehicle Park (Campground) – A licensed business entity engaged in the rental of two (2) or more parking spaces for temporary (6 months or less) parking of recreational vehicles.

Redevelopment – Development of pre-existing buildings or other improvements that in aggregate will equal or exceed the applicable threshold set forth below:

1. For a parcel containing one or more pre-existing buildings consisting of less than a total of 2,000 square feet, aggregate expansion equal to or exceeding fifty-one percent (51%) of the total square footage of buildings or
2. For a parcel containing one or more pre-existing buildings consisting of a total of 2,000 square feet or more, aggregate expansion equal to or exceeding thirty-five percent (35%) of the total square footage of the building,

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3. If there are multiple buildings on a site, the combined square footage of all buildings shall be used.
4. For a parcel containing pre-existing improvements, any development that increases the number of required parking spaces by the lesser of ten (10) percent or ten (10) or more spaces.

Regulated substances.

1. Any liquid or water soluble substance or material that, by reason of its toxic, caustic, corrosive, or other properties may degrade the water quality of public potable water supply wells and wellfields.

2. Regulated substances shall include, but are not limited to, those liquid or water soluble substances, in their reportable quantities, as set forth in the U.S. Environmental Protection Agency (EPA) lists, as amended from time to time, entitled:

The List of Extremely Hazardous Substances and Their Threshold Planning Quantities (40 CFR part 355, Appendix A), and

List of Hazardous Substances and Reportable Quantities (40 CFR, Table 302.4).

3. When the reportable quantity of a regulated substance is indeterminate, this section shall only apply whenever the aggregate sum of all quantities at any one time exceeds five gallons where said substance is a liquid, or 25 pounds where said substance is a solid.

Research and Development – Establishments primarily engaged in the research, development and controlled production of high technology electronic, industrial or scientific products or commodities for sale. Uses include aerospace and biotechnology firms, and non-toxic computer component manufacturers. This classification also includes assembly, testing and repair of components, devices, equipment, systems, parts and components; research and development laboratories including biochemical and chemical development facilities, pharmaceutical, and medical research.

Residential Dock or Pier – A dock or pier constructed adjacent to a residential lot for gratis recreational purposes and/or mooring of private boats.

Resource Extraction – (See Borrow Pit)

Restaurant – Establishment designed to serve foods and beverages which are consumed on the premises within the confines of the principal building or where the design or principal method of operation includes two or more of the following:

1. Customers, normally provided with an individual menu are served generally in non-disposable containers by a restaurant employee at the same table or counter at which said items are consumed.

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2. Ice cream parlors and other small specialty restaurants having floor area exclusively within a shopping or office center and sharing common parking facilities with other businesses within the center.
3. A cafeteria or cafeteria type operation where foods or beverages generally are served in non-disposable containers and consumed within the restaurant building.
4. Customers purchase food or beverages for carry out, pick-up or drive-thru.
5. Foods or beverages served generally in edible containers or in paper, plastic, or other disposable containers for consumption within the restaurant or for carry-out consumption.

Restricted Sales and Services – Small limited item shops and stores limited to retail sales of frequently needed small convenience items or services typically needed on a frequent and recurring basis such as barber and beauty care, small scale drug stores, dry cleaning pick up stations (excluding cleaning and repair services); specialty food shops such as wine and cheese stores, imported food shops, or similar unique limited item shops (excluding general food market stores), interior decorators with or without display and with no warehousing; **boat and RV storage in an agricultural zoning district**. This is intended to accommodate shops with limited inventory of goods directed expressly to a special market area including:

1. A household market in the immediate vicinity as opposed to county wide.
2. A specialized market with customized service demand; or
3. A tourist oriented market area in the immediate vicinity. Scuba shops, repair shops, motor vehicle parts, health spas, wholesale, warehousing, and discount stores and similar general sales stores are expressly excluded.

Restrictive Covenants – Private regulations recorded with the final plat or deed, which limit or otherwise govern the use, intensity and development patterns of the land within a subdivision or parcel of land for a specified time. Restrictive covenants are not enforced by Santa Rosa County Code Enforcement and are considered a civil matter.

Retail Sales and Services – Business activities customarily providing retail convenience goods. Any such uses shall include department stores, variety stores, drug and sundry stores, restaurants, delicatessens, cafeterias, grocery and markets, gift shops, wearing apparel, home and auto supply, furniture and appliances, package stores, cocktail lounges, taverns, newsstands, book and stationery stores, shoe repair shops, luggage shops, bakeries and candy shops (provided that products made on the premises are sold on the premises), camera and photo supply shops, radio and television sales and service, art shops, pawn shops, electrical and lighting, laundry and dry cleaning pick up stations, coin operated or self service laundry, farm and garden supplies.

Rezoning – To change the zoning district classification of a parcel or parcels.

Road – see STREET definition

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Rodeos – Public exhibition or contest in which people show their cowboy skills in bare back bronc riding, calf roping, steer wrestling, bull riding, barrel racing, reining, team roping, tie-down roping, and saddle bronc riding.

Roof Line – The upper most line of the roof, including mansard roofs, or a building, or in the case of an extended facade, the upper most height of said facade. However, in the case of a slanted roof or A-frame type roof, roof line refers to the lower most edge of said roof.

Rural Activity Centers (Commercial) – Specific limited commercial development within one mile of identified crossroads and the Town of Jay. Examples of permitted uses include small scale retail and grocery stores, restaurants, day care centers, gas stations, and feed stores.

Salvage Yards – Non-residential property used for the storage, collection and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

Sand Dunes – Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Sawmills – Place or building in which timber is sawed into planks, boards, etc., by machinery.

Seasonal Residence – Any dwelling occupied less than one hundred eighty (180) days of the year.

Second Hand Stores – Shop that sells secondhand goods at reduced prices.

Self Service Storage Facility – Any real property designed and used for the purpose of renting or leasing individual storage space to tenants who are to have access to such space for the purpose of storing and removing personal property. No individual space may be used for residential purposes.

Service Station – Any business engages primarily in the servicing of automotive vehicles, including the sale and delivery of fuel, lubricants and other products necessary to the operation of automotive vehicles. This term also includes the sale and installation of accessories, tires, batteries, seat covers and tire repair, cleaning facilities, minor engine tune up, wheel balancing and aligning, brake service, convenience stores with gas pumps, gas stations with or without repair facilities, and gas stations with or without fast food or drive-through restaurants.

Setback Line (Street) – That line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

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Shopping Center – A group of commercial establishments planned, constructed and managed as an entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, and designed to serve a community or neighborhood.

Shrub – A low woody plant usually with several permanent stems instead of a single trunk, normally reaching a maximum height of not more than five (5) feet.

Shuffleboard Courts – **Court which hosts a game in which players use cues to push weighted discs, sending them gliding down a narrow court, with the purpose of having them come to rest in numbered scoring sections marked on a floor or deck.**

Sign – Any device, attached or free-standing structure, or any combination of device or structure, made of any material, with or without a written message, figure, painting, drawing, logo symbol or other form, designed, placed, intended, or used to inform or attract attention. Including but not limited to all flags, banners, streamers, excluding flags and insignia of any government, state, county, city or agency thereof.

Silviculture – Activities related to the growing or harvesting of trees and that have obtained an Agriculture silviculture designation from the Property Appraiser or silviculture activity that has a Florida Division of Forestry Management Plan.

Single Family Residence – **Structure maintained and used as a single dwelling unit, it has access to a street or thoroughfare and shares neither heating facilities, hot water equipment, nor any essential facility or service with another dwelling unit.**

Site – A plot of land suitable for development, or on which a building or buildings has been built.

Site Plan – A plan, to scale, showing uses and structures proposed for a parcel of land required by this code this can include an Engineered plan. A site plan includes, but is not limited to, lot lines, streets, building sites, reserved open space, parking, existing buildings, major landscape features and proposed utility lines and easements.

Small Wind Energy System – A wind energy conversion system consisting of a wind turbine, structural support, and associated control or conversion electronics designed to supplement other electricity sources for a home, farm, or small business. The power generated is used for individual use, on-site by the property owner. The turbine may be roof or tower mounted.

Soccer Fields – **Playing field on which the game of soccer is played.**

Softball Fields – **Playing field on which the game of softball is played.**

Solar electrical generation facility or facilities - A production facility for electrical power that utilizes 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

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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 use of this code Solar electrical generation facilities are considered a use by right within the Agricultural zoning districts. Solar electrical generation facilities are subject to all applicable regional, state and federal regulations.

Solid Waste – As defined by 403.703, Florida Statute.

Special Exception – A special exception is a use not generally permitted within a respective zoning district but may be authorized by the Zoning Board when such use is found to be substantially in harmony with the general purpose and intent of the zoning ordinance. Such use may be authorized only after strict compliance with the procedures expressly set forth in Section 5.06.00. Such special exceptions are limited to those uses specifically authorized in Section 5.06.00.

Special Flood Hazard Area (SFHA) – An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

Special Residential Facility – A facility licensed to serve clients of the Department of Health and Rehabilitative Services which provides a living environment for unrelated residents who operate as a functional equivalent of a family, including such supervision and care by support staff as may be necessary to meet the physical, emotional and social needs of the residents. The clients (residents) are limited to: children, the aged, physically disabled, handicapped, developmentally disabled and mentally ill who do not constitute a direct threat to the health, property, and safety of the neighborhood.

Specialty Retail – Shop or store that carries a specific product category such as men's or womens clothing, office supplies, toys.

Speed Control Point – A speed control point shall be defined as any one of the following:

1. Any design condition that requires a complete stop, such as the intersection of a residential street with a collector or arterial roadway, or a "T" intersection between residential streets.
2. A low speed horizontal curve with the following design features:



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<u>Low Speed Horizontal Curve Values</u>	
Delta Angle (D) Must be Greater than 30°	Radius (R)
Between 30° and 40°	100 Feet
Between 41° and 50°	120 Feet (Minimum) – 130 Feet (Maximum)
Greater than 51°	120 Feet (Minimum) – 150 Feet (Maximum)

3. A traffic calming element as defined below and as described in the Santa Rosa County Roadway Design Manual or approved by the County Engineer and Planning Director.
4. Speed bumps/humps or unwarranted stop signs shall not be classified as speed control points.

Start of Construction – The date the building permit was issued, for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, excavation, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stockpiles - A reserve supply of accumulated material used for construction projects. (topsoil, spoil, coal, concrete, etc).

Storage or Distribution Center – A distribution center is a product storage and shipping building that stores goods a company produces. Distribution centers are a key part of the distribution chain for products, order fulfillment, and storing produced goods prior to their shipment to wholesale, retail or customers.

Storage Uses, Commercial – Storage for hire or gain of goods, merchandise, materials or equipment in an enclosed building other than a temporary building, but shall not include a Warehouse.

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Storage Shed – Accessory structure, either freestanding or attached to another structure, that is not classified for human habitation or occupancy and is intended to be used to store personal property. Examples include garages, shipping containers and barns

Story – That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling next above it. In computing the height of a building, the height of a basement or cellar shall not be included if more than one-half (1/2) of its height is below the mean grade.

Story (Half) – A story under a gabled, hipped or gambrel roof, the wall plates of which are on at least two opposite exterior walls and are not more than three (3) feet above the finished floor of such story.

Street (or Road) – A public or private thoroughfare accepted or approved by the county that is used, or intended to be used for passage or travel by motor vehicles, transit vehicles, bicycles and pedestrians. The street functional classification hierarchy ranges from high-order roads (major arterials) to low-order roads (residential streets) and include the following:

Major Arterial - Roads serving as principal routes through the County. The purpose of these facilities is to move large volumes of traffic from one part of the region or County to another. Driveway access to a major arterial shall be restricted.

Minor Arterial - Roads providing connections between major activity centers of the County. Minor arterials augment the major arterial system for local and inter-County traffic by feeding traffic from collector and residential street systems onto major arterials. Driveway access to a minor arterial shall be restricted.

Major Collector - Roads providing connections between major activity centers and residential centers. Major collectors collect traffic from the lower-order roads to distribute to another major collector or arterial roadway. Driveway access to a major collector shall be restricted.

Minor Collector - Roads primarily providing for traffic movement to/from different neighborhoods. Minor collectors collect traffic from the lower-order roads to distribute to another minor collector or higher-order roadway. Driveway access to a minor collector shall be restricted.

Commercial/Industrial Street - Streets which directly serve abutting non-residential, commercial and industrial properties. Commercial/Industrial Streets are intended to provide safe property access and traveling conditions for motorists. These streets shall carry traffic having either a destination or origin on the street itself or from within the local industrial/commercial area.

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Residential Collector Streets - Streets that collect and distribute traffic internally to and from a neighborhood. This is the highest order of street appropriate to a residential neighborhood and residential frontage along it shall be restricted.

Residential Streets – A type of street intended solely for residential subdivisions. These streets are intended to provide a safe and quiet environment for residents along the street and safe access and traveling conditions for motorists and pedestrians. These streets shall be completely free of or significantly minimize through traffic. The reduction or elimination of through traffic and the geometric design of the street are means to promote safety and to create a desirable residential neighborhood.

Secondary Road – Numbered roads that were previously owned by the State Department of Transportation and are now owned and maintained by Santa Rosa County (i.e. County Road 197 [CR197])

Street Line – A dividing line between a lot, tract or parcel of land and a contiguous street right-of-way.

Structure – Any object constructed, erected, or installed by man, the use of which requires permanent location on the land, or attached to something having a permanent location on the land.

Structured mounted wind system – A wind energy system mounted on a structure roof, walls, or other elevated surface that includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries, or other components used in the system.

Structural Alterations – Any change in the supporting members of a building, such as bearing walls, bearing partitions, columns, beams or girders, or any complete rebuilding of the roof, exterior walls or any other change which results in increased or decreased height of a structure.

Studios – **Room or place for instruction or experimentation in one of the performing arts.**

Subdivision – The division or re-division of a parcel of land into two or more parcels except for modifications, exceptions and revisions provided for in this ordinance.

Substantial Damage – Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred.

Substantial Improvement – Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is

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started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Swimming Center – A swimming pool, spa, public bathing beach, or aquatic feature and its appurtenances, singular or aggregated together, that exists for the purpose of providing recreation or therapeutic services to the public.

Swimming Pool – Constructed pool, permanent or non- portable, which is intended for non-commercial use as a swimming pool.

Swimming Pool Enclosure – Barrier between the swimming pool area and the area outside which is intended to deter unauthorized entry from outside the swimming pool area.

System height – The vertical distance measured from the ground level at the base of the tower to the uppermost vertical extension of any blade, or the maximum height reach by any part of the wind energy system.

Technology Business – Company that has as its principal function the providing of services, including computer, information transfer, communication, distribution, processing, administrative, laboratory, experimental, developmental, technical, or testing services, manufacture of goods or materials, the processing of goods or materials by physical or chemical change, computer related activities, robotics, biological or pharmaceutical industrial activity, or technology oriented or emerging industrial activity.

Telecommunications Facilities – Any cable, wires, lines wave guides, antennas and any other equipment or facilities associated with the transmission or reception of communications 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 meters in diameter or less which is located in an area zoned for industrial or commercial use.

Any satellite earth station antenna one meter or less in diameter, regardless of zoning category.

Telecommunications Tower – Means any structure designed and constructed for the purpose of supporting one or more communication antennas, including camouflaged towers, conventional wireless towers and low impact or stealth towers. The term

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includes towers to support antennas for transmitting or receiving personal wireless services and cellular telephone communications towers. The term includes equipment fundamental to the operations of the tower. The term does not include commercial radio and television broadcast towers, amateur short-wave radio towers or those towers used solely for private use dispatch services.

Temporary Building – A building or structure erected on a lot and not erected on a permanent foundation.

Tennis Center – Land and buildings planned, designed and used for tennis.

Tiny Home – A single family residential structure under 400 sq. ft. built on a permanent foundation.

Tiny Home on Wheels – A tiny house constructed on wheels and legally registered as a recreational vehicle.

Tower – A self-supporting lattice, guyed, or monopole structure constructed from grade which supports Telecommunications Facilities or wind generator.

Tower Site – Section of a lot completely contained within a lot meeting the requirements of the zoning district for the purposes of locating a communications tower.

Towing Services – Act of removing a Disabled Vehicle from a public or private road area by attaching, lifting, pulling or dragging and storing such vehicles in a secure facility or location, and shall also include, but not be limited to, all labor, mileage, equipment, and cleanup required to effectuate the tow.

Townhome – A multifamily dwelling in which each unit is accompanied by an exclusive and independent lot or parcel that is not part of any other unit nor is part of any commonly owned property.

Track and Field Facilities – Land and buildings planned, designed and used for track and field activities.

Trade Service and Repair – Shops providing services requiring skilled labor or craftsmanship for the repair of household items, including appliances, typewriters, watches, locks and similar items, as well as printing, copy and blue printing services; and similar trades and services.

Traffic Calming Element – A device or design element that is intended to reduce traffic speeds and volumes on residential streets and residential collector streets where access to residential lots is provided. The purpose of traffic calming is to create a safe environment for motorized and non-motorized users alike.

Transient Resident – ~~(See Seasonal Resident)~~ Any dwelling occupied less than one hundred eighty (180) days of the year.

Travel Time Contour – Set of points, or contour line, where water takes an equal amount of time to reach a given destination such as a well.

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Travel Trailer Parks – Parcel of land upon which two or more recreational vehicles are occupied for dwelling or sleeping purposes.

Tree Removal Permit – A permit required by Section 4.07.05 and obtained pursuant to the procedures in section 11.02.12.

Trips From Approved Development – The sum of all new daily traffic volumes assigned to a roadways segment, since the adoption of the County's Comprehensive Plan, for approved development which no certificate of occupancy has been issued at the time of the most recent traffic count. Annual developments which were completed and certificates of occupancy issued as of the date of the most recent traffic counts for the roadway segments.

Truck or Bus Terminal – Premises used for the storing, parking, dispatching or loading of commercial vehicles and buses, including incidental maintenance and repair of the vehicles on the premises within a wholly enclosed building, and without limiting the generality of the foregoing, may include a ticket office, canteen, luggage checking facilities, parcel shipping facilities, storage facilities for the parking of the vehicles and ancillary offices, parking for passengers.

Turf – A surface layer of earth containing a dense growth of grass and its matted roots.

Understory Trees – Understory trees are generally small, shade tolerant trees that typically grow beneath canopy trees and have a mature height of 10 – 25 feet.

Use – The purpose for which land or building is arranged, designed, occupied or maintained.

Utilities – Service that is provided to the public, usually water, sewer, electricity

Variance – A variance is the deviation from the requirements and provisions of this ordinance or, and authorization from the Zoning Board to deviate (in special situation) from the provisions of this ordinance when such deviation will not be contrary to the public interest and when owing to conditions peculiar to the property and not of actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. A variance can only be authorized for height, area, bulk, and size of structure or yard size and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor on non-conformities in the district or classification or in adjoining districts or classifications.

Variance, Flood – A grant of relief from the requirements of Section 3.02.00 of this ordinance or the flood resistant construction requirements of the *Florida Building Code*, which permits construction in a manner that would not otherwise be permitted by this ordinance or the *Florida Building Code*.

Vehicle – Any self-propelled conveyance designed and used for the purpose of transporting or moving persons, animals, freight, merchandise or any substance and shall include passenger cars, trucks, buses, motorcycles, scooters **and boats**, but

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shall not include tractors, construction equipment or machinery or any similar device.

Vehicle Maintenance, Major – Repair or replacement of frames and bodies, including painting, of vehicles of all weights and sizes, and the repair or replacement of engines, transmissions, power trains and wheels of vehicles exceeding one-and-one-half-ton capacity.

Vehicle Maintenance, Minor – Use of any building, land area, premises or portion thereof, where light maintenance activities such as engine tune-ups, lubrication, carburetor cleaning, brake repair, car washing, detailing, polishing, or the like are conducted.

Vehicle Use Area – Any portion of a developed site used primarily for traffic circulation, parking or display of motorized vehicles.

Vehicular Paint and Body Shops – Facility for the repair and / or painting of motor vehicle bodies and chassis but does not include facilities for the sale of gas or lubricating oil, or an automotive repair service.

Vehicular Sales and Service – The retail or wholesale sale or rental of motor vehicles, including boats and related equipment, such as dealerships, with incidental service and maintenance.

Vehicular Service and Maintenance – Establishments for the dispensing of motor fuels and related products as retail having pumps, underground storage tanks and other facilities for such activity and which may include the retail sale of minor automobile parts and accessories such as tires, batteries, spark plugs, fan belts, shock absorbers, mirrors, floor mats, cleaning and polishing materials and similar items, and which may include the inspection, servicing or minor repair of motor vehicles having one or more enclosed service bays or stalls. These services may include body repair and painting, frame straightening, or tire recapping or vulcanizing.

Vending Machines – Automated machine which is intended to provide the users with a diverse range of products: snacks, beverages, pizzas, cupcakes, newspapers, tickets, etc. A vending machine dispenses a product to the users based on the amount of money inserted and selection of the product.

Veterinary Medical Services – The provision of animal medical care, treatment, and temporary boarding of such animals by a Florida licensed veterinarian.

Walking Paths – Type of thoroughfare that is intended for use only by pedestrians and not other forms of traffic such as motorized vehicles, bicycles and horses.

Warehousing and Distribution Centers – Store products as well as perform product mixing, cross-docking, order fulfillment, and packaging. Warehouses are mainly used for storing products until they are needed and store products for longer periods of time.

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Warranty – shall mean a registrant's ~~two-year~~ obligation to guarantee all materials and labor used by the registrant in performing certain obligations hereunder, including the materials and labor guarantee associated with a registrant's performance of make-ready work.

Water Oriented Recreational Uses – Use that is water-dependent, water-related, or water-enjoyment.

Watercourse – A river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

Wedding Venue – Place where you can host a wedding.

Wellhead Protection Zone – 500 foot radius around public supply potable water wells, measured from the center of the wellhead.

Wetlands – Those areas that are inundated or saturated by surface water or ground water at a frequency and a duration to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto [Section 373.019(27), F.S.]. The landward extent of wetlands is delineated pursuant to Rules 62-340.100 through 62-340.550 F.A.C. as ratified by Section 373.4211, F.S..

Wholesale Plant Nurseries – Building or place used for either the growing or storage of plants, pending their sale in large quantities for the purposes of resale or agriculture.

Wholesale Trades and Services – The display, limited storage and sale of goods to other firms for resale, excluding outside storage, except as otherwise provided in this Ordinance.

Wholesaling, Warehousing, Furniture Storage – Building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets

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Wind Turbine – The generator, rotor blades, and other mechanical and electrical components mounted on a structure for the purpose of converting wind energy to electrical energy.

Windmills – Machine operated by the wind usually acting on oblique vanes or sails that radiate from a horizontal shaft.

Wine – The term wine, as used herein, shall extend to and include all beverages made from fresh fruits, berries or grapes, either by natural fermentation or by natural fermentation with brandy added in the manner required by the laws and regulations of the United States. The term "wine" shall further include all sparkling wines, champagnes, combinations of the aforesaid beverages, vermouths and like products. Sugar, flavors and coloring materials may be added to wine to make it conform to the consumer's taste, provided the ultimate flavor or the color of the product is not altered to imitate a beverage other than wine or to change the character of the wine.

Yacht Club, Private – Private facility that consists of structures and related grounds and/or moorage used for social and recreational purposes related to boating, sailing or yachting. Incidental uses may include a swimming pool and restaurant

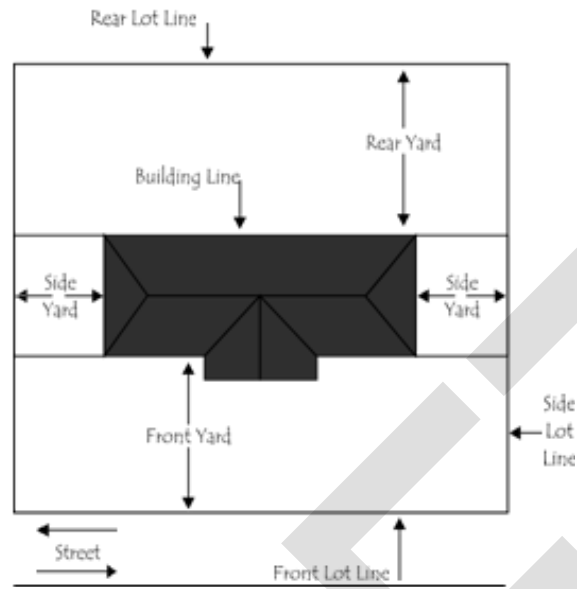
Yacht Club, Public – Public facility that consists of structures and related grounds and/or moorage used for social and recreational purposes related to boating, sailing or yachting. Incidental uses may include a swimming pool and restaurant

Yard – An open space on the same lot with a building between the building and the adjoining lot lines, unoccupied and unobstructed from the ground upward, except by trees or shrubbery, or as otherwise provided herein.

Yard (Front) – A yard with full width and length of the lot extending from the nearest point of a building or structure, excluding permitted encroachments, to any front line of the lot. That part of any lot line abutting any established or proposed street right-of-way line other than an alley shall be a "front lot line."

Yard (Side) – A yard which is not a front or a rear yard.

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Yard (Rear) – A yard extending across the rear of the lot measured between lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than permitted encroachments. On lots with one front lot line, the lot line opposite the front lot line shall be the rear lot line. On lots which abut more than one street, the remaining lot lines shall be considered side yards except as provided in Section 9.

Zero Lot Line – A developmental approach in which a dwelling unit is sited along one or more lot lines.

Zoo – Any facility, other than a pet shop or kennel, displaying or exhibiting one (1) or more species of wild animals and operated by a person, partnership, corporation or government agency licensed to keep such animals.

2. Zoning Districts and Uses

Chapter 2. Zoning Districts and Uses

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2.01.00 GENERALLY

It is the intent and purpose of the Chapter to establish and adopt zoning districts to govern the Use of land and water in the County.

2.02.00 ESTABLISHMENT OF ZONING DISTRICTS

2.02.01 Establishment of Zoning Districts

Within the unincorporated areas of the **County** the following zoning districts are established:

A. Agricultural/Residential

1. AG2 – Agriculture District 2
2. AG1 – Estate Residential Agriculture District
3. AG-RR – Rural Residential Agriculture District

B. Residential

1. RR1 – Rural Residential Single Family
2. NB-SF – Navarre Beach Single Family
3. R1 – Single Family
4. R1A – Single Family
5. R1M – Mixed Residential Subdivision
6. HR1 – Historic Single Family
7. NB-MHD – Navarre Beach Medium High Density

2. Zoning Districts and Uses

8. R2 – Medium Density
9. R2M – Medium Density Mixed
10. HR2 – Historic Multiple Family
11. NB-MD – Navarre Beach Medium Density
12. R3 – Medium High Density
13. NB-HD – Navarre Beach High Density

C. Commercial and Business

1. NC – Neighborhood Commercial
2. HCD – Highway Commercial Development
3. TC1 – Town Center Core
4. HC1 – Historic Commercial
5. NB-C – Navarre Beach Commercial
6. NB-H – Navarre Beach Hotel

D. Industrial

1. M1 – Light Industry
2. M2 – General Industry
3. PIT 1 – Borrow Pit and Land Clearing Debris Disposal Facilities
4. PIT 2 – Construction and Demolition Debris Facilities

E. Marina

1. C1M – Marina
2. C2M – Marina and Yacht Club

F. Planned Developments

1. PUD – Planned Unit Development
2. PBD – Planned Business District
3. PID – Planned Industrial Development
4. NB-PMUD – Navarre Beach Planned Mixed Use Development

G. Public

1. P1 – Passive Park
2. P2 – Active Park
3. NB-Con/Rec – Navarre Beach Conservation/Recreation
4. NB-U – Navarre Beach Utilities
5. MIL – Military Installation
6. **State Lands (State) – To provide for properties that are owned by the State of Florida and its various agencies.**

2. Zoning Districts and Uses

2.02.02 Establishment of Overlay Districts

The following overlay districts are established. The Uses allowable by the underlying zoning district shall apply, except as limited by the Use requirements of the overlay district provisions established in Chapter 7 of the LDC.

- A. Bagdad Historic Overlay District
- B. Bagdad Historic Conservation Overlay District
- C. East Milton Area Wellfield Protection Overlay District
- D. Rural Protection Zone
- E. Garcon Point Protection Area
- F. Navarre Beach Commercial Core Area
- G. Rosemary Sound Overlay

2.02.03 Official Zoning Map

Zoning districts hereby established are declared to be in effect upon all land and water areas included within the boundaries of each district as shown on the Official Zoning Map (see rules of interpretation of boundaries in section 1.06.04 of the LDC). After adoption of the LDC, amendments of the Zoning Map shall be made by Plat or metes and bounds descriptions, which shall be the best evidence of the boundaries amended or created, and shall control unless a scrivener's or other error in such Plat or description is manifestly contrary to the intent of the amending ordinance.

Residential densities depicted in the zoning districts must also abide by the Future Land Use category that governs each property and is adopted and amended through the Santa Rosa Comprehensive Plan.

2.02.04 Purpose of Each Zoning District

A. Agricultural/Residential Districts

Agriculture 2 (AG2) – To provide suitable areas for agricultural and silviculture endeavors. This district is characterized by relatively large parcels of land being devoted to the production of food or fiber. This district may also include single family detached structures and as specifically provided for in these regulations conditional uses for community facilities and utilities which service specifically the residents of this district or which are benefited by and compatible with the agricultural activities within the district and the farming environment. The allowable density for Agriculture 2 is 1 dwelling unit per 15 acres.

2. Zoning Districts and Uses

Estate Residential Agriculture (AG1)– To provide suitable areas for low density residential development. This district is characterized by single family detached structures and such other structures that are accessory to the residence. This district may also include conditional uses for community facilities and utilities that service specifically the residents of this district or which are benefited by and compatible with a rural residential and farming environment. The allowable density for Estate Residential Agriculture is 1 dwelling unit per 5 acres.

Rural Residential Agriculture (AG-RR) – To provide suitable areas for low density residential development. This district is characterized by single family detached structures and such other structures that are accessory to the residence. This district may also include conditional uses for community facilities and utilities that service specifically the residents of this district or which are benefited by and compatible with a rural residential and farming environment. The allowable density for Rural Residential Agriculture is 1 dwelling unit per acre.

B. Residential

Rural Residential Single Family (RR-1) – To provide suitable areas for low density residential development where urban services and facilities will be fully provided or where the extension or where the extension of such services is capable of immediately being physically and economically facilitated by the developer. This district will be characterized by single family detached structures and such other structures that are accessory to the single family residence and on parcels one half (1/2) acre or greater.

Navarre Beach – Single Family (NB-SF) – To provide low population density area, typically 0 to 1 dwelling per platted lot. There are certain structures and uses required to serve utilities and non-commercial recreational needs of such areas that are permitted.

Single Family Residential (R-1) – To provide suitable areas for low density residential development where appropriate urban services are provided or where the extension of such services and facilities will be physically and economically facilitated. This district will be characterized by single family detached structures and such other structures as are accessory thereto. The density shall not exceed 4 dwelling units per acre for platted lots and ¼ acre (10,890 sq. ft) for metes and bounds lots.

2. Zoning Districts and Uses

Single Family Residential (R-1A) – To provide suitable areas for low density residential development where appropriate urban services are provided or where the extension of such services and facilities will be physically and economically facilitated. This district will be characterized by single family detached structures and such other structures as are accessory thereto. The density shall not exceed 6 dwelling units per acre.

Mixed Residential Subdivision (R-1M) – To provide suitable areas for low density residential development where appropriate urban services and facilities are provided or where the extension of such services and facilities will be physically and economically facilitated. This district will be characterized by single family detached structures and such other structures as are accessory thereto. The density shall not exceed 4 dwelling units per acre for platted lots and ¼ acre (10,890 sq. ft) for metes and bounds lots.

Historic Single Family Residential (HR-1) – To provide protection, enhancement, perpetuation and use of structures or sites of special character or special architectural, archeological or historic interest or value and that reflect Bagdad's cultural, social, political and architectural history. This district allows single family detached structures and such other structure as are accessory thereto, these structures must meet architectural standards as set forth in the Bagdad Design Manual.

Navarre Beach Medium High Density (NB-MHD) – To provide a medium population density residential area that recognizes the desirability of maintaining open space. The density is four (4) dwelling units per platted lot.

Medium Density Residential (R-2) – To provide suitable areas for medium density development where sufficient urban services and facilities are available or will be prior to development, or where the extension of such services and facilities will be physically and economically facilitated. It is the intent of this district to permit single, two family and multiple family structures to a maximum density of ten (10) dwelling units per acre. The density of new development proposals shall be compatible with existing development and the preservation of stable established areas, the cultivation of smooth transitions in residential densities and utilization of unique physical features.

2. Zoning Districts and Uses

Medium Density Mixed Residential (R-2M) – To provide suitable areas for medium density development where sufficient urban services and facilities are available or will be prior to development, or where the extension of such services and facilities will be physically and economically facilitated. It is the intent of this district to permit single, two family and multiple family structures to a maximum density of ten (10) dwelling units per acre. The density of new development proposals shall be compatible with existing development and the preservation of stable established areas, the cultivation of smooth transitions in residential densities and utilization of unique physical features.

Historic Multiple Family Residential (HR-2) – To provide protection, enhancement, perpetuation and use of structures or sites of special character or special architectural, archeological or historic interest or value and that reflect Bagdad's cultural, social, political and architectural history.

This district allows single family detached structures and such other structure as are accessory thereto, these structures must meet architectural standards as set forth in the Bagdad Design Manual.

Navarre Beach Medium Density Residential (NB-MD) – To provide a medium population density residential area that recognizes the desirability of maintaining open space. The density is ten (10) dwelling units per acre.

Medium High Density Residential (R-3) – To provide suitable areas for medium to high density residential where sufficient urban services and facilities are available or will be prior to development or where the extension of such services and facilities will be physically and economically facilitated. It is the intent of this district to permit single, two family and multiple family structures to a maximum density of eighteen (18) dwelling units per acre.

Navarre Beach High Density Residential (NB-HD) – To provide a high population density residential area that recognizes the desirability of maintaining open space. The density is thirty (30) dwelling units per acre. This district shall be limited to the Commercial Core Area Only.

2. Zoning Districts and Uses

C. Commercial and Business

Neighborhood Commercial (NC) – To provide for a limited range of commercial uses in appropriate and easily accessible locations adjacent to residential areas and having access to a limited market area. This district is designed to be situated adjacent to residential areas. It is intended to provide low intensity commercial uses that primarily offer goods, services and opportunity for office employment in close proximity to residential areas. All neighborhood commercial uses must be located adjacent to a collector or arterial roadway.

Highway Commercial Development (HCD) – To provide for a wide range of commercial uses in appropriate and easily accessible locations adjacent to major transportation corridors and having access to a wide market area. This district is intended to be situated along selected segments of major thoroughfares in the vicinity of major intersections.

Additionally, this district is generally located adjacent to districts characterized by medium to high density residential development and areas of more intensive commercial use. It is intended that the site plan criteria assist in evaluating economic implications with a view toward generating a stable economy and efficient, timely and economical delivery of needed public facilities and services.

Town Center Core (TC-1) – To provide a mixed use commercial and residential district with a maximum residential density of ten (10) dwelling units per acre. ~~This district shall be characterized by small-scale commercial development and varied architecture.~~

Historic Commercial (HC-1) – To provide protection, enhancement, perpetuation and use of structures or sites of special character or special architectural, archeological or historic interest or value and that reflect Bagdad's cultural, social, political and architectural history. This district allows single family detached structures and such other structure as are accessory thereto, these structures must meet architectural standards as set forth in the Bagdad Design Manual.

Navarre Beach Commercial (NB-C) – To provide for the retailing of commodities and the furnishing of selected services. This district is intended to encourage full development of essential commercial uses while protecting nearby residential properties from any adverse effects of commercial activity.

Navarre Beach Hotel (NB-H) – To provide for the placement of hotel developments with ancillary commercial and recreational uses.

2. Zoning Districts and Uses

D. Industrial

Restricted Industrial (M-1) – To provide for a limited range of industrial and related uses which conform to a high level of Performance Standards. Industrial activity of this type is intended to be carried out within completely enclosed buildings and outdoor storage must be visually screened from adjacent residential areas.

General Industrial (M-2) – To provide for intensive industrial uses such as heavy manufacturing, processing, fabrication and other activities.

Community facilities and trade establishments which provide needed services to industrial development also may be accommodated in this district.

Borrow Pit and Land Clearing Disposal Facility (PIT 1) – To provide policies, requirements and procedures to regulate and control the location and expansion of borrow pits and land clearing disposal facilities (LCD) and ensure that all facilities are located in a manner that will promote public health, safety, general welfare and the physical and economic development of the area.

Borrow Pit and Construction and Demolition Debris Facility (PIT 2) – To provide policies, requirements and procedures to regulate and control the location and expansion of borrow pits and construction and demolition debris (C&D) facilities or Class 1 & 3 landfills and ensure that all facilities are located in a manner that will promote public health, safety, general welfare and the physical and economic development of the area.

E. Marina

Marina (C-1M) – To provide for facilities oriented to users of docks, moorings and watercraft with limited commercial services. This district is intended to be used primarily for the docking, servicing, repairing and storage of watercraft. Watercraft sales and rentals may also be accommodated in this district. Major repair involving reconstruction or substantial alterations are prohibited.

Marina and Yacht Club (C-2M) – To provide for facilities oriented to users of docks, moorings and watercraft with limited commercial services. This district is intended to be used primarily for the docking, servicing, repairing and storage of watercraft. Major repair involving reconstruction or substantial alterations are prohibited.

2. Zoning Districts and Uses

F. Planned Development

Planned Unit Development (PUD) – To provide for the development of land as planned communities that preserve the natural amenities and encourage scenic and functional open areas which accomplishes a more desirable environment that would not be possible through the strict application of the minimum requirements of these requirements. This would provide for an efficient use of land resulting in smaller networks of streets and utilities, thereby lowering development and housing costs and providing a stable environmental character compatible with surrounding areas.

Planned Business District (PBD) – To provide for planned developments along major arterials with business, commercial centers and housing. This district is designed to encourage flexible and creative concepts of site planning; preserve natural amenities of the land by encouraging functional open spaces; and provide for an efficient use of land resulting in smaller networks of streets and utilities thereby lowering development and housing costs and providing a stable environmental character compatible with surrounding areas.

Planned Industrial Development (PID) – To provide for planned industrial developments along major arterials. This district is designed to encourage flexible and creative concepts of site planning; preserve natural amenities of the land by encouraging functional open spaces and provide for an efficient use of land resulting in smaller networks of streets and utilities thereby lowering development costs and providing a stable environmental character compatible with surrounding areas.

Navarre Beach Planned Mixed Use Development (NB-PMUD) – To provide innovative arrangements of development types to promote natural resource enhancement and to promote open spaces around buildings. This district allows an intense use mixture of residential and commercial activity. This district allows 30 dwelling units per acre and is limited to the Commercial Core Area only.

G. Public

Passive Park (P-1) – To provide for passive recreational functions. It is intended for public and quasi-public lands, open space, spoil sites, and estuarine areas; the uses of which are limited to walkways, paths, sanitary facilities, and refuse containers.

Active Park (P-2) – To provide for active recreational uses. It is intended for public and quasi-public lands, open space, spoil sites and estuarine areas, outdoor sports and recreational activities in which

2. Zoning Districts and Uses

participants are actively engaged, but which may also provide entertainment for spectators.

Navarre Beach Conservation/Recreation (NB-Con/Rec) – To provide for the preservation and maintenance of land for outdoor recreational use and open space.

Navarre Beach Utilities (NB-U) – To provide for lands and structures used primarily for public utilities and service structures.

Military Installation (MIL) – To provide for properties that are owned by or identified to be exclusively used by the United States Military.

2.03.00 LAND USES ALLOWED IN ZONING DISTRICTS

2.03.01 Generally

A. Table 2.03.02 a – c describes the Land Uses that are permissible, prohibited or permissible subject to Conditional Use standards and procedures or permissible when complying with supplemental standards in addition to the standards for the zoning district. Issuance of Development Orders or Building Permits for any specific Land Use requires compliance with the use standards referenced in Table 2.03.02 a – c, as well as with site design standards, wetlands and other environmental standards, conditional standards when applicable and supplemental standards when applicable

B. Table 2.03.02 a – c shall be implemented as follows:

- 1.** The cell at the intersection of the column for the zoning and the row for the land use is the location of information regarding whether the use is permissible in that zoning district.
- 2.** The letter “P” in the cell indicates that the land use is permissible, subject to compliance with the standards of the zoning district.
- 3.** The letter “A” in the cell indicated that the land use is permissible only as an accessory use, subject to compliance with general standards for accessory uses and any specific standards for the particular accessory use. Standards for accessory uses are set forth in section 5.02.00.
- 4.** The letter “C” in the cell indicates that the land use is not allowed by right but is permissible only when compliant with additional standards (conditions) for the use and must be approved through the conditional use review procedures established in section 11.02.00. Standards for Conditional Uses are set forth in section 5.07.00.

2. Zoning Districts and Uses

5. The letter “S” in the cell indicates that the land use is not allowed by right but is permissible only when compliant with additional standards (special exceptions) for the use and must be approved through the special exception review procedures established in section 11.02.00. Standards for Special Exceptions are set forth in section 5.06.00.

6. When there is no letter contained in the cell, the land use is prohibited.

C. Any land use that is not identified in Table 2.03.02 a – c is prohibited unless it is substantially similar to a land use named in Table 2.03.02 a – c. A determination regarding similarity of such a land use shall be made as follows:

1. A requested use shall be considered substantially similar when the characteristics of the requested use are equivalent in type, intensity, degree or impact when compared to a use named in Table 2.03.02. Such characteristics include, but are not limited to:

- a.** Trip generation rates;
- b.** Typical hours of operation;
- c.** Types of traffic associated with the use (such as trucks or delivery vehicles, automobiles, recreational vehicles or other vehicles);
- d.** Features of the use that generate noise, odor, electromagnetic interference or vibration;
- e.** Type and extent of parking including whether parking areas are lighted;
- f.** Use of loudspeakers; and
- g.** Use of outdoor storage.

2. Zoning Districts and Uses

2.03.02 Land Uses

A. Legend:

1. P = Permitted subject to standards for the zoning district
2. A = Accessory, subject to standards for Accessory Uses in section 5.02.00
3. C = Conditional. Subject to additional standards for the use and additional review and approval procedures. (see section 5.07.00 et seq)
4. S = Special Exceptions, subject to standards for the zoning district and additional standards for the specific use. The numbers indicate the section of this LDC that contains the supplemental standards. (see section 5.06.00 et seq.)
5. Uses that are not listed or found to be substantially similar to listed uses are prohibited. All listed uses are prohibited in those districts where no indicator ("P", "A", "C", "S") is provided.

2. Zoning Districts and Uses

Table 2.03.02.a: Land Uses in Base Zoning Districts (Residential)

Land Uses	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
Accessory Parking Lots								C 5.07	C 5.07	C 5.07						
Accessory <u>Uses or Structures to any principle use</u>	A	A	A	A	A	A	A	A	A	A	A	A				
Administrative Services	C 5.07	C 5.07	C 5.07							C 5.07						
<u>Air Operations</u>																
<u>Air Cargo</u>																
<u>Aircraft Hangars and Storage</u>																
<u>Aircraft Production and Operation</u>																
<u>Aircraft Rentals and Excursions</u>																
<u>Antique Shops</u>																
<u>Asphalt Plants</u>																
<u>Aviation Activities: Aircraft Design</u>																
<u>Bait and Tackle Shop</u>	C 5.07	C 5.07	C 5.07													
<u>Bed and Breakfast Establishment</u>	C 5.07	C 5.07	C 5.07													
Boarding Houses and Transient Quarters	C 5.07	C 5.07										P				
<u>Borrow Pit</u>																
Business and Professional Offices	C 5.07	C 5.07	C 5.07							C 5.07						
<u>Campground ***</u>	C 5.07	C 5.07	C 5.07													
Cemeter <u>ies ***</u>	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07	S 5.06 C 5.07				
<u>Charterboat Dock</u>																
<u>Child/Adult Care Facility</u>	C 5.07	C 5.07	C 5.07													
Child/Adult Care Services Facility – Day Care Home	C 5.07	C 5.07	C 5.07					C 5.07	C 5.07	C 5.07						
Civic or Cultural Activities and Clubs										C 5.07						
<u>Clinics</u>																
Cluster Homes								P	P	P						

2. Zoning Districts and Uses

<i>Land Uses</i>	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
<u>Commercial or Retail Uses</u>																
Commercial Agriculture	P	P	P													
<u>Commercial or Club Buildings</u>																
<u>Commercial Outdoor Amusement Activities</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>													
<u>Commercial Parking Lots</u>																
<u>Commercial Piers and Marinas</u>																
<u>Community Centers and Buildings used exclusively by Government for Public Use</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>
<u>Concrete Plants</u>																
<u>Construction and Demolition Debris Facilities</u>																
<u>Cultural and Civic Activities</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>P</u>	<u>P</u>				
<u>Distillery</u>																
<u>Dock Master Facilities</u>																
Dock, Pier, or Mooring Device	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Dog Kennels for Breeding	P	P	P													
Dog Boarding and Grooming	P	P	P													
Duplexes								P	P	P		P		P	P	P
<u>Dry Cleaners</u>																
Educational Institutions (<u>private</u>)	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07						
<u>Educational Institutions (public)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
<u>Equestrian Events</u> *** —	<u>C</u> <u>5</u> <u>.07</u>	<u>C</u> <u>5</u> <u>.07</u>	<u>C</u> <u>5</u> <u>.07</u>													
<u>Excursion/Charter Boat Dock</u> ***	<u>C</u> <u>5</u> <u>.07</u>	<u>C</u> <u>5</u> <u>.07</u>	<u>C</u> <u>5</u> <u>.07</u>													
<u>Financial and Banking Facilities</u>																
<u>Flying Clubs</u> ***	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>												
<u>Funeral Homes</u>																

2. Zoning Districts and Uses

<i>Land Uses</i>	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
<u>Garages Commercial, as long as all repair work is conducted within a fully enclosed building</u>																
<u>Gas Station</u>																
<u>General Retail Centers less than 3,000 sq. ft.</u>																
<u>General Retail Centers greater than 3,000 sq. ft.</u>																
<u>Gravel, Dirt, and Earth Material Excavation</u>																
Group Homes 0-6 Residents	P	P	P	P	P	P	P	P	P	P						
Group Homes 7 or more Residents	C 5.07	C 5.07						P	P	P						
Guest Cottage	A	A	A	A	A	A	A	A	A	A	A	A				
Guest Houses or Boarding Houses	C 5.07	C 5.07										P				
<u>Heavy Manufacturing, Fabricating, Assembling of Components and Similar Activities</u>																
Horse Farms	P	P	P													
<u>Hotels and Motels</u>																
<u>Indoor Commercial Amusement Activities</u>																
<u>Indoor Theaters</u>																
<u>Itinerant Vendor</u>																
<u>Kennels</u>	P	P	P													
<u>Land Clearing Disposal Facilities</u>																
<u>Landscape Business and Services</u>																
<u>Landscape Nursery Retail</u>																
<u>Light Manufacturing, Processing and/or Assembly</u>																
<u>Limited Manufacturing and Assembly</u>																
Livestock Farms	P	P	P													
Living Quarters in Barns	A	A	A													
<u>Lounges</u>																

2. Zoning Districts and Uses

Land Uses	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
<u>Lumber Yard, Truss Manufacturing, Storage of Construction Materials</u>																
Manufactured Homes	P	P	P			P			P							
<u>Marina</u>																
Marina, Private															C 5.07	C 5.07
<u>Medical Marijuana Dispensary</u>																
Medical Offices	C 5.07	C 5.07	C 5.07							C 5.07						
<u>Military Owned Lands</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				
<u>Mining</u>																
Mobile Homes	P	P	P			P			P							
Mobile Home Parks									P							
Modular Homes	P	P	P	P	P	P	P	P	P				P	P	P	P
<u>Motels</u>																
Multi-Family Residential								P	P	P		P		P	P	P
<u>Neighborhood eateries, cafes, and delis less than 1,000 sq. ft. (Not high turnover sit down or fast food restaurants with drive thru windows)</u>																
Non Commercial Agriculture	P	P	P													
Nursing Homes & Assisted Living Facilities	C 5.07	C 5.07						C 5.07	C 5.07	C 5.07						
Office Buildings												P				
<u>Oil and Fuel Storage Facilities not to exceed 25,000 gallons</u>																
<u>Outdoor Rifle and Pistol Range ***</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>													
<u>Parks Uses – Active</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>
<u>Park Uses - Passive</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>
<u>Parking Garages on separate lot</u>																
Patio Homes								P	P	P						
<u>Pawn Shops</u>																
<u>Personal Services</u>																

2. Zoning Districts and Uses

Land Uses	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
Pet Grooming	P	P	P													
Places of Worship	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	P	P				
Pole Barn	A	A	A	A	A	A	A	A	A	A	A	A				
Poultry Farms	P	P	P													
Private Airstrips	C 5. 07	C 5. 07	C 5. 07													
Private Clubs and Lodges												P				
Private Training Facility and Vocational School																
Professional and Business Offices																
Public and Private Utilities and Public Facilities	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	P	P	P	P
Public Fairgrounds	C 5. 07	C 5. 07	C 5. 07													
Recreation and Park Areas (: baseball fields, basketball courts, bathing beaches, benches, bicycle paths, boat dock, boat launching ramp, botanical garden, cooking grills, fishing pier, football field, horseshoe pitching courts, handball / raquetball courts, lawn bowling, picnic tables, softball fields, shuffleboard courts, soccer fields, swimming pool, tennis courts, track and field facilities)	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	C 5. 07	P	P	P	P	P	P

2. Zoning Districts and Uses

Land Uses	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
Recreational Activities (archery range, baseball and/or football fields, bicycle path, boat dock, botanical garden, cabanas, excursion or charter boat dock, handball or racquetball courts, outdoor rifle and pistol range, basketball courts, boat anchorage, boat launching ramp, bridle trails, lawn bowling, cemeteries, concession stands, fishing pier, horseshoe pitching courts, public park, indoor rifle and pistol range, softball field, stadium and bleachers, shuffleboard courts, soccer fields, tennis courts, track and field facilities, wedding venues)	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07						
Recreational Vehicles	P*	P*	P*													
<u>Recreational Vehicle Parks ***</u>	C 5.07	C 5.07	C 5.07													
<u>Recreational Vehicle Sales</u>																
<u>Recreational Vehicle Repair, Minor</u>																
<u>Research Activities, including research laboratories, developmental laboratories, and compatible light manufacturing</u>																
<u>Restaurants</u>																
<u>Restaurants with or without drive-thru</u>																
Restricted Sales and Services	C 5.07	C 5.07														

2. Zoning Districts and Uses

<i>Land Uses</i>	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
<u>Salvage Yards</u>																
<u>Sawmills</u>																
<u>Second Hand Store</u>																
<u>Self Storage Facilities</u>																
<u>Service Establishments, Mechanical Repairs, and Services within an enclosed building</u>																
<u>Shopping Centers</u>																
Single Family Residential (<u>not to include Mobile Homes or Manufactured Homes</u>)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<u>Small Appliance Repair Shop</u>																
Solar Electrical Generating Facility	P	P	P	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07	C 5.07						
Special Residential Facilities								C 5.07	C 5.07	C 5.07						
<u>Specialty Retail Centers less than 3,000 sq. ft.</u>																
<u>Storage or Distribution Center</u>																
<u>Storage Uses, Commercial</u>																
Storage Shed	A	A	A	A	A	A	A	A	A	A	A	A				
<u>Studios</u>																
<u>Technology Business</u>																
Towers and Telecommunications Facilities	C 5.07	C 5.07	C 5.07													
Trade Service and Repair <u>provided all activities and storage are contained in an enclosed building</u>	C 5.07	C 5.07	C 5.07													
<u>Transient Quarters</u>	C 5.07	C 5.07	C 5.07					C 5.07	C 5.07	C 5.07						
<u>Travel Trailer Parks ***</u>	C 5.07	C 5.07	C 5.07													
<u>Truck or Bus Terminal Facilities</u>																

2. Zoning Districts and Uses

Land Uses	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
<u>Vehicle Maintenance, Major (including Boats)</u>																
<u>Vehicle Maintenance, Minor (including Boats)</u>																
<u>Vehicular Paint and Body Shops</u>																
<u>Vehicular Sales and Services</u>																
Veterinary Medical Services <u>(in non Agricultural zoning classifications – all activities are located in a fully enclosed sound proof building)</u>	C 5. .07	C 5. .07	C 5. .07													
<u>Warehousing and Distribution Centers</u>																
<u>Wedding Venue ***</u>	C 5. .07	C 5. .07	C 5. .07													
<u>Wholesale Plant Nurseries</u>	C 5. .07	C 5. .07	C 5. .07													
<u>Wholesale Plant Nurseries and Landscaping Services</u>	C 5. .07	C 5. .07	C 5. .07													
<u>Wholesale Trades and Services</u>																
<u>Wholesaling, Warehousing, Furniture Storage</u>																
Windmills	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
<u>Yacht Club, Private</u>																
<u>Yacht Club, Public</u>																
Zero Lot Line								P	P	P						
<u>Zoo</u>																

* Not allowed in recorded platted subdivisions.

**** Uses that fall under the Passive Park Conditional Use**

***** Uses that fall under the Active Park Conditional Use**

2. Zoning Districts and Uses

Table 2.03.02.b: Land Uses in Base Zoning Districts (Commercial, Industrial & Marina)

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
<u>Accessory Parking Lots</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>		<u>P</u>	<u>P</u>				<u>P</u>
Accessory Uses or Structures to any principle use	A	A	A	A			A	A	A	A	A	
<u>Administrative Services</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>				
Adult Day Care	P	P	P				P	P				
Air Operations							<u>P</u>	P				
Air Cargo								P				
Aircraft Hangars and Storage								P				
Aircraft Production and Operation								P				
Aircraft Rentals for for <u>and</u> Excursions		<u>C</u> <u>5.</u> <u>07</u>						P				
Antique Shops	P	P	P	P			<u>P</u>	<u>P</u>				
<u>Archery Range ****</u>		<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>				<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>				
Asphalt Plants								P		<u>C</u> <u>5.</u> <u>07</u>		
Automobile Maintenance		<u>P</u> *	<u>P</u> **				<u>P</u>	<u>P</u>				
Automobile Sales		<u>P</u>	<u>P</u> **									
Aviation Activities: Aircraft <u>Design</u>								P				
Bait and Tackle Shop	P	P	P				<u>P</u>	<u>P</u>			P	<u>P</u>
Bakeries, Retail and Wholesale		<u>P</u>		<u>P</u>			<u>P</u>	<u>P</u>				
Barber Shop and Beauty Shops	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>								
Bed and Breakfast Establishment	P	<u>C</u> <u>5.</u> <u>07</u> <u>P</u>	P	P								
<u>Boarding Houses and Transient Quarters</u>		<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>									
Boat Sales		<u>P</u>					<u>P</u>	<u>P</u>			<u>P</u>	
Boat Repair, Minor		<u>P</u>					<u>P</u>	<u>P</u>			<u>P</u>	
Borrow Pit									P	P		
Business and Professional Offices	P	P	P		P		P	P				
Campground <u>****</u>		<u>P</u> <u>C</u> <u>5.</u> <u>07</u>					<u>P</u>	<u>P</u>				
<u>Cemeteries****</u>		<u>P</u>	P									
<u>Charterboat Dock</u>												
Child/Adult Care Facility	P	P	P				<u>P</u>	<u>P</u>				

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
<u>Civic or Cultural Activities and Clubs</u>		P	P				P	P				
<u>Clinics</u>	P	P	P				P	P				
<u>Cluster Homes</u>	C 5. .07	C 5. .07	P									
<u>Commercial or Retail Uses</u>	P	P	P	P	P	P	P	P			A	A
<u>Commercial Agriculture</u>							P	P				
<u>Commercial or Club Buildings</u>		P	P	P	P		P	P			A	A
Commercial Outdoor Amusement Activities		C 5. .07	C 5. .07				C 5. .07	C 5. .07			C 5. .07	C 5. .07
Commercial Parking Lots		P	P	C 5. .07	P							
Commercial Piers and Marinas					P							P
Community Facilities, Public and Private Not for Profit Clubs	P	P	P				P	P				
Community Centers and Buildings used exclusively by Government for Public Use	C 5. .07	P	P	P	P	C 5. .07	P	P				
Concrete Plants								P		P		
Construction and Demolition Debris Facilities										P		
Cultural and Civic Activities	P	P	P				P	P				
Distillery		C 5. .07	C 5. .07				P	P				
Dock Master Facilities												A
<u>Dock, Pier, or Mooring Device</u>		A			A	A					P	P
<u>Dog Kennels for Breeding</u>		P	P				P	P				
<u>Dog Boarding and Grooming</u>		P	P				P	P				
Duplexes		C 5. .07	P	P	P							P
Dry Cleaners		P	P	P			P	P				
Educational Facilities-Institutions		P	P				P	P				
<u>Excursion/Charter Boat Dock ****</u>		C 5. .07									A	P
<u>Financial and Banking Facilities</u>	P	P	P		P		P	P				

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
<u>Fishing Pier ****</u>		A	<u>A</u>		<u>P</u>							
Flying Clubs				P				P				
Fuel Dispensing Station - Marina												A
Funeral Homes		P	<u>P</u>				P	P				
Garages <u>Commercial</u> , as along as all repair work is conducted within a <u>fully enclosed</u> building		P	<u>P</u>				P	P				
Gas Station		P	P**				P	P				
General Retail Centers less than 3,000 sq. ft.	P	<u>P</u>	P		<u>P</u>		P	P			<u>A</u>	<u>A</u>
General Retail Sales and Services <u>greater than 3,000 sq. ft.</u>		P	<u>P</u>		P	A	P	P			<u>A</u>	<u>A</u>
<u>Golf Course ****</u>		<u>C 5.07</u>	<u>A</u>									
<u>Governmental Buildings for Public Use</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>				
Gravel, Dirt, or Earth Material Excavation									P	P		
<u>Group Homes 0-6 Residents</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>P</u>	<u>C 5.07</u>								
<u>Group Homes 7 or more Residents</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>	<u>C 5.07</u>								
Guest Houses or Boarding Houses	C 5.07	C 5.07	<u>C 5.07</u>	P								
Heavy Manufacturing, Fabricating, Assembling of Components and Similar Activities								P				
<u>Horse Farms</u>			<u>A</u>									
Hotels and m Hotels		P	P		P	P	P	P			A	
Indoor Commercial Amusement Activities		P	<u>P</u>		<u>P</u>		P	P				
<u>Indoor Pistol and Rifle Range ****</u>		<u>P</u>	<u>P</u>		<u>P</u>		<u>C 5.07</u>	<u>C 5.07</u>				
Indoor Theaters		P	<u>P</u>		P							
<u>Itinerant Vendor</u>		<u>P</u>	<u>P</u>		<u>P</u>		<u>P</u>	<u>P</u>				
Kennels		P	<u>P</u>				P	P				
Land Clearing Disposal Facilities									P	P		
Landscape Business, <u>and Services</u>		P	<u>P</u>				P	P				
Landscape Nursery Retail		P	<u>P</u>				P	P				
Landscape Services		<u>P</u>					<u>P</u>	<u>P</u>				

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
<u>Libraries, Community Centers and buildings used exclusively by Governments for public use</u>		P	<u>P</u>	P	<u>P</u>		<u>P</u>	<u>P</u>				
Light Manufacturing, Processing and/or Assembly		<u>P</u>					P	P				
Limited Manufacturing and Assembly		C 5.07.					P	P				
<u>Livestock Farms</u>												
<u>Living Quarters in Barns</u>												
Lounges		<u>P</u>	<u>P</u>		P		<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>
Lumber Yard, Truss Manufacturing, Storage of Construction Materials							P	P				
<u>Manufactured Homes</u>												
Marina				C 5.07		A					P	P
Marina, Private					C 5.07						<u>P</u>	<u>P</u>
Medical Marijuana Dispensary		P	<u>P</u>				P	P				
<u>Medical Services Offices</u>	P	P	P				P	P				
<u>Military Owned Lands</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Mining										P		
<u>Mobile Homes</u>												
<u>Mobile Home Parks</u>												
<u>Modular Homes</u>		C 5.07	P									
Motels		<u>P</u>	<u>P</u>	C 5.07								
Multiple Family Dwellings	C 5.07	C 5.07	P	P	P							
Neighborhood eateries, cafes and delis less than 1,000 sq. ft. (n <u>Not</u> high turnover sit down or fast food restaurants with drive thru windows)	P	P	P		<u>P</u>							
<u>Non Commercial Agriculture</u>												
<u>Nursing Homes & Assisted Living Facilities</u>		P	<u>P</u>				P	P				

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Office Buildings	P	P	P	P	P		P	P				
Oil and Fuel Storage Facilities not to exceed 25,000 gallons											A	P
Outdoor Rifle and Pistol Range ****		<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>				<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>				
Parks Uses – Active	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>
Park Uses - Passive	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>
Parking Garages or Lots on separate lot		P	P				P	P				
Patio Homes		<u>C</u> <u>5.</u> <u>07</u>										
Pawn Shops		P	P**				P	P				
Personal Services	P	P	P		P		P	P				
Pet Grooming		P	P				P	P				
Places of Worship	P	P	P	P			P	P				
Pole Barn												
Poultry Farms												
Private Airstrips												
Private Clubs and Lodges				P								
Private Training Facility and Vocational School			<u>C</u> <u>5.</u> <u>07</u>				P	P				
Professional and Business Offices	P	P	P	P			P	P				
Public Fairgrounds							C 5. 07	C 5. 07				
Public and Private Utilities and Public Facilities	C 5. 07	C 5. 07	<u>C</u> <u>5.</u> <u>07</u>		P		P	P			C 5. 0.	
Recreation and Park Areas (- baseball fields, basketball courts, bathing beaches, benches, bicycle paths, boat dock, boat launching ramp, botanical garden, cooking grills, fishing pier, football field, horseshoe pitching courts, handball / racquetball courts, lawn bowling, picnic tables, softball fields, shuffleboard courts, soccer fields, swimming pool, tennis courts, track and field facilities)		C 5. 07		P	P	A					C 5. 07	A

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Recreational Activities (archery range, baseball and/or football fields, bicycle path, boat dock, botanical garden, cabanas, excursion or charter boat dock, handball or racquetball courts, outdoor rifle and pistol range, basketball courts, boat anchorage, boat launching ramp, bridge trails, lawn bowling, cemeteries, concession stands, fishing pier, horseshoe pitching courts, public park, indoor rifle and pistol range, softball field, stadium and bleachers, shuffleboard courts, soccer fields, tennis courts, track and field facilities, wedding venues)		C 5.07			C 5.07						C 5.07	C 5.07
Recreational Vehicles			<u>A</u>									
Recreational Vehicle Parks		P	<u>P</u>		P							
Recreational Vehicle Sales		P	<u>P</u>				P	P				
Recreational Vehicle Repair Minor		P					P	P				
Research Activities, including research laboratories, developmental laboratories, and compatible light manufacturing		<u>P</u>	<u>P</u>				P	P				
Restaurants		<u>P</u>	P		P		P	P			P	P
Restaurants with or without drive-thru facilities		P	P**	C 5.07			P	P				
Restricted Sales and Services	P	P	P				P	P				
Rodeos ****		<u>C 5.07</u>			<u>C 5.07</u>						<u>C 5.07</u>	<u>C 5.07</u>
Salvage Yards								P				
Sawmills								P				
Second Hand Stores	P	P	P	P								

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Second Story Residential Uses (residential uses are not permitted on ground floors)	P		P									
Self Storage Facilities		P	P				P	P				
Service Establishments, and Mechanical Repairs, and Services within and enclosed building							P	P				
Shopping Centers		P	<u>P</u>		P		P	P				
Single Family Residential Residential (not to include Mobile Homes or Manufactured Homes)	C 5.07	C 5.07	P	P	P		P	P	P			P
Small Appliance Repair Shop		P	P	P								
Solar Electrical Generating Facility		C 5.07					P	P				
Special Residential Facilities		P	P				P	P				
Specialty Retail Centers less than 3,000 sq. ft.	P	P	P	P	<u>P</u>							
Storage or Distribution Center							P	P				
Storage Uses, Commercial		<u>P</u>	P**				P	P				
Studios		P	P	P								
Technology Business												
Towers and Telecommunications Facilities		C 5.07	C 5.07				C 5.07	C 5.07				
Towing Services		C 5.07					<u>P</u>	<u>P</u>				
Trade Service and Repair <u>provided all activities and storage are contained in an enclosed building</u>		P	<u>P</u>				P	P				
Transient Quarters	C 5.07	C 5.07	C 5.07									
Travel Trailer Parks		P	<u>P</u>		P		P	P				
Truck or Bus Terminal Facilities								P				
Vehicle Maintenance, Major (including Boats)							<u>P</u>	<u>P</u>				

2. Zoning Districts and Uses

Land Uses	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
<u>Vehicle Maintenance, Minor (including Boats)</u>		<u>P</u>	<u>P</u>									
Vehicular Paint and Body Shops		C 5. 07					<u>P</u>	<u>P</u>				
Vehicular Sales and Services all repairs confined to minor repairs		P	P**				P	P				
Veterinary Services (<u>in non Agricultural zoning classifications</u> all activities are located in a fully enclosed soundproof building)	P	P	<u>P</u>				<u>P</u>	<u>P</u>				
							P	P				
<u>Warehousing and Distribution Centers</u>							<u>P</u>	<u>P</u>				
<u>Water Oriented Recreational Uses, such as boating, diving, fishing, swimming, surfing, wading, water skiing</u> ****		C 5. 07	C 5. 07		C 5. 07	C 5. 07	C 5. 07	C 5. 07			C 5. 07	C 5. 07
<u>Wedding Venue</u> ****		C 5. 07	C 5. 07									
Wholesale Plant Nurseries		<u>P</u>	<u>P</u>				P	P				
<u>Wholesale Plant Nurseries and Landscaping Services</u>		<u>P</u>	<u>P</u>									
Wholesale Trades and Services		<u>P</u>	<u>P</u>				P	P				
Wholesaling, Warehousing, Furniture Storage							P	P				
Yacht Club, Private												P
<u>Yacht Club, Public</u>												<u>P</u>
<u>Zero Lot Line</u>		C 5. 07	<u>P</u>									
<u>Zoo</u> ****		C 5. 07					C 5. 07	C 5. 07				

* Automobile Maintenance, Garages, and Vehicle Maintenance uses are subject to the following provision: all hydraulic hoists, pits, lubricating, washing repair, and service not of emergency nature or short term diagnostic or minor repair work shall be conducted entirely within a building.

2. Zoning Districts and Uses

** These uses shall not be permitted north of Esplanade Street within the TC-1 zoning district.

*** Uses allowed in Passive Park Conditional Use

**** Uses allowed in Active Park Conditional Use

Table 2.03.02.c: Land Uses in Base Zoning Districts (Planned Developments & Public)

<i>Land Uses</i>	PUD	PBD	PID	NB- PMUD	P1	P2	NB- CON/REC	NB- U	MIL	STATE
<u>Accessory Parking Lots</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>		<u>P</u>		
Accessory Uses or Structures to any principle use	A	A	A			A				
<u>Administrative Services</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Air Operations			P							
Air Cargo			P							
Aircraft Hangars and Storage			P							
Aircraft Production and Operation			P							
Aircraft Rentals for and Excursions			P							
<u>Antique Shops</u>	<u>P</u>	<u>P</u>		<u>P</u>						
Asphalt Plants			P							
Automobile Maintenance as long as all repair work is conducted entirely within a building			P							
Aviation Activities: Aircraft & Design			P							
Bait and Tackle Shop		P	P							
Bakeries, Retail and Wholesale		P	P							
<u>Bed and Breakfast Establishment</u>	<u>P</u>	<u>P</u>	<u>P</u>							
<u>Boarding Houses and Transient Quarters</u>	<u>P</u>	<u>P</u>								
Business and Professional Offices	<u>P</u>	<u>P</u>	P	P						
Campground			P			P				
Cemeteries						P				
Charterboat Dock						P				
Childcare/Adult Care Facility	<u>P</u>	<u>P</u>	P	<u>P</u>						
Clinics	P	P	<u>P</u>	<u>P</u>						
<u>Cluster Homes</u>	<u>P</u>	<u>P</u>		<u>P</u>						
Commercial or Retail Uses	A	P	<u>P</u>	P						
<u>Commercial Agriculture</u>										
<u>Commercial or Club Buildings</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
Commercial Outdoor Amusement Activities		<u>C</u> <u>5.</u> <u>07</u>	C 5. 07							
<u>Commercial Parking Lots</u>		<u>P</u>	<u>P</u>							

2. Zoning Districts and Uses

Land Uses	PUD	PBD	PID	NB- PMUD	P1	P2	NB- CON/REC	NB- U	MIL	STATE
Commercial Piers and Marinas				P						
Community or Club Buildings	P	P				P				
Community Facilities, Public and Private Not for Profit Clubs			P							
Concrete Plants			P							
Construction and Demolition Debris Facilities										
Cultural and Civic Activities			P							
Distillery			P							
Dock Master Facilities										
Dock, Pier, or Mooring Device										
Dog Kennels for Breeding										
Dog Boarding and Grooming		P	P	P						
Duplexes	P	P		P						
Dry Cleaners		P	P	P						
Educational Institutions	P	P								
Equestrian Events										
Excursion/Charterboat Dock						P				
Financial and Banking Facilities	P	P	P	P						
Flying Clubs										
Funeral Homes			P							
Garages, Commercial as along as all repair work is conducted within a fully enclosed building			P							
Gas Station		P	P							
General Retail Centers less than 3,000 sq. ft.	P	P	P							
General Retail Sales and Services greater than 3,000 sq. ft.	P	P	P	P						
Golf Course or Driving Range	P	P				P				
Governmental Buildings for Public Use	P	P	P							
Gravel, Dirt, and Earth Material Excavation										
Group Homes 0-6 Residents	P	P								
Group Homes 7 or more Residents	P	P								
Guest Houses or Boarding Houses	P	P								
Heavy Manufacturing, Fabricating, Assembling of Components and Similar Activities			P							

2. Zoning Districts and Uses

<i>Land Uses</i>	PUD	PBD	PID	NB- PMUD	P1	P2	NB- CON/REC	NB- U	MIL	STATE
Horse Farms										
Hotels and Motels	<u>P</u>	<u>P</u>	P	P						
Indoor Commercial Amusement Activities	<u>P</u>	<u>P</u>	P	<u>P</u>						
Indoor Pistol and Rifle Range	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
Indoor Theaters	<u>P</u>	<u>P</u>	<u>P</u>	P						
Itinerant Vendor	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
Kennels			P							
Land Clearing Disposal Facilities										
Landscape Business and Services	<u>P</u>	<u>P</u>	<u>P</u>							
Landscape Nursery Retail	<u>P</u>	<u>P</u>	P							
Light Manufacturing, Processing and/or Assembly		<u>P</u>	P							
Limited Manufacturing and Assembly		<u>C</u> <u>5.</u> <u>07</u>	P							
Livestock Farms										
Living Quarters in Barns										
Lounges		P	<u>P</u>	P						
Lumber Yard, Truss Manufacturing, Storage of Construction Materials			P							
Manufactured Homes										
Marina										
Marina, Private				<u>C</u> <u>5.</u> <u>07</u>						
Medical Marijuana Dispensary	<u>P</u>	<u>P</u>	<u>P</u>							
Medical Services Offices	P	P	P							
Military Owned Lands									P	
Mining										
Mobile Homes										
Mobile Home Parks										
Modular Homes	<u>P</u>	<u>P</u>								
Motels	<u>P</u>	<u>P</u>	<u>P</u>							
Multiple Family Residential	P	P		P						
Neighborhood eateries, cafes and delis less than 1,000 sq. ft. (Not high turnover sit down or fast food restaurants with drive thru windows)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
Non Commercial Agriculture										
Nursing Homes & Assisted Living Facilities		P	P							
Office Buildings	P	P	P	<u>P</u>						
Oil and Fuel Storage Facilities not to exceed 25,000 gallons										
Parks Uses – Active	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>		

2. Zoning Districts and Uses

Land Uses	PUD	PBD	PID	NB-PMUD	P1	P2	NB-CON/REC	NB-U	MIL	STATE
<u>Park Uses - Passive</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>		
Parking Garages or <u>n</u> <u>separate</u> Lots			P					<u>P</u>		
<u>Patio Homes</u>										
<u>Pawn Shops</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Personal Services	<u>P</u>	<u>P</u>	<u>P</u>	P						
<u>Pet Grooming</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Places of Worship	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
<u>Pole Barn</u>										
<u>Poultry Farms</u>										
<u>Private Airstrips</u>			<u>P</u>							
<u>Private Clubs and Lodges</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Private Marina				<u>C</u> <u>5.</u> <u>07</u>						
Private Training Facility and Vocational School		<u>P</u>	P							
Professional and Business Offices	<u>P</u>	<u>P</u>	<u>P</u>	P						
Public Fairgrounds			<u>C</u> <u>5.</u> <u>07</u>							
Public and Private Utilities and Public Facilities	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	P	P			P	P		
<u>Public Parks and Recreational Areas</u>				<u>P</u>		<u>P</u>		<u>P</u>		
<u>Recreational Activities</u>				<u>C</u> <u>5.</u> <u>07</u>						
Recreational Vehicle and RV Parks		<u>P</u>	<u>P</u>	P		P				
<u>Recreational Vehicle Sales</u>	<u>P</u>	<u>P</u>	<u>P</u>							
<u>Recreational Vehicle Repair, Minor</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Research Activities, including research laboratories, developmental laboratories, and compatible light manufacturing		<u>P</u>	P							
Restaurants	<u>P</u>	<u>P</u>	P	P						
Restaurants with or without drive-thru facilities	<u>P</u>	<u>P</u>	P	<u>P</u>						
Restricted Sales and Services	P	P	P	<u>P</u>						
<u>Rodeos</u>						<u>P</u>				
Salvage Yards			P							
Sawmills			P							
<u>Second Hand Stores</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Self Storage Facilities		<u>P</u>	P							

2. Zoning Districts and Uses

Land Uses	PUD	PBD	PID	NB- PMUD	P1	P2	NB- CON/REC	NB- U	MIL	STATE
Service Establishments, and Mechanical Repairs, and Services within and enclosed building		<u>P</u>	P							
Shopping Centers	<u>P</u>	<u>P</u>	P							
Single Family Residential	<u>P</u>	<u>P</u>	P	P						
<u>Small Appliance Repair Shop</u>		<u>P</u>	<u>P</u>							
Social, Athletic and Neighborhood						<u>P</u>				
<u>Solar Electrical Generating Facility</u>			<u>P</u>							
Special Residential Facilities	<u>P</u>	P	P							
<u>Specialty Retail Centers less than 3,000 sq. ft.</u>	<u>P</u>	<u>P</u>	<u>P</u>							
Storage or Distribution Center			P							
<u>Storage Uses, Commercial</u>	<u>P</u>	<u>P</u>	<u>P</u>							
<u>Studios</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						
Technology Business	<u>P</u>	<u>P</u>	P							
Towers and Telecommunications Facilities		C 5. 07	P							
Trade Service and Repair provided all activities and storage are contained in an enclosed building		<u>P</u>	P							
<u>Transient Quarters</u>										
Travel Trailer Parks			P	P		P				
Truck or Bus Terminal Facilities			P							
<u>Vehicle Maintenance, Major (including Boats)</u>			<u>P</u>							
<u>Vehicle Maintenance, Minor (including Boats)</u>		<u>P</u>	<u>P</u>							
<u>Vehicle Paint and Body Shops</u>		C 5. 07	<u>P</u>							
Vehicular Sales and Services	<u>P</u>	<u>P</u>	P							
Veterinary Medical Services <u>(in non Agricultural zoning classifications - all activities are located in a fully enclosed soundproof building)</u>	<u>P</u>	<u>P</u>	P	<u>P</u>						
Warehousing and Distribution <u>Centers</u>			P							
Water-Oriented Recreational Uses, such as boating, diving, fishing, swimming, surfing, wading, water skiing	C 5. 07	C 5. 07	C 5. 07			P				

2. Zoning Districts and Uses

<i>Land Uses</i>	PUD	PBD	PID	NB- PMUD	P1	P2	NB- CON/REC	NB- U	MIL	<u>STATE</u>
<u>Wedding Venues</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>	<u>C</u> <u>5.</u> <u>07</u>						
<u>Wholesale Plant Nurseries</u>		<u>P</u>	<u>P</u>							
Wholesale Plant Nurseries and <u>Landscaping e</u> Services		<u>P</u>	<u>P</u>							
Wholesale Trades and Services	<u>P</u>	<u>P</u>	<u>P</u>							
Wholesaling, Warehousing, Furniture Storage			<u>P</u>							
Yacht Club, <u>Private</u>						<u>P</u>				
<u>Yacht Club, Public</u>						<u>P</u>				
<u>Zero Lot Line</u>	<u>P</u>	<u>P</u>		<u>P</u>						
Zoo						<u>P</u>				

2. Zoning Districts and Uses

2.04.00 DENSITY AND INTENSITY STANDARDS

2.04.01 Table of Density and Intensity Standards

Table 2.04.02 a – c describes the maximum potential dwelling and lodging accommodation density (expressed in dwelling units and lodging accommodation units per gross acre) and the maximum floor area ratio for a particular parcel, where permitted in all zoning districts. The achievable density (number of units) or intensity (ratio of floor area to parcel area) permitted for a particular parcel shall be determined by reference to parcel size, setback, height, and other standards set forth in this LDC.

Table 2.04.02.a Density and Intensity Standards for Residential Zoning Districts

<i>Density and Intensity</i>	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR1	HR2	NB-SF	NB-MHD	NB-MD	NB-HD
Residential Density (Dwelling Units per Gross Acre)	1	1 unit Per 5 acres	1 unit Per 15 acres	2	4	4	6	10	10	18	4	8	1 per Plat-ted lot	0-4 per Plat-ted lot	10	30
Minimum square footage Of residence	--	--	--	--	--	--	--	--	--	--	--	--	Gulf Front 1,500 Non Gulf Front 1,000	Gulf Front 1,500 Non Gulf Front 1,000	Gulf Front 1,500 Non Gulf Front 1,000	Gulf Front 1,500 Non Gulf Front 1,000
Maximum Building Footprint (%)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	25	1-4 Story 25 5-7 Story 23 8-9 Story 21 Over 19

2. Zoning Districts and Uses

Table 2.04.02.b Density and Intensity Standards for Commercial and Industrial Zoning Districts

<i>Density and Intensity</i>	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Residential Density (Dwelling Units Per Gross Acre)	10	10	10	8	30 (Inside Comm. Core) 18 (Outside Comm. Core)	--	--	--	--	--	--	4
Minimum square footage Of residence	--	--	--	--	Gulf Front 1,500 Non Gulf Front 1,000	--	--	--	--	--	--	--
Maximum Floor Area Ratio (%)	--	--	--	--	1-4 Story 25 5-7 Story 23 8-9 Story 21 Over 9 19	--	--	--	--	--	--	--

Table 2.04.02.c: Density and Intensity Standards for Planned Developments & Public

<i>Density and Intensity</i>	PUD	PBD	PID	NB-PMUD	P1	P2	NB-CON/REC	NB-U	MIL
Residential Density (Dwelling Units Per Gross Acre)	Up to 18 units per acre (Determined By P&Z Director)	Up to 18 units per acre (Determined By P&Z Director)	--	30	--	--	--	--	--
Minimum square footage of residence	--	--	--	--	--	--	--	--	--
Maximum Building Footprint (%)	--	--	--	--	--	--	--	--	--

- A.** Density is the number of dwelling units per acre of parcel area.
- B.** Density for dwelling units within a Planned Unit Development that is approved as a zoning district shall not exceed the density of the Future Land Use categories as shown in the Comprehensive Plan.
 - 1.** The master plan may permit a specified number of Residential units in a non-residential Land Use category.

2. Zoning Districts and Uses

2. Development shall not exceed impervious coverage of (75%) of gross acreage of residential uses and (75%) of gross acreage of non- residential land uses.
 3. Intensity in non-residential land uses shall not exceed a floor area ratio of seventy five percent (75%) computed by dividing the aggregate square footage of interior spaces, excluding parking garages by the gross square footage of all non-residential land use areas.
 4. The maximum density shall only be applicable to those areas designated as residential on the approved master plan. Acreage designated as non-residential on the master plan may not be used in the calculation of residential density.
 5. The maximum intensity shall only be applicable to those areas designated as non-residential on the approved master plan. Acreage designated as residential on the master plan may not be used in the calculation of non-residential density.
 6. See section 4.02.04 (PUD Standards) for additional density and intensity standards.
- C.** Where two (2) or more complete dwelling units with separate entries and independent sanitary facilities share a common internal access such that they may be rented or occupied separately or as one unit, each shall be counted toward the applicable dwelling unit density.

2. Zoning Districts and Uses

2.05.00 SETBACK AND HEIGHT STANDARDS

2.05.01 Table of Setback and Height Standards

Table 2.05.02 a – c describes the setback and height standards for a particular parcel, where permitted in all zoning districts.

Table 2.05.01.a: Setback and Height Standards in Base Zoning Districts (Residential)

Setbacks and Height Limits	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2 **	R2M **	R3 **	HR1	HR2	NB-SF ***	NB-MHD ***	NB-MD ****	NB-HD ****
Front Setbacks	25'	25'	25'	25'	25'	25'	20' 25' Per ime ter	20' 25' Per ime ter	20' 25' Per ime ter	15' 25' Per ime ter	Avg Of The bloc k	Avg Of The bloc k	c- 20' i- 25' g- 30'	c-20' i-25' g-30'	30'	30'
Front Setback On a Residential Collector Street	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	--	--	--	--	--	--
Side Setbacks (side setbacks shown apply to each side (ex. 10% of 100' = 10' on each side))	10% Lot Width (Max Of 15')	10% Lot Width (Max Of 15')	10% Lot Width (Max Of 15')	10% Lot Width 7' for 70'-90' (Max Of 15')	10% Lot Width 7' for 70'-90' (Max Of 15')	10% Lot Width 7' for 70'-90' (Max Of 15')	10% Lot Width 7' for 70'-90' (Max Of 15')	10% Lot Width (Max Of 15')	10% Lot Width (Max Of 15')	10% Lot Width (Max Of 15')	10'	10'	c-7.5' i-7.5' g-10'	c-7.5' i-7.5' g-10'	15' Unless single family residence then 10% of lot width with a minimum of 5'	15'

2. Zoning Districts and Uses

Setbacks and Height Limits	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2**	R2M**	R3**	HR1	HR2	NB-SF***	NB-MHD***	NB-MD****	NB-HD****
Rear Setbacks	25'	25'	25'	25'	25'	25'	10' 25' Per ime ter	10' 25' Per ime ter	10' 25' Per ime ter	10' 25' Per ime ter	3'	3'	c- 15' i- 15' g- 15' s- 50'	c- 15' i- 15' g- 15' s- 50'	10 % Lot dep th	10 % Lot dep th
Corner Lots	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'	15'
Setbacks along Major and Minor Arterial	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	--	--	--	--
Setbacks along Major and Minor Collector	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	25'	--	--	--	--
Shoreline Protection Zone Setbacks -- Gulf of Mexico and Santa Rosa Sound	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'
Shoreline Protection Zone Setbacks -- Escambia Bay, Blackwater Bay, East Bay and the basins and bayous	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'	50'

2. Zoning Districts and Uses

Setbacks and Height Limits	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2**	R2M**	R3**	HR1	HR2	NB-SF***	NB-MHD***	NB-MD****	NB-HD****
Height Limits	35'	35'	35'	35'	35'	35'	35'	45'	45'	50'	2 stories or 35' whichever is greater	2 stories or 35' whichever is greater	3 habitable stories	3 habitable stories	CC-16 habitable stories plus 1 for parking OC C-3 habitable stories plus 1 for parking	CC-16 habitable stories plus 1 for parking OC C-3 habitable stories plus 1 for parking

*If the side street is a collector road or an arterial road, then the side street shall be either twenty-five (25) feet for a collector road or fifty (50) feet for an arterial road. The side street shall be determined by the location of the front yard.

** Where multifamily residential uses that are over 2 habitable stories abuts a single family residential district or use, there shall be a building setback from said single family residential district or use of the maximum height of the zoning district. If the adjacent property owner is the same as the person developing the multifamily development the setback may be less than the maximum height of the zoning district. This only applies to rear setbacks. An exception can be made if the multifamily development has common area that is at least 15 feet in depth to the rear of the units in question.

*** c = Canal lot; i = Interior lot; g = Gulf lot; s= Sound front

**** CC = Commercial Core; OCC = Outside Commercial Core

2. Zoning Districts and Uses

Table 2.05.01.b Setback and Height Limits for Commercial and Industrial Zoning Districts

Setback and Height Limits	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Front Setbacks	50'	50'		10'	25'	25'	50' ****	50' ****	100'	100'	25'	50' ****
Setback and Height Limits	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Side Setbacks (side setbacks shown apply to each side (ex. 10% of 100' = 10' on each side))	5'*	5'*		5'	10% Of lot	10% Of lot	5' 50' When Abut Res.	5' 50' When Abut Res.	100'	100'	5'***	5'***
Rear Setbacks	25'	25'		3'	25'	25'	25' 50' When Abut Res	25' 50' When Abut Res	100'	100'	***	25'
Corner Lots	25'	25'	15'	15'	15'	15'	50'	50'	100'	100'	--	15'
Setbacks along Major and Minor Arterial	50'	50'	50'	50'	50'	50'	50'	50'	100'	100'	50'	50'
Setbacks along Major and Minor Collector	25'	25'	25'	25'	25'	25'	25'	25'	100'	100'	25'	25'
Shoreline Protection Zone Setbacks -- Gulf of Mexico and Santa Rosa Sound	50'	50'	50'	50'	50'	50'	50'	50'	100'	100'	50'	50'
Shoreline Protection Zone Setbacks -- Escambia Bay, Blackwater Bay, East Bay and the basins and bayous	50'	50'	50'	50'	50'	50'	50'	50'	100'	100'	50'	50'
Height Limit	35'	50'	50'	2 Stories Or 35'	*****	*****	50'	50' *****	0'		50'	50'

* When a lot abuts any residential use or zone a side building setback of ~~30~~ **25** feet shall be required. Additionally the minimum side setback for a bed and breakfast or multiple family dwellings shall be not less than 8 feet.

** When the side property line abuts a residential district there shall be a side setback equal to twice the side yard required for the residential district which it abuts.

2. Zoning Districts and Uses

*** No rear building setback is required except where the lot abuts a residential use, in which case the rear setback is twenty-five (25) feet.

**** Front setback may be reduced to 25 feet when the lot is abutting a private road.

***** Within the Commercial Core Area no building shall exceed 16 habitable floors plus one (1) additional story for parking. Outside the Commercial Core Area no building shall exceed 4 habitable floors plus one (1) additional story for parking.

***** Within the Commercial Core Area no building shall exceed 16 habitable floors plus one (1) additional story for parking. Outside the Commercial Core Area no building shall exceed 12 habitable floors plus one (1) additional story for parking.

***** Above the height permitted one (1) foot may be added to the height of the building for each three (3) feet of the building or structure is setback from the setback lines up to a maximum of one hundred (100) feet.

2. Zoning Districts and Uses

Table 2.05.01.c: Setback and Height Limits for Planned Developments & Public

Setback and Height Limits	PUD *	PBD *	PID *	NB-PMUD	P1	P2	NB-CON/REC	NB-U	MIL
Front Setbacks				30'	25'	25'		25'	
Side Setbacks (side setbacks shown apply to each side (ex. 10% of 100' = 10' on each side))				15'	25'	25'		10%	
Rear Setbacks				10% Lot depth	25'	25'		25'	
Corner Lots				15'	25'	25'		15'	
Setbacks along Major and Minor Arterial	50'	50'	50'	50'	50'	50'	50'	50'	
Setbacks along Major and Minor Collector	25'	25'	25'	25'	25'	25'	25'	25'	
Shoreline Protection Zone Setbacks -- Gulf of Mexico and Santa Rosa Sound	50'	50'	50'	50'	50'	50'	50'	50'	
Shoreline Protection Zone Setbacks -- Escambia Bay, Blackwater Bay, East Bay and the basins and bayous	50'	50'	50'	50'	50'	50'	50'	50'	
Height Limit	35'	50'	50'	16 habit. stories plus 1 For parking					

* Within PUD,PBD and PID the setbacks are set by the developer.

Nothing shall extend above the ridgeline except chimneys, cupolas, steeples, parapets, antennas, mechanical equipment and elevator equipment.

2. Zoning Districts and Uses

2.05.02 Front Yard Modifications

- A. Lots With Double Frontage - The front yard regulations shall apply to both streets on through lots or double frontage lots with the exception of lots that have an arterial roadway for a rear lot line (example East Bay Blvd would require a 50 setback, if it is the rear lot line the rear setback would be 25 feet).
- B. Corner Lots – A corner lot shall have a front setback equal to the minimum front setback requirement of the zoning district of the lot and a side street setback as determined in Section 9.03.04; provided however, that the buildable width of corner lot shall not be reduced to less than thirty (30) feet; provided further, that no accessory building on a corner lot shall project beyond the setback line on any street. The front yard shall be determined by the tier of the lots in any block. If undeterminable then the lot owner shall decide the front yard.
- C. On Navarre Beach no accessory building shall be erected in any front or side yard.
- D. Encroachment By Gas Pumps and Pump Islands - Filling station pumps and pump islands may be located within a front yard provided they are not less than twenty (20) feet from any street line.
- E. Encroachment By Commercial Canopies - Canopies such as gas canopies, may be located within a front yard provided they are not less than twenty (20) feet from any property line.

2.05.03 Rear Yard Modifications

- A. Lots Abutting an Alley - When a lot abuts upon an alley, one half (1/2) of the alley may be considered as part of the required rear yard.
- B. Corner Lots - For the purpose of applying rear yard modifications as set forth in this section, the rear yard shall be determined by the line that separates two tiers of lots in any block.
- C. Non-residential Lots Abutting Residential Property - In any non-residential district, if the rear property line of a lot abuts a residential district, a rear yard shall be provided equal to the yard required in the residential district it abuts.
- D. **Pools and pool covers located in the rear yard of a platted subdivision can have a 5' setback for lots located along an arterial or collector roadway instead of the required 25' or 50' as long as there is no roadway access.**

2.05.04 Side Yard Modifications

- A. Lots Less Than Required Width - Whenever a lot in single ownership exists which contains less width than required in the district in which it is located, as outlined in Section 9.03.01.D, no side yard shall be reduced to less than five (5) feet, providing further that the buildable width shall not be reduced to less

2. Zoning Districts and Uses

than twenty (20) feet.

B. Buildings With Mixed Use - Whenever a portion of a building is used for residential purposes, including hotel, motel or transient quarters as well as non-residential purposes, in such cases the provisions governing use with the most stringent residential side yard setbacks shall be applicable.

C. Corner Lots – A corner lot shall have a side street setback equal to fifteen (15) feet or as specified by the zoning district requirement. However, if the side street is a collector road or an arterial road, as described in Section 4.04.00 then the side street setback shall be either twenty-five (25) feet for a collector road or fifty (50) feet for an arterial road. The side street shall be determined by the location of the front yard.

D. On Navarre Beach, no accessory structure shall be erected in any front or side yard setback.

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2.06.00 MINIMUM LOT SIZES AND WIDTHS

2.06.01 Table of Minimum Lot Sizes and Widths

Table 2.06.01a – c describes the minimum lot sizes and widths for a particular parcel, where permitted in all zoning districts.

Table 2.06.01.a Minimum Lot Sizes and Widths for Residential Zoning Districts

Minimum Lot Sizes And Widths	AG-RR	AG1	AG2	RR1	R1	R1M	R1A	R2	R2M	R3	HR 1	HR 2	NB - SF	NB-MHD	NB-MD	NB-HD
Minimum Lot Size	43,560 Sq. ft.	5 acres	15 acres	21,780 Sq. ft. **	10,890 Sq. ft. **	10,890 Sq. ft. **	7,260 Sq. Ft. **	4,000 Sq. Ft. **	4,000 Sq. Ft. **	4,000 Sq. Ft. **						
Minimum Lot Width	50' at ROW 70' at min. setback *	50' at ROW 70' at min. setback *	50' at ROW 70' at min. setback *	50' at ROW 70' at min. setback *	50' at ROW 70' at min. setback *	50' at ROW 70' at min. setback *	50'*	50' for 1 or 2 family 40' for zero lot line, patio or cluster homes, 20' for town homes *	50' for 1 or 2 family 40' for zero lot line, patio or cluster homes, 20' for town homes *	50' for 1 or 2 family 40' for zero lot line, patio or cluster homes, 20' for town homes *	40'	20'				

The minimum width of any parcel being developed for multiple family purposes shall be one hundred (100) feet.

* The minimum lot width must be maintained through the rear of the residential structure.

** There shall be no minimum lot size for lots created through the subdivision platting process.

*** The lot width can be reduced to 50 feet for lots created through the subdivision platting process and for which sewer is available. Variances to setbacks are prohibited.

2. Zoning Districts and Uses

Table 2.06.01.b Minimum Lot Sizes and Widths for Commercial and Industrial Zoning Districts

Minimum Lot Sizes And Widths	NC	HCD	TC-1	HC-1	NB-C	NB-H	M1	M2	PIT 1	PIT 2	C1M	C2M
Minimum Lot Size									20 acres	20 acres	5 acres	5 acres
Minimum Lot Width	100'	100'		40'			100'	100'	100'	100'	250'	250'

Table 2.06.01.c: Minimum Lot Sizes and Widths for Planned Developments & Public

Minimum Lot Sizes and Widths	PUD	PBD	PID	NB-PMUD	P1	P2	NB-CON/REC	NB-U	MIL
Minimum Lot Size	5 acres	5 Acres	5 acres						
Minimum Lot Width	Developer sets	Developer sets	Developer sets						

2.06.02 Dividing of Parcels without Road Frontage in Rural Residential (AG-RR) and Estate Residential Agriculture (AG-1) Zoning Districts

A. The dividing of a parent parcel in the Rural Residential Agriculture (AG-RR) and Estate Residential Agriculture (AG-1) zoning district, resulting in a parcel(s) which will not possess the required road frontage, may be permitted by the Planning and Zoning Department with the following provisions. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:

1. A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet **adequate existing county-maintained or county-approved street frontage** minimum road-frontage requirements. The three new lots will include the remainder of the parent parcel if road frontage requirements cannot be met;
2. No new County maintained roads are created;
3. ~~An easement maintenance agreement between property owners is required;~~ or an access easement (minimum width 20 ft.) must be included in each newly created deed or legal description;
4. Property being divided shall not be located within a recorded platted subdivision;
5. The maximum allowable density of the parcel created shall not exceed the allowable density of one dwelling unit per acre;

2. Zoning Districts and Uses

6. Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and,

~~7. For lots less than four (4) acres in size an engineered drainage plan is required. See Section 4.04.00 for requirements.~~

3. Floodplain Management and Resource Protection

Chapter 3. Floodplain Management and Resource Protection

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3.01.00 GENERALLY

3.01.01 Purpose

This chapter sets forth the requirements necessary to protect the public health, safety and general welfare, by establishing standards that ensure the protection, maintenance, enhancement or use of natural resources within the county.

3.01.02 Applicability

All development shall be designed to ensure protection of areas designated as floodplains, coastal zone, wetlands or habitats for listed species.

3.01.03 Definitions are found in Section 1.07.02

3.01.04 Terms defined in the *Florida Building Code*

Where terms are not defined in this ordinance and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.

3.01.05 Terms not defined

Where terms are not defined in this ordinance or the *Florida Building Code* or the Florida Administrative Code, such terms shall have ordinarily accepted meanings such as the context implies.

3. Floodplain Management and Resource Protection

3.02.00 FLOODPLAIN MANAGEMENT

3.02.01 Title

These regulations shall be known as the *Floodplain Management Ordinance* of Santa Rosa County hereinafter referred to as “this ordinance.”

3.02.02 Scope

The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the *Florida Building Code*; placement, installation, or replacement of manufactured homes and manufactured buildings; installation or replacement of tanks; placement of recreational vehicles; installation of swimming pools; and any other development.

3.02.03 Intent

The purposes of this ordinance and the flood load and flood resistant construction requirements of the *Florida Building Code* and the technical amendments to the Florida Building Code adopted in Ordinance 2016-04 are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- A. Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- B. Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- C. Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- D. Manage the alteration of flood hazard areas, watercourses, and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain;
- E. Minimize damage to public and private facilities and utilities;
- F. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- G. Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events; and

3. Floodplain Management and Resource Protection

- H. Meet the requirements of the National Flood Insurance Program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22.

3.02.04 Coordination with the *Florida Building Code*

This ordinance is intended to be administered and enforced in conjunction with the *Florida Building Code*. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the *Florida Building Code*.

3.02.05 Warning

The degree of flood protection required by this ordinance and the *Florida Building Code*, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

3.02.06 Disclaimer of Liability

This ordinance shall not create liability on the part of the Board of County Commissioners of Santa Rosa County or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

3.02.07 Applicability

- A. General – Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- B. Areas to which this ordinance applies – This ordinance shall apply to all flood hazard areas within Santa Rosa County as established in Section 3.02.07.C of this ordinance.
- C. Basis for establishing flood hazard areas – The Flood Insurance Study for Santa Rosa County, Florida and Incorporated Areas dated November 19, 2021 and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that

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establish flood hazard areas are on file at the Development Services Offices, 6051 Old Bagdad Hwy, Suite 202, Milton, FL 32583.

D. Submission of additional data to establish flood hazard areas – To establish flood hazard areas and base flood elevations, pursuant to Section 3.02.10 of this ordinance the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

1. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the *Florida Building Code*.
2. Are above the closest applicable base flood elevation, the area shall be regulated as a special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

E. Other laws – The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

F. Abrogation and greater restrictions – This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the *Florida Building Code*. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction, covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

G. Interpretation – In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

3.02.08 Duties and Powers of the Floodplain Administrator

A. Designation – The Building Official is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

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B. General – The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Section 3.02.12 of this ordinance.

C. Applications and Permits – The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

1. Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
2. Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
3. Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
4. Provide available flood elevation and flood hazard information;
5. Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;
6. Review applications to determine whether proposed development will be reasonably safe from flooding;
7. Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*, when compliance with this ordinance is demonstrated, or disapprove the same in the event of non-compliance; and
8. Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

D. Substantial improvement and substantial damage determinations – For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

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1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
4. Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the *Florida Building Code* and this ordinance is required.

E. Modifications of the strict application of the requirements of the Florida Building Code – The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 3.02.12 of this ordinance.

F. Notices and orders – The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

G. Inspections – The Floodplain Administrator shall make the required inspections as specified in Section 3.02.40 **11** of this ordinance for development that is not subject to the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

H. Other duties of the Floodplain Administrator – The Floodplain Administrator shall have other duties, including but not limited to:

1. Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 3.02.08.D of this ordinance;
2. Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency

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Management, State Floodplain Management Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);

3. Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available;

4. Review required design certifications and documentation of elevations specified by this ordinance and the *Florida Building Code* and this ordinance to determine that such certifications and documentations are complete;

5. Notify the Federal Emergency Management Agency when the corporate boundaries of Santa Rosa County are modified; and

6. Advise applicants for new buildings and structures, including substantial improvements, that are located in any unit of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

I. Floodplain Management Records – Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at Development Services Offices, 6051 Old Bagdad Hwy, Suite 202, Milton, FL 32583.

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3.02.09 Permits

A. Permits required – Any owner or owner’s authorized agent (hereinafter “applicant”) who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the *Florida Building Code*, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

B. Floodplain development permits or approvals – Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the *Florida Building Code*, including buildings, structures and facilities exempt from the *Florida Building Code*. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

C. Buildings, structures and facilities exempt from the Florida Building Code – Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the *Florida Building Code* and any further exemptions provided by law, which are subject to the requirements of this ordinance:

1. Railroads and ancillary facilities associated with the railroad.
2. Non-residential farm buildings on farms, as provided in section 604.50, F.S.
3. Temporary buildings or sheds used exclusively for construction purposes.
4. Mobile or modular structures used as temporary offices.
5. Those structures or facilities of electric utilities, as defined in section 366.02, F.S., which are directly involved in the generation, transmission, or distribution of electricity.
6. Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term “chickee” means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

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7. Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.

8. Temporary housing provided by the Department of Corrections to any prisoner in the state correctional system.

9. Structures identified in section 553.73(10)(k), F.S., are not exempt from the *Florida Building Code* if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

D. Application for a permit or approval – To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

1. Identify and describe the development to be covered by the permit or approval.

2. Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.

3. Indicate the use and occupancy for which the proposed development is intended.

4. Be accompanied by a site plan or construction documents as specified in Section 3.02.10 of this ordinance.

5. State the valuation of the proposed work.

6. Be signed by the applicant or the applicant's authorized agent.

7. Give such other data and information as required by the Floodplain Administrator.

E. Validity of permit or approval – The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the *Florida Building Codes*, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

F. Expiration – A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

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G. Suspension or revocation – The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

H. Other permits required – Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

1. The Northwest Florida Water Management District; section 373.036, F.S.
2. Florida Department of Health for onsite sewage treatment and disposal systems; section 381.0065, F.S. and Chapter 64E-6, F.A.C.
3. Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; section 161.141, F.S.
4. Florida Department of Environmental Protection for activities subject to the Joint Coastal Permit; section 161.055, F.S.
5. Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
6. Federal permits and approvals.

3.02.10 Site Plans and Construction Documents

A. Information for development in flood hazard areas – The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

1. Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations if necessary for review of the proposed development.
2. Where base flood elevations, or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 3.02.10.B.2 or 3 of this ordinance.
3. Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and the base flood elevations are not included on the FIRM or in the Flood Insurance

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Study, such elevations shall be established in accordance with Section 3.02.10.B.1 of this ordinance.

4. Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, and Coastal A Zones, new buildings shall be located ten (10) feet landward of the reach of mean high tide.
5. Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
6. Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
7. Delineation of the Coastal Construction Control Line or notation that the site is seaward of the coastal construction control line, if applicable.
8. Extent of any proposed alteration of sand dunes or mangrove stands, provided such alteration is approved by the Florida Department of Environmental Protection.
9. Existing and proposed alignment of any proposed alteration of a watercourse.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

B. Information in flood hazard areas without base flood elevations (approximate Zone A) – Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator shall:

1. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices.
2. Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
3. Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or

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where the available data are known to be scientifically or technically incorrect or otherwise inadequate:

- a. Require the applicant to include base flood elevation data prepared in accordance with currently accepted engineering practices; or
 - b. Specify that the base flood elevation is two (2) feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
 4. Where the base flood elevation data are to be used to support a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a Florida licensed engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.
- C. Additional analyses and certifications – As applicable to the location and nature of the proposed development activity, and in addition to the requirements of this section, the applicant shall have the following analyses signed and sealed by a Florida licensed engineer for submission with the site plan and construction documents:
 1. For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 3.02.10 of this ordinance and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
 2. For development activities proposed to be located in a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation more than one (1) foot at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
 3. For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that

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the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in Section 3.02.10.D of this ordinance.

4. For activities that propose to alter sand dunes or mangrove stands in coastal high hazard areas (Zone V), ad Coastal A Zones, an engineering analysis that demonstrates that the proposed alteration will not increase the potential for flood damage.

D. Submission of additional data – When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

3.02.11 Inspections

A. General -- Development for which a floodplain development permit or approval is required shall be subject to inspection.

B. Development other than buildings and structures – The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

C. Buildings, structures and facilities exempt from the *Florida Building Code* – The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the *Florida Building Code* to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

D. Buildings, structures and facilities exempt from the *Florida Building Code*, lowest floor inspection – Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the *Florida Building Code*, or the owner's authorized agent, shall submit to the Floodplain Administrator:

1. If a design flood elevation was used to determine the required elevation of the lowest floor, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor; or

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2. If the elevation used to determine the required elevation of the lowest floor was determined in accordance with Section 3.02.10.B.3.b of this ordinance, the documentation of height of the lowest floor above highest adjacent grade, prepared by the owner or the owner's authorized agent.

E. Buildings, Structures and Facilities Exempt from the *Florida Building Code*, Final Inspection – As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 3.02.11.D of this ordinance.

F. Manufactured Homes -- The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of this ordinance and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of bottom of the frame shall be submitted to the Floodplain Administrator.

3.02.12 Variances and Appeals

A. General – The Santa Rosa County Board of County Commissioners shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to section 553.73(5), F.S., the Santa Rosa County Board of County Commissioners shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the *Florida Building Code*. This section does not apply to Section 3109 of the *Florida Building Code, Building*.

B. Appeals – The Santa Rosa County Board of County Commissioners shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision of Santa Rosa County Board of County Commissioners may appeal such decision to the Circuit Court, as provided by Florida Statutes.

C. Limitations on Authority to Grant Variances – The Santa Rosa County Board of County Commissioners shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 3.02.12.G of this ordinance, the conditions of issuance set forth in Section 3.02.12.H of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Santa Rosa County Board of County Commissioners has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

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D. Restrictions in floodways – A variance shall not be issued for any proposed development in a floodway if any increase in base flood elevations would result, as evidenced by the applicable analyses and certifications required in Section 3.02.10.C of this ordinance.

E. Historic buildings – A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the *Florida Building Code, Existing Building*, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the *Florida Building Code*.

F. Functionally Dependent Uses – A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this ordinance, provided the variance meets the requirements of Section 3.02.12.D, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

G. Considerations for issuance of variances – In reviewing requests for variances, the Santa Rosa County Board of County Commissioners shall consider all technical evaluations, all relevant factors, all other applicable provisions of the *Florida Building Code*, this ordinance, and the following:

1. The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
4. The importance of the services provided by the proposed development to the community;
5. The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
6. The compatibility of the proposed development with existing and anticipated development;

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7. The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
8. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
9. The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
10. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

H. Conditions for issuance of variances – Variances shall be issued only upon:

1. Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
2. Determination by the Santa Rosa County Board of County Commissioners that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
3. Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
4. If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be

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commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25 for \$100 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

3.02.13 Violations

A. Violations – Any development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the *Florida Building Code* is presumed to be a violation until such time as that documentation is provided.

B. Authority – For development that is not within the scope of the *Florida Building Code* but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

C. Unlawful continuance – Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

3.02.14 Flood Resistant Development

A. ~~Reserved~~ **New Construction or Substantial Improvement –**

1. Any residential structure shall have the lowest floor, including basement, elevated equal to or above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movement of flood waters shall be provided in accordance with FEMA Standards of one (1) square inch of clear opening for every one (1) square foot of enclosed floor space. Additionally, V-zone construction standards shall be imposed on all lands seaward of the Limit of Moderate Wave Action Line as depicted on the Flood Insurance Rate Maps dated November 19, 2021 or subsequent revisions to these maps.

2. Any non-residential structure shall have the lowest floor, including basement, elevated equal to or above the base flood elevation plus the requirements found in the current version of ASCE 24. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movement of flood waters shall be

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provided in accordance with FEMA Standards of one (1) square inch of clear opening for every one (1) square foot of enclosed floor space. Additionally, V-zone construction standards shall be imposed on all lands seaward of the Limit of Moderate Wave Action Line as depicted on the Flood Insurance Rate Maps dated November 19, 2021 or subsequent revisions to these maps.

B. Design and construction of buildings, structures and facilities exempt from the *Florida Building Code* – Pursuant to Section 3.02.09.C of this ordinance, buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Section 3.02.18 of this ordinance.

C. Buildings and structures seaward of the coastal construction control line – If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

1. Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the *Florida Building Code*, *Building* Section 3109 and Section 1612 or *Florida Building Code*, *Residential* Section R322.

2. Minor structures and non-habitable major structures as defined in section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.

D. Accessory Structures

Accessory structures are permitted below the base flood elevation provided the accessory structures are used only for parking or storage and;

1. If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas and Coastal A Zones, are one story and not larger than 600 sq. ft..

2. If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas and Coastal A Zones have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.

3. If located in coastal high hazard areas (Zone V/VE) and Coastal A Zones, are not located below elevated buildings and are not larger than 100 sq. ft.

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4. Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
5. Have flood damage-resistant materials used below the base flood elevation plus one (1) foot.
6. Have mechanical plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one (1) foot.

E. Subdivisions; minimum requirements – Subdivision proposals, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.
4. Shall meet the subdivision requirements and/or commercial development review requirements in Chapter 4.

F. Subdivision plats – Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

1. Delineation of flood hazard areas, floodway boundaries and flood zones, and design flood elevations, as appropriate, shall be shown on preliminary plats;
2. Where the subdivision has more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM, the base flood elevations determined in accordance with Section 3.02.10.B.1 of this ordinance; and
3. Compliance with the site improvement and utilities requirements of Section 3.02.14.G through Section 3.02.14.Q of this ordinance.
4. Shall meet the subdivision requirements and/or commercial development review requirements in Chapter 4.

G. Site improvements, utilities and limitations

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H. Minimum requirements – All proposed new development shall be reviewed to determine that:

1. Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
2. All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

I. Sanitary sewage facilities – All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

J. Water supply facilities – All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

K. Limitations on sites in regulatory floodways – No development, including but not limited to site improvements, and land disturbing activity involving fill or regrading, shall be authorized in the regulatory floodway unless the floodway encroachment analysis required in Section 3.02.10.C.1 of this ordinance demonstrates that the proposed development or land disturbing activity will not result in any increase in the base flood elevation.

L. Limitations on placement of fill – Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

M. Limitations on sites in coastal high hazard areas (Zone V) and Coastal A Zones– In coastal high hazard areas and Coastal A Zones, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Section 3.02.10.C.4 of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated

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buildings and structures shall comply with 3.02.18.H.3 of this ordinance.

N. Limitations on hazardous materials – Structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids, or other hazardous or toxic materials shall be located outside of special flood hazard areas to the extent possible and feasible. If these facilities cannot be located outside special flood hazard areas, the design and construction of such facilities shall be dry flood proofed in accordance with the Florida Building Code.

O. Limitations on alteration of natural functions – Limit the alteration of natural flood plains, stream channels, and natural protection barriers which are involved in the accommodation of floodwaters. This includes restrictions or prohibitions on unnecessary or incompatible filling, grading, dredging, drainage, and other development which will result in a damaging increase in erosion, habitat, destruction, or adverse impacts on the water quality treatment function of the flood plain.

P. Solid waste disposal sites – New solid waste disposal sites within special flood hazard areas are prohibited.

3.02.15 Manufactured Homes

A. General – All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to section 320.8249, F.S., and shall comply with the requirements of Chapter 15C-1, F.A.C. and the requirements of this ordinance. If located seaward of the coastal construction control line, all manufactured homes shall comply with the more restrictive of the applicable requirements.

B. Limitations on installation in floodways, coastal A zones and coastal high hazard areas (zone V) – New installations and replacement manufactured homes shall not be permitted in Floodways, Coastal A Zones, and Coastal High Hazard Areas (Zone V).

C. Foundations – All new manufactured homes and replacement manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that.

1. are designed in accordance with the foundation requirements of the Florida Building Code Residential Section R322.2 and this ordinance.

D. Anchoring – All new manufactured homes and replacement manufactured homes shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse or lateral movement. Methods of anchoring include, but are not limited to, use of over-the-top or frame ties to ground anchors. This anchoring requirement is in addition to applicable state and local anchoring requirements for wind resistance.

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E. Elevation – All manufactured homes that are placed, replaced, or substantially improved in flood hazard areas shall be elevated so that the bottom of the frame and equipment is at or above the elevation required as applicable to the flood hazard area, in the *Florida Building Code, Residential* Section R322.2 (Zone A).

F. Enclosures – Enclosed areas below elevated manufactured homes shall comply with the requirements of the *Florida Building Code, Residential* Section R322 for such enclosed areas.

G. Utility Equipment – Utility equipment that serves manufactured homes, including electric, heating, ventilation, plumbing, and air conditioning equipment and other service facilities, shall comply with the requirements of the *Florida Building Code, Residential* Section R322.

3.02.16 Recreational Vehicles and Park Trailers

A. Temporary placement – Recreational vehicles and park trailers placed temporarily in flood hazard areas shall:

1. Be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches. Recreational vehicles shall not be available for rent unless in a licensed campground.
2. Be on site for fewer than one hundred eighty (180) consecutive days;

B. Permanent Placement

1. Recreational vehicles and park trailers that do not meet the limitations in Section 3.02.16.A of this ordinance for temporary placement shall meet the requirements of 3.02.15 of this ordinance for manufactured homes.

3.02.17 Tanks

A. Underground tanks – Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

B. Above-ground tanks, not elevated – Above-ground tanks that do not meet the elevation requirements of Section 3.02.17.C of this ordinance shall:

1. Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas and Coastal A Zones, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral

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movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.

2. Not be permitted in coastal high hazard areas (Zone V) and Coastal A Zones.

C. Above-ground tanks, elevated – Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

D. Tank inlets and vents – Tank inlets, fill openings, outlets and vents shall be:

1. At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

2. Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

3.02.18 Other Development

A. General requirements for other development – All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

1. Be located and constructed to minimize flood damage;

2. Meet the limitations of Section 3.02.14.K of this ordinance.

3. Be constructed of flood damage-resistant materials; and

4. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the building code for wet locations.

B. Fences in regulated floodways – Fences in regulated floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 3.02.14.K of this ordinance.

C. Retaining walls, sidewalks and driveways in regulated floodways – Retaining walls, sidewalks and driveways that involve the placement of fill in

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regulated floodways shall meet the limitations of Section 3.02.14.K of this ordinance.

D. Roads and watercourse crossings in regulated floodways – Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Section 3.02.14.K of this ordinance. Alteration of a watercourse that is part of a road or watercourse crossing shall meet the requirements of Section 3.02.10.C.3 of this ordinance.

E. Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar non-structural uses in coastal high hazard areas (Zone V) and Coastal A Zones – In coastal high hazard areas and Coastal A Zones, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar non-structural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

1. Structurally independent of the foundation system of the building or structure;
2. Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
3. Have a maximum slab thickness of not more than four (4) inches.

F. Decks and patios in coastal high hazard areas (Zone V) and Coastal A Zones – In addition to the requirements of the *Florida Building Code*, in coastal high hazard areas and Coastal A Zones decks and patios shall be located, designed, and constructed in compliance with the following:

1. A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
2. A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.

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3. A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.

4. A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on non-structural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave run-up and wave reflection.

G. Other development in coastal high hazard areas (Zone V) and Coastal A Zones – In coastal high hazard areas and Coastal A Zones, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures.

Such other development activities include but are not limited to:

1. Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;

a. Bulkheads, retaining walls, or similar structures shall not be permissible on Navarre Beach unless it can be demonstrated that:

i. The bulkhead or retaining wall is landward of the CCCL and it is necessary to protect and ensure the structural integrity of a structure; and

ii There are no other feasible non-structural alternatives, including retreat; and

iii. An analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave run-up and wave reflection that would increase damage to adjacent buildings and structures.

2. Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and

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3. On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.
- H. Non-structural fill in coastal high hazard areas (Zone V) and Coastal A Zones – In coastal high hazard areas and Coastal A Zones:
 1. Minor grading and the placement of minor quantities of non-structural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
 2. Non-structural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates
 - a. Particle composition of fill material does not have a tendency for excessive natural compaction and will wash out during storm surge;
 - b. Volume and distribution of fill will not cause wave reflection to adjacent properties; and.
 - c. Slope of fill will not cause wave run-up or ramping.
 3. Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave run-up and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

3.03.00 WETLANDS PROTECTION

3.03.01 Applicability

The provisions of section 3.03.00 apply to all jurisdictional wetlands located within the County. The location of wetland boundaries shall be according to the requirements of the Northwest Florida Water Management District, USACE and/or the FDEP.

3.03.02 Agency Permits Required

All Development within the County shall obtain applicable permits from the Northwest Florida Water Management District, USACE, and/or FDEP for Development within or adjacent to protected wetlands prior to issuance of Building Permit. The issuance of a Development Order, pursuant to the procedures set forth in Chapter 4, may be conditioned upon the receipt of wetlands permits prior to a Building Permit being issued.

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3.03.03 Development Rights in Wetlands

- A.** Density or intensity of Development, as established for the zoning district in which the wetland is located, shall be calculated for the entire site, including the wetland and wetland buffer.
- B.** Where the amount of uplands is not sufficient to accommodate the allowable development and permits from the Northwest Florida Water Management District, USACE and/or FDEP allow impacts to protected wetlands, mitigation shall be required, as set forth in section 3.03.04 and as required by the Northwest Florida Water Management District, USACE and/or FDEP. Where avoidance or minimization is possible, the County will not issue a permit for development within jurisdictional wetlands, except for incidental impacts such as those required for access to the site, internal circulation, infrastructure, boardwalks, etc.
- C.** New lots in residential or non-residential subdivisions shall not be created or platted that do not contain sufficient buildable upland areas in order to provide a reasonable use for the lot under the requirements of the Land Development Code and Comprehensive Plan.

3.03.04 Mitigation of Wetlands Impacts

- A.** Wetlands shall be protected from the impacts of development through the provision of buffers. Buffers shall meet the location and design standards set forth in Chapter 4.
- B.** Any allowable impact on wetlands shall be mitigated as required by the Northwest Florida Water Management District, USACE and/or FDEP.

3.03.05 Limitations on Development

- A.** Clearing of vegetation within a wetland shall be limited to the requirements of the Northwest Florida Water Management District, USACE and/or FDEP. Native vegetation shall be protected, except for clearing allowed by this section.
- B.** Allowable buildings shall be built to ensure that the finished elevation exceeds highest recorded flood level in the wetland by a minimum of eighteen (18) inches. Where no flood data are available, the finished floor shall exceed the highest seasonal water level by a minimum of two (2) feet. Finished floor elevation requirements shall be verified prior to issuance of a Certificate of Occupancy by a certified elevation letter from a registered land surveyor or registered engineer.
- C.** In areas determined by Santa Rosa County to be flood-prone with documented high water elevation, a minimum finished habitable floor elevation of eighteen inches (18") above the high water mark will be established by the County Engineer. Finished floor elevation requirements shall be verified prior to issuance of a Certificate of Occupancy by a certified elevation letter from a

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registered land surveyor or registered engineer.

These regulations are adopted to attempt to reduce flooding to habitable areas of single family residences. It is recognized that no regulation will guarantee that such flooding will occur. These regulations shall not be construed to impose any duty or liability against Santa Rosa County in relation to the enforcement of these regulations or in relation to any flooding which may occur.

D. Septic tanks and their associated drain fields shall be prohibited within wetland areas depending on the specific regulatory agency's definition of wetlands.

E. Wetland buffers will also be required between development and wetlands, free-flowing streams, rivers, lakes, sound, bays, basins, and bayous. Such buffers will have a minimum width of 25 feet. The 25 feet minimum wetland buffer can be a part of the FDEP required 25 feet meandering buffer. Minor encroachments are allowed for such things as mitered end sections, rip-rap, docks, piers or similar structures if permitted through FDEP, USACE, or NFWFMD. Buffers shall remain undisturbed in a natural state.

F. Allowable Development within or adjacent to wetlands shall be designed and located to avoid impacts to the following to the best extent possible:

1. The habitat, quantity, diversity and food sources of fish, wildlife and listed species.
2. Water quality of the wetland.
3. The capability of the wetland to store and convey flood waters.
4. Historic resources, including both locally designated historic resources and those listed on the Master Site File List of the Florida Department of State.

G. Wetland buffers cannot be located within platted lots.

3.04.00 STORMWATER MANAGEMENT

No Development Order or Building Permit, as applicable for new development, redevelopment or change of use shall be issued unless the development has complied with the provisions of this section.

3.04.01 Applicable State Requirements

In addition to meeting the requirements of this LDC all development projects must comply with the provisions of Chapter 62-330 "Environmental Resource Permitting" and Chapter 14-86 "Drainage Connections" as found in the Florida Administrative Code (FAC). No final building permit or commencement of construction activities may be allowed until such time as applicable state permits have been obtained.

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3.04.02 Applicable Federal Requirements

In addition to meeting the requirements of this section, all development projects which result in land disturbance of equal to or greater than one acre must comply with the provisions of the National Pollutant Discharge Elimination Systems from the FDEP FAC 62-621. Any land disturbance greater than one (1) acre must apply for NPDES general permit from FDEP.

3.04.03 Exemptions

A development shall be exempted from the requirements of this section if the development qualifies under the following exemptions. In section 4.02.07, in no instances shall any development be exempt from section 3.04.04 "Obstruction of Drainageways," and section 3.04.05 "Erosion and Sedimentation Control."

3.04.04 Obstruction of Drainageways

To the extent practicable, all development shall conform to the natural contours of the land with natural or man-made drainageways left unobstructed. The obstruction of natural or man-made drainage ways is strictly prohibited.

3.04.05 Erosion and Sedimentation Control

A. All development shall provide for erosion and sedimentation control as follows:

1. Single Family Dwelling and Duplex Development

a. Any overall site regulated by the SWPPP(Stormwater Pollution Prevention Plan), shall maintain erosion control measures so as to prevent sediment or debris from leaving the development parcel. Any sediment or debris that leaves the development site shall be properly recovered by the building permit holder.

Failure to comply with this requirement shall constitute a violation of this ordinance and shall be cause for suspension of a building permit or development order and code enforcement action.

2. For lots or parcels located along wetlands, waterbodies or adjacent to the Shoreline Protection Zone. Siltation and erosion control measures shall be applied to stabilize soils and other un-vegetated areas during and after development. For lots or parcels that are cleared, erosion control barriers shall be placed between the development site and the water body to prevent erosion and siltation. Such measures must be in the form of two rows of silt fencing with hay bales between, two rows of hay bales with silt fencing between, or filter sock. Alternatively, the developer may propose a method for controlling sediment that effectively prevents all sediment from entering the water body.

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3. During construction, storm drainage inlets shall be protected by hay bales, sod screens, or temporary structures or other means to prevent sedimentation.
4. **Stockpiles during construction** All soil stockpiles shall be protected against dust and erosion.
 - a. **Shall be protected against dust and erosion and shall be located to not to obstruct natural drainage patterns.**
 - b. **Shall not be greater than 20-feet height at its peak.**
 - c. **Shall not exceed a 2:1 slope.**
 - d. **Install silt fence or other stockpile protections to ensure the stockpile is contained.**
 - e. **Temporary seeding of stockpiles shall be completed within 15 days of the formation of the stockpile, in accordance with FDEP Requirements.**
5. At all times during and after development, cleared areas shall be stabilized. Final stabilization measures shall be in place within fourteen (14) days of final grading.
6. All control measures shall comply with the management practices contained in the Florida Department of Environmental Protection's "Erosion & Sediment Control Designer and Reviewers Manual" latest edition.
7. **Wherever traffic will be leaving a construction site and moving directly onto a public road or other paved area, construction development shall maintain erosion control measures so as to prevent sediment or debris from leaving the development parcel through the use of soil tracking prevention device. Any sediment or debris that leaves the development site shall be properly recovered by the building permit holder.**
8. **Construction sites are to minimize the extent of the area exposed at one time, the disturbance of steep slopes, and the duration of exposure during construction. This includes avoiding clearing, grubbing, and grading the entirety of the site at once. The permittee shall submit a phased construction schedule prior to the start of construction which includes the description of construction techniques, sequencing, and equipment. Please refer to Subsection 11.1.2 of ERP Applicant's Handbook Volume I and Part 3 of Section E of the ERP Application Form 62-330.060(1) for more information.**

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B. For any development which required a development order, a Stormwater Pollution Prevention Plan (SWPPP) must be included with the plans. The SWPPP submittal requirements includes note sheet, standard details and specific erosion control plan. The SWPPP must be in compliance with State and Federal Requirements and this Code.

C. Erosion and sediment control Best Management Practices (BMP's) shall be used as necessary during construction to retain sediment on-site and assure that any discharges from the site do not cause or contribute to a violation of state water quality standards. These management practices must be designed according to specific site conditions and shall be shown or clearly referenced in the construction plans for the development. At a minimum, the erosion and sediment control requirements described shall be followed during construction of the project. Additional measures may be required to protect wetlands and wetland buffers or prevent off-site flooding. In addition, sediment accumulation in the stormwater system from construction activities must be removed prior to final certification of the system to ensure that the designed and permitted storage volume is available.

D. Engineers must furnish contractors the information pertaining to the implementation, operation, and maintenance of the erosion and sediment control plan. However, it is ultimately the Contractor's responsibility to manage all sediment and erosion control measures as required by regulatory agencies.

E. Stormwater Pollution Prevention Plan (SWPPP) note sheet and erosion control plan shall be submitted with each application for construction plan submittal (subdivisions, site plans, single/multi-family construction and land clearing activities). The approved ERP permit will be submitted when obtained and prior to construction.

F. No clearing, grading, excavating, filling, or other disturbance of the natural terrain shall occur until erosion and sedimentation control measures have been installed, except those operations needed to implement these measures. All erosion and sedimentation control measures shall be maintained throughout the length of construction activity. The overall approved SWPPP will cover all individual lots with a subdivision for which the SWPPP was approved. This does not relieve the developer/builder from protecting the stormwater pond and conveyance system from sediments or remediation of those stormwater facilities at the completion or prior to acceptance by Santa Rosa County. The ERP/SWPPP permit must be transferred if there is a change of ownership per Florida Statutes such as a change of ownership from a developer to a builder.

G. The Contractor shall provide the County Engineer a copy of the NPDES permit prior to commencing construction activities as required by FDEP's NPDES program.

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3.05.00 COASTAL MANAGEMENT/CONSERVATION

3.05.01 Purpose

The purpose of this section is to provide regulations, standards and devices necessary to protect coastal resources, mitigate negative impacts upon natural resources, protect lives and property, enhance property values, and provide for the health, safety and welfare of the citizens of Santa Rosa County.

3.05.02 Coastal Development/Shoreline Protection

A. The following areas along the Gulf of Mexico and Santa Rosa Sound shall be considered within Shoreline Protection Zone-1:

- 1.** The water-ward line shall run east-west along the line of mean high water.
- 2.** The landward line shall run east / west at a location coterminous with the crest of the primary dune system extending along the Gulf-fronting shoreline of the Navarre Beach Planning Area. However, in no case shall any prohibitions apply landward of the Coastal Construction Control Line nor to any structure or activity permitted under F.S. 161.053 (5).
- 3.** For sound-side properties the shoreline protection zone shall be the mean high tide line of Santa Rosa Sound.
- 4.** These setback requirements do not apply to man-made canals.

B. Zone-2 is the Shoreline Protection Zone on the north shore of Santa Rosa Sound, Escambia Bay, Blackwater Bay, East Bay and the basins and bayous and shall be measured from the mean high water line to a point five (5) feet landward of the mean high water line.

- 1.** These setback requirements do not apply to man-made canals.

C. Prohibitions – The following activities, unless specifically excepted, shall be prohibited within the shoreline protection zone:

- 1.** Construction of buildings and structures, except for permitted minor structures;
- 2.** Planting of new vegetation except for native, salt-resistant species suitable for beach and dune or area stabilization.

D. Shoreline Enhancement – All persons constructing elevated boardwalks on property located in the shoreline protection zone shall include in their plans, provisions to enhance and re-vegetate the dune system on their property.

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3.05.03 Design Standards in Areas Adjacent to Shoreline Protection Zone

- A.** All development shall be setback greater than or equal to fifty (50) feet from the landward boundary of the Shoreline Protection Zone in Zone-1 and forty-five (45) feet from the landward boundary of the Shoreline Protection Zone in Zone-2.
- B.** Total impervious surface, including but not limited to buildings, houses, parking lots, garages, accessory buildings, driveways, pools and walkways is limited to 75 percent of the land area of the entire site.
- C.** Any channels constructed shall be of a minimum depth and width capable of achieving the intended purposes. Sides of channels shall reflect an equilibrium shape to prevent slumping and erosion and to allow re-vegetation.
- D.** Any dredging shall be conducted at times of minimum biological activity to avoid fish migration and spawning, and other cycles and activities of wildlife.
- E.** Any spoil that results from dredging shall be disposed of at upland sites and stabilized within thirty (30) days, unless the spoil is causing turbidity or other problems, in which case the developer must stabilize the spoil immediately.
- F.** If dredging changes the littoral drift processes and causes adjacent shores to erode, the developer shall periodically replenish these shores with the appropriate quantity and quality of aggregate (sand).
- G.** Property owners are encouraged to utilize vegetation to control erosion and sedimentation whenever possible. Naturally-occurring vegetation, when it provides erosion and sedimentation control, is preferred. Native species that are appropriate for the particular location are encouraged for landscaped areas. Vegetation alone should be not relied upon to control erosion and sedimentation during construction and must be supplemented with protective barriers are necessary to accomplish the goal of retaining all soil on the development site.
- H.** Red clay and other discoloring materials are prohibited on Navarre Beach, consistent with section 3.05.06. White sand, oyster shell, limestone, crushed concrete and white dolomite are among materials approved for fill or masonry mixes for new development or redevelopment projects on Navarre Beach.
- I.** Erosion Control requirements in Section 3.04.09.A.2.
- J.** Stormwater Management requirements in Section 3.04.06.B

3.05.04 Scope

The scope of this section shall apply to the following types of development within the Shoreline Protection Zone, areas adjacent to the Shoreline Protection Zone, Navarre Beach, flood plain or flood prone areas as defined in Chapter, and any other shoreline

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or coastal areas of Santa Rosa County when topographic and/or elevation data require enhanced protection through regulation of development.

- A.** New development of, and improvements to, major and minor structures.
 - 1.** Major structure includes, but is not limited to, residential buildings including mobile homes, commercial, institutional, industrial and other construction having the potential for substantial impact on coastal and shoreline zones.
 - 2.** Minor structure includes, but is not limited to, pile-supported, elevated dune and beach walkover structures; seawalls/bulkheads; beach access ramps and walk ways; stairways; lifeguard support stands and sand fences. It shall be a characteristic of minor structures that they are considered to be expendable under design wind, and wave and storm forces.
 - 3.** Non-habitable major structure includes, but is not limited to, swimming pools; seawalls/bulkheads; parking garages; pipelines; piers; canals, lakes, ditches, drainage structures and other water retention structures; water and sewage treatment plans; electrical power plants, transmission and distribution lines, transformer pads, vaults and substations; roads, bridges, streets and highways; underground storage tanks; communications buildings and towers; flagpoles and signs over fifteen (15) feet in height.
- B.** Development which will change or alter the character of the shoreline (e.g., excavation, grading, paving). These regulations do not apply to minor work in the nature of normal beach cleaning or debris removal.
- C.** For structures that are partially located in the Coastal Building Zone, Shoreline Protection Zone, or areas immediately adjacent to the Shoreline Protection Zone, the requirements of this section shall apply to the entire structure.
- D.** Structures or development extending seaward of the mean high water line which are regulated by Florida Statutes Section 166.041 (i.e., groins, jetties, moles, breakwaters, seawalls, revetments, beach nourishment, inlet dredging, etc.), are exempt from the provisions of this section. In addition, this section does not apply to piers, pipelines or outfalls which are regulated pursuant to the provisions of Florida Statutes Section 161.053.
- E.** The requirements of this section shall not apply to existing structures, structures under construction, or structures for which a valid building permit was issued prior to adoption of this ordinance.

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3.05.05 Public Access

Where the public has established an accessway through private lands to lands seaward of mean high tide or waterline by prescription, prescriptive easement, or any other legal means, development or construction shall not interfere with such right of access unless a comparable alternative accessway is provided. The developer or applicant shall have the right to improve, consolidate, or relocate such public accessways so long as they are:

- A.** Of substantially similar quality and convenient to the public.
- B.** Approved by the Board of County Commissioners.
- C.** Consistent with the Comprehensive Plan.

3.05.06 Sand and Water Protection

- A.** Purpose – The purpose of this section is to prohibit and/or regulate the use of clays, sand clay mixtures, discoloring soils or any other materials subject to wind and water transport that can be potentially discoloring to the natural white sands of Navarre Beach and to the waters within or adjacent to Navarre Beach. Although specific types of construction are referenced in this section, the provisions of this section apply to all types of construction or development.
- B.** Approved Material – White sand, oyster shell, lime stone, crushed concrete which is as light as or lighter than the existing soil, and white dolomite which does not contain any clay or discoloring material must be used in the Navarre Beach Planning Area and may be used any place within the County.
- C.** Protected Areas – It shall be unlawful to use any material for fill that is not approved as described in Section 3.05.06.B for any activities in the Navarre Beach planning (administrative) area on Santa Rosa Island.
- D.** Approval Required – All applicants shall obtain approval from the Navarre Beach Executive Director for any fill activity when the activity requires the use of any material not included in Section 3.05.06.B. NOTE: It is expressly understood that use of any discoloring material will be strictly regulated, and any applicant for use of special purpose materials must demonstrate to the satisfaction of the Administrative Board and the Executive Director that the containment safeguards for such material will assure 100% containment of the material. The burden of proof shall be on the applicant.
- E.** Special Purpose Materials – If approved pursuant to Section 3.05.06.D, masonry sand and other similar colored construction material shall be contained on all sides and covered in such a way as to prevent scattering by wind or other weather conditions that may discolor public or other private property. It shall be the responsibility of the permitted party to remove, clean and restore any discolored public or private property to its original condition after the use of such construction material. All such unused material shall be removed from premises.

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F. Reconstruction/Redevelopment – Use of Site Previously Developed: At such time as reconstruction, redevelopment or use of site where materials and/or soils previously were used but are prohibited pursuant to this Ordinance, the non-conforming (discoloring) materials/soils shall be immediately removed from the site using safeguards to prevent discoloring the natural sand at the site and adjacent properties.

3.05.07 Marine Turtle Protection Lighting Ordinance

A. Purpose – The Santa Rosa County Board of County Commissioners finds that Navarre Beach serves as a nesting habitat for endangered and threatened sea turtles. Improper lighting along the shoreline can negatively impact sea turtle nesting activity and cause disorientation of turtle hatchlings. The purpose of the Marine Turtle Protection Lighting Ordinance is to protect the threatened and endangered sea turtles that nest along Navarre Beach by safeguarding nesting turtles and emerging hatchlings from sources of artificial light along the shoreline. This ordinance is intended to reduce and where possible eliminate the impact of nearshore lighting on nesting turtles from existing structures and facilities and future development along Navarre Beach during the turtle nesting season, which extends from May 1 to October 31 each year.

For purposes of this section, “shoreline zone” shall include all areas North and South of Gulf Boulevard including White Sands Boulevard extending from the Gulf Islands National Seashore boundary eastward to include the Navarre Beach Marine Park. Lighting located within the shoreline shall comply with all provisions of this section.

In implementing this section, the county will adhere to state and federal guidelines for the protection of sea turtles.

B. General Requirements – All outdoor lighting shall be installed in such a manner and be shielded so that the light will not be visible from the any portion of the beach where sea turtles are likely to nest. In general, artificial light shall be installed or modified such that the light will fall, substantially, within the perimeter of the property and prevent upward glow of light pollution through the use of shielding, limiting light intensity or wattage, or selection of lighting designs or locations that are not visible from the beach. Lighting shall be reduced to the greatest extent possible without unduly jeopardizing public safety or security of property or persons.

C. New Development – For new development within the shoreline zone, construction and building and electrical plans for construction of single-family or multifamily dwellings, commercial or other structures including electrical plans associated with parking lots, dune walkovers or other outdoor lighting for real property including any light sources or any reflective surfaces illuminated by such

3. Floodplain Management and Resource Protection

sources that will be visible from the beach, such lighting shall be in compliance with the following:

1. Outdoor lighting shall be held to the minimum necessary for security and safety. Floodlights and landscape or accent lighting shall be prohibited.
2. All lighting including wall-mounted fixtures, pole lighting, lights on balconies, and any other type of lighting not specifically referenced by this section, shall be of low intensity and shall be fitted with hoods or positioned so that the light sources or any reflective surfaces illuminated by such sources are not visible from the beach. Whenever possible install long wavelength LED lamps producing amber or red light.
3. Low profile luminaries shall be used in parking lots and such lighting shall be fitted with hoods or positioned so that the light sources or any reflective surfaces illuminated by such sources are not visible from the beach.
4. Dune crosswalks shall utilize low profile shielded luminaries directed and positioned so that light sources or any reflective surfaces illuminated by such sources are not visible from the beach. Dune crossover lighting shall be limited to the area landward of the primary dune. Compliance with this provision is assured if mushroom-type light fixtures, which direct the light downward are used and installed (a) at least twenty-five (25) feet apart and not more than one (1) foot above the surface of the walkover; and (b) limited to twenty-five-watt amber or red light.
5. If high intensity lighting is necessary, LED luminaries shall be used and fitted with a hood or positioned so that the light sources or any reflective surfaces illuminated by such sources shall not be visible from the beach.
6. Plates of tinted glass are required for windows that are visible from the beach. The tinted glass shall be any window or glazing that has an industry-approved light transmittance value of 45 percent or less. Such transmittance shall be limited to the visible spectrum (400 to 700 nanometers) and shall be measured as the percentage of light that is transmitted through the glass, inside to outside.
7. Temporary security lights at construction sites shall not be mounted more than 15 feet above the ground. Light sources or any reflective surfaces illuminated by such sources shall not be visible from the beach.

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D. Existing Development – For existing development existing structures with any light sources or reflective surfaces illuminated by such sources that are visible from the beach, shall be in compliance with the following:

- 1.** All lights shall be turned off after 9:00 p.m. between May 1 and October 31, of each year, or fitted with a hood or positioned so that the light sources or any reflective surfaces illuminated by such sources are not visible from the beach.
- 2.** Lights illuminating dune crosswalks shall be turned off after 9:00 p.m. between May 1 and October 31, of each year, and must be modified to conform to the requirements for new development in accordance with section 3.05.07.C.4 of this section.
- 3.** Existing security and emergency exit lighting shall meet the same requirements stated in this section, unless modification of the emergency lighting is demonstrated by the property owner to create an unreasonable risk to public safety, persons or property. If high intensity lighting is necessary, LED luminaries shall be used and fitted with a hood or positioned so that the light sources or any reflective surfaces illuminated by such sources are not visible from the beach.
- 4.** Where interior lights currently illuminate or are visible on the beach, at least one of the following measures shall be taken to reduce or eliminate the negative effects of interior light emanating from doors or windows within line of sight of the beach,:
 - a.** In windows facing and/or visible from the beach, tinted window treatments are required so that indoor lights do not illuminate or are not visible from the beach. The tinted glass shall be any window or glazing that has an industry-approved light transmittance value of 45 percent or less. Such transmittance shall be limited to the visible spectrum (400 to 700 nanometers) and shall be measured as the percentage of light that is transmitted through the glass, inside to outside.
 - b.** Rearrange lamps and other movable fixtures away from windows.
 - c.** Use window treatments, including but not limited to blinds and curtains, to shield interior lights from the beach.
 - d.** Turn off unnecessary lights after 9:00 p.m. between May 1 and October 31.

E. Publicly-Owned Lighting – All publicly owned lighting that is visible from the beach or that illuminates reflective surfaces that are visible from the beach, shall be turned off after 9:00 p.m. between May 1 and October 31, of each year,

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or shall be fitted with a hood or positioned so that the light sources or any reflective surfaces illuminated by such sources are not visible from the beach. For public parking areas, low intensity lighting shall be used in parking areas within line-of-sight of the shoreline. Parking area lighting and any roadway lighting shall be shielded from the shoreline through the use of ground-level barriers or fitted with a hood or positioned so that the light sources or any reflective surfaces illuminated by such sources are not visible from the beach. Ground-level barriers shall not interfere with marine turtle nesting or hatchling emergence.

F. Penalties – Violation of the provisions of this section or failure to comply with any of its requirements shall constitute violation of the Santa Rosa County Land Development Code and is subject to fines and enforcement in accordance with Santa enforcement procedures contained therein.

G. Variance – After written notification to and consultation with appropriate state and federal agencies, the County may grant a variance from any of the provisions or requirements of this section if affirmative findings, supported by the record and reviewed and approved by the appropriate state and Federal agencies, can be made that:

1. The minimum lighting adequate for the intended purpose is used;
2. There are special circumstances relating to the property or use that specifically and directly prevent compliance with the provisions in this section and the property owner has demonstrated to the satisfaction of the County and the appropriate state and Federal agencies that there are no viable alternatives to the variance; and
3. Granting of the request would not negatively impact any adjoining property, or sea turtle nesting or hatchling success or any threatened or endangered species.

3.06.00 RESOURCE PROTECTION

3.06.01 Generally

The provisions in Section 3.06.00 apply to resource protection within all of Santa Rosa County. These provisions are concerned with cultural and historical resources, natural resources, air quality, and environmentally sensitive lands. There are also standards regulating environmental nuisances.

3.06.02 Conservation of Cultural/Historical Resources

This section is intended to provide protection for cultural, historic or archeological resources which may exist within Santa Rosa County. The intent of this section is to require protection of such resources.

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- A.** Protected Sites – All historic/archeological sites listed on the Florida Master Site File (in the Office of Secretary of State, Division of Historical Resources, State of Florida) are covered by the regulations herein. In addition, any historical or archeological artifacts discovered during any phase of construction shall be deemed covered by these regulations until such time as the artifact has been protected or proven insignificant.
- B.** Determination of Significance – The determination of the significance of any artifact or historical or archeological evidence found on any construction site or on any site listed on the Florida Master Site File shall be made by those persons, firms or corporations approved to make such determination by the Office of Secretary of State, Division of Historical Resources.
- C.** Cessation of Activities
- 1.** Any time historical or archeological artifacts or resources are discovered during the process of construction or development activities, such activities impacting the artifact or resource shall be immediately ceased until such time as determination of significance has been rendered. If the location of the artifact or resource is such that the area can be protected while construction or development activities go on elsewhere on the site, such protection shall be allowed. However, if the location or nature of the artifact or resource is such that any site disturbing activities would impact the artifact or resource then activities on the entire site shall cease.
 - 2.** In the event that the cessation of development or construction activities goes beyond the time limits established by development orders, certificates of development, building permits or any other permits issued pursuant to this ordinance, then the time frame for completion of such activities shall be administratively extended so as to allow the successful completion of the construction or development project.

3.06.03 Natural Resources Protection

Any time any application for development approval is submitted and construction pursuant to such application would impact habitats of endangered, threatened or rare species of animals or plants, outstanding Florida waters, aquatic preserves, air quality, fisheries, fishery habitats or significant ground water recharge areas such issuance of a development permit by the County does not in any way create any rights on part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of permit if the applicant fails to obtain requisite approvals or obligations imposed by a state or federal agency.

Santa Rosa County Land Development Code recognizes the continued coordination with state and federal initiatives and plans for wetland, coastal, emergency and wildlife

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resiliency along with the RESTORE Plan and grant opportunities available for natural resource protection.

3.06.04 Area of Water Resources Concern

Any time an area of water resources concern is declared by the Northwest Florida Water Management District, development must comply with the relevant portions of Section 40A-2.801, et. seq. of the Florida Administrative Code. Section 40A-2.801, et. seq. of the Florida Administrative Code is incorporated herein by reference.

3.06.05 Mitigation

Any proposed development which would negatively impact the natural function of any shoreline, bayou or any beach or dune system or any natural resource listed in Section 3.06.03 above, shall be required to mitigate such impact, if project approval is obtained. Mitigation will be allowed only when property cannot be otherwise developed. Mitigation will be accomplished at a ratio of 1.5 to 1.

A. Determining Acceptable Mitigation – The County Planning and Zoning Department and Environmental Department in cooperation with appropriate state or federal regulatory agencies will determine acceptable mitigation provisions. Such determination will be made based on mitigation proposals submitted by development applicants.

B. Dune Restoration – Any time proposed construction would alter Gulf beaches or dunes (dunes equal to or exceeding fourteen (14) feet NGVD) the application for said construction must include an implementable plan for restoration of the altered beaches or dunes. Said restoration must occur before the proposed construction is allowed to be used or occupied. In the event that restoration cannot be reasonably accomplished prior to the issuance of a Certificate of Occupancy for the structure, then the applicant shall post bonds or other surety to assure dune or beach restoration.

3.06.06 Air Quality

A. Purpose – The purpose of this section is to continually protect the quality of air in Santa Rosa County by regulating, or requiring compliance with the regulations, governing land uses and/or activities which have, or may have point source emissions.

B. Permits Required – Any development or land use activity including, but not limited to, industrial and manufacturing activities, incineration and other activities which create or discharge emissions into the air shall be required to obtain all requisite state and/or federal permits for such activity.

C. Continuing Obligation – All existing and future activities discharging emissions into the air have a continuing obligation to obtain and abide by all state and federal permits regarding treatment of emissions. In the event information comes available to any County Official, such official shall notify the County Code

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Enforcement Department. The Code Enforcement Department shall immediately notify the operator of the facility which is believed to be degrading air quality within the County and notify the appropriate regulatory agency of the alleged violation.

3.06.07 Environmentally Sensitive Lands

Certain properties within Santa Rosa County contain features which are environmentally sensitive. It is the intent of this ordinance that degradation of environmentally sensitive lands or features be avoided to the maximum extent possible. For the purposes of this ordinance, environmentally sensitive lands or features are defined as follows:

- A.** Aquatic preserves including the Yellow River Marsh Aquatic Preserve and the Escambia River Management Area.
- B.** Outstanding Florida waters.
- C.** Habitats of threatened or endangered species as defined by the Florida Game and Freshwater Fish Commission or other state or federal agencies.
- D.** Fishery and marine habitats.
- E.** Flood plain areas.
- F.** Potable water wells, cones of influence and potable water well fields.
- G.** Area containing endangered, unique plants or vegetation.
- H.** Protection Required – Pursuant to Section 3.04.08.D and 4.02.07.G, the County Engineer, Planning Director, or Environmental Director may require additional information regarding protection of any of the resources listed in Section 3.06.07 above. The County Engineer, Planning Director, or Environmental Director may require applicants to obtain certifications from appropriate regulatory agencies, recognized scientific experts, or other similar documentation prior to approving site plans impacting environmentally sensitive lands or features. Nothing in this section shall preclude the County from obtaining independent verification of documentation.
- I.** Potable Water Wells and Well Fields – Within the wellhead protection zones, the following activities are prohibited:
 - 1.** Land Clearing Debris, Construction and Demolition Debris (C&D) /Class 1 & 3 solid waste, landfills, resource extraction activities and the like;
 - 2.** Underground fuel storage facilities; however, replacement of an existing underground storage tank system regulated under Chapter 62-761, F.A.C., within the same excavation, is exempt from this provision, provided that the replacement underground storage tank system is

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installed with secondary containment as required in Chapter 62-761, F.A.C.

3. Projects with impervious cover of 50% or more;
4. The bulk storage, handling or processing of materials listed as Hazardous and Extremely Hazardous on Table 302.4 of 40 CFR and Appendix A to 40 CFR part 355 respectively; however, the replacement of an underground or above ground storage tank system regulated under Chapters 62-761 and 62-762, F.A.C. is exempt from this provision provided that the replacement tank system is installed with secondary containment and other applicable provisions of Chapters 62-761 and 62-762, F.A.C.;
5. Projects that require the storage, use, handling, production or transportation of restricted substances such as toxic chemicals, petroleum products, hazardous / toxic wastes, industrial chemicals, medical wastes and the like; (this section is not intended to prohibit the transportation of hazardous materials through the wellhead protection zones);
6. Wastewater treatment plants, wastewater effluent percolation ponds and similar facilities;
7. Mines or mining activities; and
8. Excavation of waterways or drainage facilities, such as wet stormwater ponds, which intersect the water table.
9. Wellhead protection zones of 500' radius are established for public supply potable water wells for the Floridian Aquifer and Sand and Gravel Aquifer, measured from the center of the wellhead.

Additional aquifer protection in the form of a wellfield protection overlay district is found in Section 7.04.00 of this code.

Each plan for development approval shall be reviewed to determine that construction pursuant to the plan, if approved, will not degrade or impact any potable water well, well field or cone of influence.

3.06.08 Standards Regulating Environmental Nuisances

- A. Air Pollutants – Every use shall be operated to limit the emission into the air of dust, except as may be specifically authorized pursuant to an applicable state or federal permit. In the case of a construction site, all construction activities on the site shall be conducted in accordance with appropriate dust control and reasonable precautions shall be taken to ensure that any dust generated on the site does not cause unhealthy, unsafe, or nuisance conditions on nearby properties. Such reasonable practices and precautions may include, but not be limited to using water trucks, restricting earthmoving activities to times

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when the wind is low, and altering work practices. If a water truck is used to control dust on dirt/graded areas only, the water truck will only drop enough water to control the dust or reach the optimum moisture content of the soil for compaction and not generate offsite runoff.

B. Fire and Explosive Hazards – All operations, activities and uses shall be conducted so as to comply with the performance standards governing fire and explosion hazards prescribed below. Such uses shall comply with the rules and regulations of the National Fire Code published by the National Fire Protection Association as well as Chapter 69A, "Rules of the Marshal," and Chapter 62, "Open Burning", Florida Administrative Code.

1. Detonatable Materials shall include, but not be limited to, all primary explosives, such as lead, azine, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMS, PETN, and picric acid; propellants and components therefore, such as dry nitrocellulose, black powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds, such as acidtylides, tetraoles, and ozonides, unstable oxidizing agents, such as perchloric acid, perchlorates and hydrogen peroxide in concentration greater than 35% and nuclear fuels, fissionable materials and products and reactor elements, such as Uranium 235 and Plutonium 239.

2. Fire Hazard Solids:

a. Light Industrial District "M-1" (or more restrictive district). The storage or utilization of solid materials which are active to intense burning shall be within spaces having fire resistive construction of no less than two hours and protected with an automatic fire extinguishing system. However, such storage or utilization is not permitted unless approved by the Building Official after consultation and approval of the Fire Department, based on standards incorporated herein specifically or by reference.

b. General Industrial District "M-2": In the "M-2" district the storage, utilization or manufacture of solid materials which are active to intense burning shall be conducted within the walls having a fire resistance no less than two hours or protected by an automatic fire extinguishing system or the building wall shall be no less than 25 feet from all lot lines. The outdoor storage of such materials shall be permitted no closer than 40 feet from all lot lines. However, such activity is not permitted unless approved by the Building Official after consultation and approval of the Fire Department based on standards incorporated herein in specifically or by reference.

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c. No open burning shall be conducted at debris disposal facilities without prior approval from the state enforcement agencies (Department of Environmental Protection and/or Division of Forestry) and the County.

3. Fire Hazard Liquids and Gases:

a. The total storage capacity of flammable liquids and gases shall be restricted to capacity expressly permitted by the Building Official after consultation with the Fire Department based on standards incorporated herein specifically or by reference.

b. All bulk fuel must meet the requirements of the Florida Fire Prevention Code. The exception will be for bulk processing facilities, which is governed by land use.

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4. Design and Development Standards

Chapter 4. Design and Development Standards

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4.01.00 GENERALLY

Chapter 4 contains the site design and development standards for all development within the County. The provisions set forth in this chapter apply to all development within the County.

4.02.00 DESIGN STANDARDS

4.02.01 Generally

- A. The purpose of this chapter is to provide site design and development standards applicable to both public and private development.
- B. The principal building on any lot or parcel of land shall be erected within the area bound by the required setbacks. Accessory buildings shall be subject to front and side setbacks established for the principal building but may be located in required rear yards subject to limitations established in this LDC.

4. Design and Development Standards

C. The minimum setbacks and other open spaces required in this LDC shall apply to each and every building existing at the time of the adoption of this LDC and to any building hereafter erected, or altered, unless exempted by Section 9.02.00 and except as authorized pursuant to the LDC.

D. All newly established or non-grandfathered, permanent uses in any Commercial or Industrial district involving human occupancy secured or protected from the elements in a structure must be secured or protected within a building integrally attached to a permanent, supporting structural foundation, which building is incapable of being moved without specialized heavy equipment and professional expertise, and which building and foundation meet the requirements of the latest version of the Florida Building Code, including but not limited to, general design, wind load and exposure category requirements for structures located within the Wind-borne Debris Region.

E. A structure originally designed to be mobile may not be altered (by removal of tongue, axel, wheels or all such features and subsequent anchoring to permanent foundation) to become a building intended to contain a permanent use involving human occupancy.

4.02.02 Scenic Corridor Design Requirements

Scenic Corridor design and performance standards are established throughout this LDC, including but not limited to the following provisions:

A. In the HCD zoning district or an non-residential development requiring site plan approval, standing seam, or ribbed metal siding facade is not permitted on any side of a structure that is parallel to or is less than a 90 degree angle to any roadway listed below unless it is part of national branding or up to twenty five (25) %. This requirement does not apply to development within the Rural Protection Zone as identified in the 2007 Rural Development Plan and as subsequently revised.

Table 4.02.02.A Scenic Corridors

Roadway Name	State or County
Interstate 10 (State Road 8)	State – Interstate
US Hwy 90 (State Road 10)	State
US Hwy 98 (State Road 30)	State

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<i>Roadway Name</i>	<i>State or County</i>
State Road 87 North	State
State Road 87 South	State
State Road 4	State
State Road 89	State
State Road 89 North	State
State Road 281	State
CR 399 Navarre Beach Causeway and Bridge	County
CR 399 (Gulf Blvd.)	County
CR 399 (East Bay Blvd.)	County
CR 89 (Ward Basin Rd.)	County
CR 184 (Hickory Hammock Rd.)	County
CR 184 (Quintette Rd.)	County
CR 184A (Berryhill Rd.)	County
CR 191 (Munson Hwy.)	County
CR 191 (Garcon Point Rd.)	County
CR 191 Willard Norris Rd.)	County
CR 191B/281B (Sterling Way/Cyanamid Rd.)	County

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<i>Roadway Name</i>	<i>State or County</i>
CR 197 (Chumuckla Hwy)	County
CR 197 (Floridatown Rd.)	County
CR 197A (Woodbine Rd.)	County
CR 197A (Bell Ln.)	County
CR 182 (Allentown Rd./School Rd.)	County
CR 191A (Old Bagdad Hwy.)	County
CR 191A (Oriole Beach Rd.)	County
CR 191B (Soundside Dr.)	County
East Spencerfield Rd.	County
CR 197B (West Spencerfield Rd.)	County
Pine Blossom Rd.	County
Glover Ln.	County
CR 191A (Mulat Rd.)	County
Hamilton Bridge Rd.	County

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4.02.03 Performance Standards for Zoning Districts

The performance standards set forth in this section apply to all zoning districts unless otherwise stated.

A. Existing Residential Lots

1. All lots ~~four (4) acres or less~~ must provide a ~~an engineered~~ drainage plan (to scale) pursuant to Section 4.04.00 prior to (or concurrent) with building permit or land clearing submittal application, ~~unless otherwise exempt the engineered drainage plans shall comply with the Stormwater Requirements in section 4.04.00.~~

B. Noise

Every use shall be so operated as to comply with the Santa Rosa County Code of Ordinances, Section 14; "Nuisance Noise".

C. Vibration

Every use shall be so operated that ground vibration inherently and recurrently generated is not perceptible, without instruments at any point on the property line of the property on which the use is located. This shall not apply to onsite installation of infrastructure related to an approved Development Order or Site Plan.

D. Glare

No operation or activity shall be conducted so as to cause or create glare in excess of the amounts permitted below:

1. All Commercial and Manufacturing Districts: Any operation or activity producing glare shall be conducted so that direct or indirect light from the source shall not cause illumination in excess of 0.5 foot candles when measured in a residential district.
2. Lighting shall be installed so as not to shine directly onto adjacent residentially zoned property, residences located in agricultural districts, or onto rights-of-way from non-residential uses to include commercial and multi-family developments.

E. Exterior Lighting

Exterior lighting in and around buildings and in parking lots is permitted in all districts. Lighting is to be located for safety and visual effect. It shall be installed so as not to shine directly on adjacent property, or on to rights-of-way. Lighting shall avoid annoyance from brightness and glare.

1. Exterior lighting in and around buildings and in parking lots is permitted in all districts. Lighting is to be located for safety and visual effect. In addition to the requirements contained in Section 4.02.03.E lighting shall be installed so as not to shine directly onto adjacent residentially zoned property, residences located in agricultural districts, or onto rights-of-way from non-residential uses to include commercial and

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multi-family developments.

2. Where it is determined by the Planning and Zoning Department that it is not technically feasible by redesign, shielding, or other method to completely prevent necessary lighting from shining directly onto adjacent residential property or rights-of-way, provisions shall be made to minimize said light to the extent technically feasible.

3. This section is not intended to regulate lighting between residences within residential districts.

F. Access

All new development and redevelopment shall comply with the access standards in section 4.05.01.

G. Additional Standards for Residential and Agriculture Districts

1. Number of ~~buildings~~ dwelling units per lot in Single Family Residential and Agriculture Districts – In single family and agriculture districts every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one dwelling unit with ADU and ~~three (3) accessory buildings~~ on one lot except while constructing a new dwelling on said lot in which case an affidavit will be required acknowledging the old dwelling must be removed prior to permanent power or certificate of occupancy issuance or no longer than twelve (12) months after applying for initial building permit.

2. Uses and parking of recreational vehicles –The use of recreational vehicles as permanent living quarters is forbidden, except in licensed campgrounds, Agriculturally Zoned property ~~5 acres or greater~~ and in P-2 districts. Unoccupied recreational vehicles may be stored in residential districts on the same lot as the principal residential structure. RV's must be fully licensed and ready for highway use, which means the recreational vehicle is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches. In addition, recreational vehicles may be used as living quarters in accordance with the following:

a. The use of recreational vehicles (RVs) located in Rural Residential Agriculture, Estate Residential Agriculture or Agriculture-2 districts is ~~permitted on parcels of at least five (5) acres in size~~, subject to the following requirements:

i. The property owner shall provide for the lawful disposal of all waste.

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ii. Commercial use of recreational vehicles in Agriculture or ~~Agriculture-2~~ districts is prohibited. RVs or RV space may not be leased.

iii. The recreational vehicle must adhere to the setback requirements for accessory building and structures found in Section 5.02.01.D.

iv. The number of recreational vehicles per parcel shall be limited to one (1) per **parcel** ~~five (5) acres~~.

~~b. The use of recreational vehicles located in the Rural Residential Agriculture, Estate Residential Agriculture or Agriculture-2 districts is permitted as a special exception on parcels less than five (5) acres in size, subject to the requirements found in Section 5.06.02.~~

c. Conditional Use may be granted for recreation vehicles to be temporarily used as living quarters during a construction project for which a single family residential building permit has not been issued.

d. The temporary use of a recreational vehicle as living quarters while a single family residence is being constructed is permitted if a single family residential building permit has been issued. The maximum time limit is one (1) year from the date the single family residential building permit is issued.

3. Combination of Mobile Home Prohibited – No mobile home unit may be combined with or connected to another mobile home for the purpose of forming a single-family residence, unless both units are designed and manufactured for the purpose of being so combined.

4. Derelict Mobile Homes – Mobile homes placed on property with the intent of repair to a habitable state, must be repaired to a point to a point of habitability within sixty (60) days from the date of placement, issuance of correction notice, or final disposition of insurance claim.

5. Livestock

“Livestock” shall include all animals of the equine, bovine, or swine class, including goats, sheep, mules, horses, hogs, cattle, ostriches, and other grazing animals.

a. Livestock shall not be kept in any recorded subdivision located in a residentially zoned district.

b. Livestock shall not be kept on vacant property within a residentially zoned district without a primary dwelling unit or a vacant lot contiguous to a primary dwelling unit.

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c. Livestock Exceptions:

i. Horses

a) The keeping of horses shall be allowed in a recorded subdivision where restrictive covenants provide for the keeping of horses.

b) Horses may be kept in any recorded subdivision on a parcel two acres in size or greater, providing that the restrictive covenants do not prohibit the keeping of horses.

ii. Miniature Pigs – Miniature Pigs may be kept in any recorded subdivision providing that the restrictive covenants do not prohibit them and that the following restrictions are met:

a) All such miniature pigs be neutered or spayed to easily prevent behavioral and/or health problems;

b) No more than two domesticated miniature pigs may be kept or maintained in any one dwelling unit;

c) Miniature pigs can be no more than 24 inches tall;

d) Miniature pigs will be tagged and registered if/when County requires for all other pets.

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H. Refuse Collection

1. Multifamily and commercial buildings are required to have containerized solid waste collection facilities, shall have container(s) sized appropriately as to provide sufficient capacity and prevent containers from being overfilled in between collect service. Further, all containers shall be screened from adjacent properties and public ways by "effective" screening. Containerized service areas shall provide access for a front end loading refuse collection truck, which requires a thirty-five (35) foot high unobstructed access a minimum opening of twelve (12) feet.

2. Each residential complex without containerized service shall provide for each unit, one (1) 96 gallon cart and shall be screened from adjacent properties and public ways to the greatest extent practical.

3. A residential complex required to have a containerized service, shall have containers with a capacity or service frequency that will provide each dwelling unit with one (1) cubic yard of disposal per month and shall be screened from adjacent properties and public ways to the greatest extent practical.

I. Fire protection shall be provided in accordance with the following:

1. Fire Hydrants shall be provided for detached one and two family dwellings shall meet the current NFPA requirements.

2. Fire Hydrants for buildings other than detached one and two family dwellings shall meet the current NFPA requirements.

3. No Public Water Utility System:

a. Residential developments will be exempt from these requirements

b. Commercial development shall provide the necessary fire flow per the requirements set forth in NFPA 1 or the local fire district regulations (whichever is more stringent)

4.02.04 Planned Unit Development (PUD) District Standards

A. A Planned Unit Development (PUD) is a zoning district intended to provide flexible site design. The purpose and intent of establishing the PUD district art to provide procedures and standards that encourage a mixture of uses anywhere in the County that are functionally integrated and that encourage innovation and imagination in the planning, design and development or redevelopment of tracts of land under single unified ownership or control.

B. The County shall approve a PUD Master Plan only when it has determined that the applicant has demonstrated, to the satisfaction of the County, that the PUD Master Plan provides a sufficient public benefit to justify allowing the property owner to deviate from otherwise applicable minimum requirements of the LDC.

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When the Planning Director has received the application and submittals and is satisfied that the application and submittals are complete, the application shall be processed as any other zoning application in accordance with the provisions of the zoning regulations which includes public hearings, public notification and adoption by the BOCC.

C. It is the purpose of this section to permit PUD's which are intended to encourage the development of land as planned communities, encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging scenic and functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development and housing costs; and provide a stable environmental character compatible with surrounding areas.

1. Definitions see section 1.07.02
2. Development Standards for Planned Unit Developments

All terms, conditions and stipulations made at the time of approval for PUD's shall be binding upon the applicant or any successors in interest. Deviations from approved plans not approved as a minor or substantial change as set forth in this ordinance or failure to comply with any requirement, condition or safeguard shall constitute a violation of these zoning regulations.

a. Relation to Zoning Districts – An approved PUD shall be considered to be a separate zoning district in which the development plan, as approved established the restrictions and regulations according to which the development shall occur. Upon approval, the official Zoning Map will be changed to indicate the area as PUD.

b. Density – The average density permitted in each PUD shall be established by the Planning Director by examining the existing surrounding density, adequacy of existing and proposed public facilities and services and site characteristics. However, the maximum density allowed in any PUD shall be one-hundred and fifty (150) percent of the highest permitted density of any residential district, to a maximum of eighteen (18) units per acre.

i. Within the Rural Protection Zone the maximum density is one dwelling unit per acre excluding wetlands.

c. Dimensional and Bulk Regulations – The location of all proposed building sites shall be shown on the Final Development Plan.

d. Common Open Space – Common open spaces shown on a Final Development Plan shall be usable, common open space

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owned and operated by the developer or dedicated to a home-owner association or similar group.

e. Access and Parking – All streets, thoroughfares and access ways shall be paved and designed to effectively relate to the major thoroughfares of Santa Rosa County. Adequate off-street parking shall meet the off-street parking requirements as set forth in Section 4.06.02 of the LDC for similar uses unless otherwise approved. Streets shall conform to County Subdivision Ordinance Requirements.

f. Perimeter Requirements – The Zoning Board or Planning and Zoning Department may impose the requirement that structures, buildings and streets located at the perimeter of the development be effectively screened to protect the privacy of the adjacent existing uses.

g. Setbacks Along Collector or Arterial Roads – The minimum required building setback along a collector or arterial road, as described in Table 4.05.02.A shall be as follows:

i. Along a collector road, the minimum required building setback shall be twenty-five (25) feet.

ii. Along an arterial road, the minimum required building setback shall be fifty (50) feet.

If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirements will apply.

h. Building Height – No building or structure shall exceed thirty-five (35) feet in height above the lowest habitable floor elevation, exclusive of elevator shafts, air conditioning condensing units or cooling towers.

D. Permitted Uses

1. Residential units, including single-family attached and detached dwelling, two-family dwellings, group homes, and multiple-family dwellings.

2. Churches, schools, community or club buildings and similar public and semi-public facilities.

3. Non-residential uses, including commercial or retail uses, (as secondary uses serving the development only) offices, clinics and professional uses.

E. A PUD district shall be established by rezoning and simultaneous approval of a PUD Master Plan for the entire area rezoned, both according to the procedures established in Chapter 10. In order to approve a PUD Master Plan or any revision thereto the Zoning Board must determine that the following requirements are met by the applicant. **Single family residential consistent**

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with the surrounding uses does not require a PUD masterplan or rezoning.

The procedure for obtaining a change in zoning district for the purpose of undertaking a PUD shall be as follows:

The applicant shall submit to the Planning Director, an application for the PUD zoning classification and shall submit the following exhibits at the same time.

1. A statement of objectives or narrative describing the general purpose and character of the proposed development including type structures and uses. The intent of the narrative is to explain in detail everything that is proposed on the site. This includes, but is not limited to, what will be constructed, driveway access, stormwater management, utilities, setbacks, parcel layout, proposed structures, parking, roadways, landscaping, etc.. The development narrative should inform the reader of the entire proposed development.
2. A Vicinity Map showing the location of the proposed development.
3. Boundary survey and legal description of the property.
4. Provide Topographic information necessary to determine the feasibility of the site layout. At a minimum, provide the location and information of the following:
 - a. The location of existing buildings, water courses, mean high water elevations, transmission lines, sewers, bridges, water mains and any public utility easements.
 - b. Wooded areas, streams, lakes, marshes, wetlands and any other physical conditions affecting the site.
5. A Master Development Plan. The master development plan drawing should be a supplement that depicts what is in the narrative. The masterplan drawing should include everything applicable listed in the LDC checklist. A master development plan, drawn at a scale suitable for presentation, showing and/or describing the following:
 - a. The boundaries of the site.
 - b. Proposed Land Uses Including Type Structures
 - c. Surrounding land uses to include current zoning, Future Land Use and Existing Land Use.
 - d. Proposed streets and other vehicular and pedestrian circulation systems including off-street parking.
 - e. Location of open spaces – to include developed recreation common open space and natural areas.
 - f. Lot Sizes
 - g. Building Setbacks – Setbacks should include both parcel perimeter and interior lot setbacks if applicable. Proposed building

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setbacks shall be noted and shall define the distance buildings will be setback from:

- i. Surrounding property lines.
 - ii. Proposed and existing streets.
 - iii. Other proposed buildings.
 - iv. The center line of rivers, streams and canals.
 - v. The high water line of lakes.
 - vi. Other manmade or natural features
- h. Maximum height of Buildings
- i. Screening, Buffering and Landscaped Areas
- j. Location, height and material for walks, fences, walkways, and other manmade landscape features.
- 6. A table showing acreage for each category of land use.
- 7. A table of proposed maximum and average densities for residential land uses.
- 8. A Preliminary Utility Service Plan including sanitary sewers, storm drainage, and potable water supply to include but not limited to:
 - a. Existing and proposed drainage and sewer lines.
 - b. The disposition of sanitary sewer and stormwater.
 - c. The source of potable water
 - d. Solid waste management locations
 - e. Location and width of all utility easements or rights-of-way.
- 9. A statement indicating the type of legal instruments that will be created to provide for management of common areas.

F. Final Master Development Plan

If rezoning approval for the PUD is granted, the applicant shall submit either a site plan or a preliminary plat, whichever is required per the development type, in accordance with 4.03.00 or 4.02.00 prior to the expiration of the approved PUD in accordance with Section 4.02.04.I.

G. No building permit shall be issued for any portion of a proposed PUD until the final Master Development Plan has been approved.

H. Revision of a Planned Unit Development – Any proposed major and substantial change in the approved Planned Unit Development

Master Plan which affects the intent and character of the development, the density or land use pattern, the location or dimensions of arterial or collector streets, or similar substantial changes, shall be reviewed by the Zoning Board

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(ZB) in the same manner of the initial Zoning Application. A request for a revision of the Preliminary Planned Unit Development Master Plan shall be supported by a written statement and by revised plans. Minor changes, and/or deviations from the Preliminary Planned Unit Development Master Plan, which do not affect the intent or character of the development, shall be reviewed by the Planning Director.

Examples of substantial and/or minor changes are:

1. Substantial Changes
 - a. Perimeter changes;
 - b. Major street relocation;
 - c. Change in building height, density, or land use pattern.
2. Minor Changes
 - a. Change in alignment, location direction, or length of local street;
 - b. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density;
 - c. Reorientation or slight shifts in building locations.

I. Planned Unit Development Time Limitations – If substantial construction, as determined by the Planning Director, has not begun within five (5) years after approval of the PUD, the approval of the PUD will lapse. A five (5) year extension is available upon request by the by the developer or engineer of record.

The Planning Director may extend the period for beginning construction, at the request of the owner. If the PUD lapses under this provision, the Planning Director shall cause the PUD district to be removed from the official zoning map, mail a notice to the owner and reinstate the zoning district which was in effect prior to the approval of the PUD.

4.02.05 Planned Business District (PBD) Standards

A. A Planned Business District (PBD) is a zoning district intended to provide flexible site design. The purpose and intent of establishing the PBD district are to provide procedures and standards that encourage a mixture of uses anywhere in the County that are functionally integrated and that encourage innovation and imagination in the planning, design and development or redevelopment of tracts of land under single unified ownership or control.

B. A property owner has no legal right for approval of a Master Plan. Rather, the County shall approve a PBD Master Plan only when it has determined that the applicant has demonstrated, to the satisfaction of the County, that the PBD Master Plan provides a sufficient public benefit to justify allowing the property owner to deviate from otherwise applicable minimum requirements of the LDC.

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When the Planning Director has received the application and submittals, and is satisfied that the application and submittals are complete, the application shall be processed as any other zoning application in accordance with the provisions of the zoning regulations which includes public hearings, public notification and adoption by the BOCC.

C. It is the purpose of this section to permit Planned Business developments along major arterials and to encourage the development of this land with highway frontage as planned communities, and business and commercial centers; encourage flexible and creative concepts of site planning; preserve the natural amenities of the land by encouraging functional open areas; accomplish a more desirable environment that would not be possible through the strict application of the minimum requirements of these regulations; provide for an efficient use of land resulting in smaller networks of streets and utilities where access to regional systems is impractical and thereby lowering development and housing costs; and providing a stable environmental character compatible with surrounding areas; limit access on to major arterials to central locations in order to reduce safety hazards posed by unlimited or uncontrolled access.

1. Definitions see section 1.07.02

2. Development Standards for Planned Business District

All terms, conditions and stipulations made at the time of approval for Planned Business District shall be binding upon the applicant or any successors in interest. Deviations from approved plans not approved as a minor or substantial change as set forth in this ordinance or failure to comply with any requirement, condition or safeguard shall constitute a violation of these zoning regulations.

a. Relation to Zoning Districts – An approved Planned Business Development Plan shall establish the restrictions and regulations according to which the development shall occur. Upon approval, the official Zoning Map will be changed to indicate the uses in the Planned Business Development.

b. Density – The average density permitted in each Planned Business Development shall be established by the Planning Director by examination of existing surrounding density, adequacy of existing and proposed public facilities and services and site characteristics. However, the maximum density allowed in any PBD shall be one hundred and fifty (150) percent of the highest permitted density of any residential district, to a maximum of eighteen (18) units per acre.

i. Within the Rural Protection Zone the maximum density is one dwelling unit per acre excluding wetlands.

c. Dimensional and Bulk Regulations – The location of all proposed building sites shall be shown on the Final Development Plan.

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- d.** Common Open Space – At least fifteen percent (15%) of the area covered by a Final Development Plan shall be usable, common open space owned and operated by the developer or dedicated to a homeowner association or similar group. Provided, that in establishing the density per gross acre, the Planning Director may increase the percentage of common open space in order to carry out the intent and purposes as set forth in Section C hereof.
- e.** Access and Parking – All streets, thoroughfares and access ways shall be paved and designed to effectively relate to the major thoroughfares of Santa Rosa County. Adequate off-street parking shall meet the off-street parking requirements as set forth in Section 4.06.02 of the LDC for similar uses unless otherwise approved. Streets shall conform to County Subdivision Ordinance Requirements.
- f.** Perimeter Requirements –

 - i.** The Planning and Zoning Department may impose the requirement that structures, buildings and streets located at the perimeter of the development be permanently screened to protect the privacy of the adjacent existing uses.
 - ii.** Frontage streets and limited access-ways are required where proposed development would otherwise have district access to major and minor arterials to protect the health, safety and welfare of the motoring public.
- g.** Setbacks Along Collector or Arterial Roads – The minimum required building setback along a collector or arterial road, as described in Table 4.05.02.A shall be as follows:

 - i.** Along a collector road, the minimum required building setback shall be twenty-five (25) feet.
 - ii.** Along an arterial road, the minimum required building setback shall be fifty (50) feet.

If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirements will apply.
- h.** Building Height – No building or structure shall exceed fifty (50) feet in height above the required minimum finished floor elevation, exclusive of elevator shafts, air conditioning condensing units or cooling towers.
- i.** The minimum size parcel shall have a minimum frontage width of one hundred (100) feet on a major or minor arterial to be considered for Planned Business Development.

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D. Permitted Uses

1. Residential units, including single-family attached and detached dwelling, two-family dwellings, group homes, and multiple-family dwellings.
2. Churches, schools, community or club buildings and similar public and semi-public facilities.
3. Non-residential uses, including commercial or retail uses; offices, clinics and professional uses. **PBD zoning district allows HCD uses per HCD standards. R-3 zoning is allowed within the PBD zoning district per R-3 standards.**
4. Towers and Telecommunications facilities are allowed as a conditional use.

E. A PBD district shall be established by rezoning and simultaneous approval of a PBD Master Plan for the entire area rezoned, both according to the procedures established in Chapter 10. In order to approve a PBD Master Plan or any revision thereto the Zoning Board must determine that the following conditions (among others it deems appropriate) are met by the applicant.

The procedure for obtaining a change in zoning district for the purpose of undertaking a PBD shall be as follows:

The applicant shall submit to the Planning Director, an application for the PBD zoning classification and shall submit the following exhibits at the same time.

1. A statement of objectives or narrative describing the general purpose and character of the proposed development including type structures and uses. The intent of the narrative is to explain in detail everything that is proposed on the site. This includes, but is not limited to, what will be constructed, driveway access, stormwater management, utilities, set-backs, parcel layout, proposed structures, parking, roadways, landscaping, etc. The development narrative should inform the reader of the entire proposed development.
2. A Vicinity Map showing the location of the proposed development.
3. Boundary survey and legal description of the property.
4. Provide Topographical information necessary to determine the feasibility of the site layout. At a minimum, provide the location and information of the following:
 - a. The location of existing buildings, water courses, mean high water elevations, transmission lines, sewers, bridges, water mains and any public utility easements.
 - b. Wooded areas, streams, lakes, marshes, wetlands and any other physical conditions affecting the site.

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5. A Master Development Plan. The master development plan drawing should be a supplement that depicts what is in the narrative. The masterplan drawing should include everything applicable listed in the LDC checklist. A master development plan, drawn at a scale suitable for presentation, showing and/or describing the following:

- a. The boundaries of the site.
- b. Proposed Land Uses Including Type Structures

6. A table showing acreage for each category of land use.

7. A table of proposed maximum and average densities for residential land uses.

8. A Preliminary Utility Service Plan including sanitary sewers, storm drainage, and potable water supply to include, but not limited to:

- a. Existing and proposed drainage and sewer lines.
- b. The disposition of sanitary waste and stormwater.
- c. The source of potable water.
- d. Solid waste management locations.
- d. Location and width of all utility easements rights-of-way.

9. A statement indicating the type of legal instruments that will be created to provide for management of common areas.

F. Final Development Master Plan

If rezoning approval for the PBD is granted, the applicant shall submit either a site plan or a preliminary plat, whichever is required per the development type, in accordance with Chapter 4 prior to the expiration of the approved PBD in accordance with Section 4.02.04.I.

G. No building permit shall be issued for any portion of a proposed PBD until the final Development Plan has been approved.

H. Revision of a Planned Business District – Any proposed major and substantial change in the approved Planned Business Development Master Plan which affects the intent and character of the development, the density or land use pattern, the location or dimensions of arterial or collector streets, or similar substantial changes, shall be reviewed by the Planning and Zoning Department in the same manner of the initial site plan approval. A request for a revision of the Preliminary Planned Business Development Master Plan, shall be supported by a written statement and by revised plans demonstrating the reasons and revisions are necessary or desirable.

Minor changes, and/or deviations from the Planned Business Development Master Plan, which do not affect the intent or character of the development, shall be reviewed and identified by the Planning Director and approved by the same.

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Examples of substantial and/or minor changes are:

1. Substantial Changes
 - a. Perimeter changes;
 - b. Major street relocation;
 - c. Change in building height, density, or land use pattern.
2. Minor Changes
 - a. Change in alignment, location direction, or length of local street;
 - b. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density;
 - c. Reorientation or slight shifts in building locations.

I. Planned Business Development Time Limitations – If substantial construction, as determined by the Planning Director, has not begun within five (5) years after approval of the Planned Business Development, the approval of the Planned Business Development will lapse. A five (5) year extension is available upon request by the by the developer or engineer of record.

The Planning Director may extend the period for beginning construction, at the request of the owner. If the Planned Development lapses under this provision, the Planning Director shall mail a notice, of revocation to the owner.

4.02.06 Planned Industrial Development (PID) District Standards

A. This district is designed to accommodate a wide range of industrial uses while providing certainty to the public regarding permitted uses and site design. A master plan detailing the potential uses of the site, along with site design details must be approved as part of any rezoning to PID.

All subsequent development will be required to be consistent with the approved master plan.

B. A property owner has no legal right for approval of a Master Plan. Rather, the County shall approve a PID Master Plan only when it has determined that the applicant has demonstrated, to the satisfaction of the County, that the PID Master Plan provides a sufficient public benefit to justify allowing the property owner to deviate from otherwise applicable minimum requirements of the LDC.

A Master Plan must accompany rezoning applications. The PID Master Plan will be reviewed as any other site plan prior to processing the rezoning application. Staff comments related to the PID Master Plan must be addressed prior to processing the rezoning application.

All terms, conditions and stipulations made at the time of approval for Planned Industrial Development District shall be binding upon the applicant or any successors in interest. Deviations from approved plans not approved as a minor or substantial change as set forth in this ordinance or failure to comply with any

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requirement, condition or safeguard shall constitute a violation of these zoning regulations.

C. Development Standards for Planned Industrial Development

1. Lot Coverage – The maximum combined area occupied by all principle and accessory structures shall not exceed 50% of the total area. Also, the amount of impervious surface shall not exceed 75% of the lot area.
2. All development must meet the following criteria:
 - a. The site must be five (5) acres or more in size.
 - b. The operation shall not utilize ingress and egress through any recorded subdivision. Routes shall be chosen as to have the least impact on residential areas.
 - c. The Public Works Department shall review and determine if the ingress and egress routes are suitable for the vehicles and loads to be used and if there are any adverse impacts on County right-of-way or roadways.
3. All development shall provide paved ingress/egress entrances from the right-of-way to all parking and shall pave all vehicular circulation on the site to reduce the impact of noise to the surrounding community.
4. All activity within two hundred (200) feet of a residential district boundary shall be conducted within completely enclosed buildings. All storage within two hundred (200) feet of a residential district boundary may be outdoors but shall be effectively screened by a solid wall, fence or planting so that the materials shall not be visible from the residential district. This requirement shall not apply for the outside storage of aircraft.
5. Landscaped buffers shall be required consistent with Section 4.07.04
6. Setbacks Along Collector or Arterial Roads – The minimum required building setback along a collector or arterial road, as described in Table 4.05.02, shall be as follows:
 - a. Along a collector road, the minimum required building setback shall be twenty-five (25) feet.
 - b. Along an arterial road, the minimum required building setback shall be fifty (50) feet.If any other setback requirement of this Code conflicts with the above requirements, the more restrictive requirements will apply.
7. Building Height – No building or structure shall exceed fifty (50) feet in height above the required minimum finished floor elevation.

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D. Permitted Uses

1. Any use permitted in M-1 or M-2 may be allowed; however, the specific proposed use(s) must be identified on the approved master plan.
2. Any conditional use permitted in M-1 or M-2 may be allowed; however, the specific proposed use(s) must be identified on the approved master plan.

E. A PID district shall be established by rezoning and simultaneous approval of a PID Master Plan for the entire area rezoned, both according to the procedures established in Chapter 10. In order to approve a PID Master Plan or any revision thereto the Zoning Board must determine that the following conditions (among others it deems appropriate) are met by the applicant.

The procedure for obtaining a change in zoning district for the purpose of undertaking a PID shall be as follows:

The applicant shall submit to the Planning Director, ~~their~~ his/her application for the PID zoning classification and shall submit the following exhibits at the same time.

1. A statement of objectives or narrative describing the general purpose and character of the proposed development including type structures and uses. The intent of the narrative is to explain in detail everything that is proposed on the site. This includes, but is not limited to, what will be constructed, driveway access, stormwater management, utilities, set-backs, parcel layout, proposed structures, parking, roadways, landscaping, etc. The development narrative should inform the reader of the entire proposed development.
2. A Vicinity Map showing the location of the proposed development.
3. Boundary survey and legal description of the property.
4. Provide Topographical information necessary to determine the feasibility of the site layout. At a minimum, provide the location and information of the following:
 - a. The location of existing buildings, water courses, mean high water elevations, transmission lines, sewers, bridges, water mains and any public utility easements.
 - b. Wooded areas, streams, lakes, marshes, wetlands and any other physical conditions affecting the site.
5. A Master Development Plan. The master development plan drawing should be a supplement that depicts what is in the narrative. The masterplan drawing should include everything applicable listed in the LDC checklist. A master development plan, drawn at a scale suitable for presentation, showing and/or describing the following:
 - a. The boundaries of the site.

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- b.** Proposed Land Uses Including Type Structures
 - 6.** A table showing acreage for each category of land use.
 - 7.** A table of proposed maximum and average densities for residential land uses.
 - 8.** A Preliminary Utility Service Plan including sanitary sewers, storm drainage, and potable water supply to include, but not limited to:
 - a.** Existing and proposed drainage and sewer lines.
 - b.** The disposition of sanitary waste and stormwater.
 - c.** The source of potable water.
 - d.** Solid waste management locations.
 - d.** Location and width of all utility easements rights-of-way.
 - 9.** A statement indicating the type of legal instruments that will be created to provide for management of common areas.

F. Final Development Master Plan

If rezoning approval for the PID is granted, the applicant shall submit either a site plan or a preliminary plat, whichever is required per the development type, in accordance with Chapter 4 prior to the expiration of the approved PID in accordance with Section 4.02.04.I.

G. No building permit shall be issued for any portion of a proposed PID until the final Development Plan has been approved.

H. Revision of a Planned Industrial Development District – Any proposed major and substantial change in the approved Planned Industrial Development Master Plan which affects the intent and character of the development, the density or land use pattern, the location or dimensions of arterial or collector streets, or similar substantial changes, shall be reviewed by the Planning and Zoning Department in the same manner of the initial site plan approval. A request for a revision of the Preliminary Planned Industrial Development Master Plan, shall be supported by a written statement and by revised plans demonstrating the reasons and revisions are necessary or desirable.

Minor changes, and/or deviations from the Planned Industrial Development Master Plan, which do not affect the intent or character of the development, shall be reviewed and identified by the Planning Director and approved by the same.

Examples of substantial and/or minor changes are:

- 1.** Substantial Changes
 - a.** Perimeter changes;
 - b.** Major street relocation;
 - c.** Change in building height, density, or land use pattern.

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2. Minor Changes

- a. Change in alignment, location direction, or length of local street;
- b. Adjustments or minor shifts in dwelling unit mixes, not resulting in increased overall density;
- c. Reorientation or slight shifts in building locations.

I. Planned Industrial Development Time Limitations – If substantial construction, as determined by the Planning Director, has not begun five (5) years after approval of the Planned Industrial Development, the approval of the Planned Industrial Development will lapse. A five (5) year extension is available upon request by the developer or engineer of record.

The Planning Director may extend the period for beginning construction, at the request of the owner. If the Planned Development lapses under this provision, the Planning Director shall mail a notice, of revocation to the owner.

J. Site Plan Approval – Site plan review as provided in Section 4.02.07 et. seq., is required for all uses in this district.

4.02.07 Commercial and Multi-family Development Standards

A. Wherever in this ordinance site plan approval is required, the following procedures and requirements shall be followed; except where an interior use change does not result in exterior additions, provided, however, that when additional parking is required pursuant to this ordinance, as a prerequisite to any change of use, or the addition to any multiple family or commercial building or structure, site plan approval shall be required.

B. Conformance with Ordinance and Comprehensive Plan Required – Any building, structure or use shall be erected, altered, installed and/or maintained in full conformity with the provisions of this ordinance, with the site plan approved by the Planning and Zoning Department and with the Adopted Comprehensive Plan of Santa Rosa County.

C. Site Location and Character of Use - The zoning districts including bulk regulations, general provisions and the list of permitted accessory and conditional uses, the adequate provision for public services, off-street parking, landscaping, required open spaces, yards and building setbacks and conformance to performance standards shall collectively be the principal guide in determining the suitability of the location of the proposed use. However, the density or intensity of the proposed use shall be compatible with adjacent uses, and the following factors shall be considered as well:

- 1. Residential Density – The gross density (i.e. units per gross land area of site) of specific site plans and subdivisions shall be compatible with the established range of densities within the impacted area and as established by the adopted Comprehensive Plan. Densities in the higher limits of respective ranges are reserved for sites with the following

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characteristics:

- a. sites within highly accessible portion of the district nearest major thoroughfares or minor collectors as opposed to internal residential streets;
- b. sites abutting the boundary of less restrictive districts where development of relatively higher intensity is permitted. (Similarly, lower densities should be maintained near the boundary of more restrictive districts in order to provide for orderly land use transition and to protect the character of established neighborhoods);
- c. sites serviced by a sufficient system of public service including, but not limited to, improved streets, sanitary sewerage, and storm sewers or other effective system for managing stormwater run-off; and
- d. sites having natural features including topography, soils, hydrology, and other natural features which are adaptive in the more intense development.

2. Intensity of Non-Residential Development — In reviewing non-residential development the intensity of the use shall be determined by applying bulk regulations, performance standards and by limiting the amount of impervious cover to a maximum of 85 percent.

3. Project Parcels – Where the project involves the creation of multiple parcels the project will have to comply with Section 4.03.00.

Exception: The County Engineer or Planning and Zoning Director may withdraw the requirement for the Preliminary Plat Approval for Commercial Subdivisions and Multi-family Subdivisions provided they meet the requirements and follow the Commercial Development Approval Process.

D. Appearance of Site -

Architectural style or design is not restricted. Evaluation of a project shall be based on the quality of its design and relationship to the impacted area considering the following factors:

1. ~~Mechanical equipment or other utility hardware (including satellite receiving dishes) other than antennas and stacks on roofs shall be harmonious with the building or they shall be located and/or effectively screened so as not to be visible from any public ways within the impacted area.~~ **Intentionally left blank**

2. Refuse and waste removal areas shall be effectively screened from adjacent properties and public ways by appropriate fences, wall or hedges. In cases where dumpsters must be located in areas highly visible from any public right-of-way, the Planning Director shall be authorized to require appropriate vegetative or structural screen to shield an unsightly condition.

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3. All businesses, services or manufacturing or processing shall be conducted within completely enclosed buildings in the M-1 district and more restrictive districts. If the Planning and Zoning Department determines that a demonstrated necessity exists for outside storage or display due to the impracticality and unreasonableness of enclosure of such service, then such storage and display areas or yards shall be screened in compliance with Section 5.02.02 et. seq. of this Ordinance.

4. Exterior lighting shall be so arranged as to shield or deflect the light from adjoining properties and public streets. Performance standards of this Ordinance shall be complied with.

E. Flood Prone Land - Construction in flood prone areas shall comply with the County Flood Hazard Prevention Regulations as defined within Section 3.02.00 of this ordinance.

F. Provision of Adequate Public Services - Appropriate facilities for providing potable water, sanitary sewerage collection, solid waste disposal, surface water drainage and fire protection shall be incorporated in the site plan. These facilities shall be reviewed by appropriate County Departments. The evaluative comments of department heads shall be provided to the Planning Director to facilitate the Department review. An engineered plan for drainage of stormwater run off supplied by the applicant shall be approved by the County Engineer prior to approval of a site plan by the County Planning Department. On site retention facilities shall be required to meet stormwater requirements. Refer to Section 4.04.00 Stormwater Design Requirements For exemptions to the requirement refer to Section 4.02.07.J.

G. Additional Consideration - The County Planning and Zoning Department may require additional information to be provided by the petitioner for site plan review in order to carry out a review process which is necessary to fulfill the purpose, intent and spirit of this Ordinance. The County Engineer or Planning Director may require a detailed drainage plan or certified boring and soils tests prior to final action in order to avoid adverse environmental impacts, particularly in large scale development proposals.

~~H. **Reserved** All proposed commercial and multifamily developments located in unincorporated areas of Santa Rosa County south of East River, and on Garcon Point, that are expected to generate wastewater flows of at least 750-gallons per day are subject to the following:~~

~~1. A sanitary sewer collection system and transmission system meeting FDEP and local utility requirements shall be installed if sanitary sewer facilities are located within 500 feet in an abutting right-of-way or easement.~~

~~a. In areas other than Garcon Point, where sanitary sewer is not currently available ~~due~~ to the lack of system capacity, a "Dry Collection System" shall be permitted and installed in accordance with the local utility and FDEP requirements. Permits~~

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~~for construction of structures can be issued for development with Dry Collection Systems provided the following:~~

- ~~b. — An onsite disposal system permit is issued by HRS;~~
- ~~c. — An agreement is executed by the developer that guarantees that the structure will be tied to the central collection system within thirty (30) days after notification by the utility that sewer is available;~~
- ~~d. — The developer shall provide an escrow account to the county for the development in an amount to be determined by the county not less than \$3,500.00 and sufficient to secure; the complete and proper removal of the onsite disposal system, physical connection of the structure to the central collection system, payment of tap fees, and restoration of all disturbed areas. The tap fee payment may be made directly to the utility and the escrow amount may be reduced by the tap fee payment.~~
- ~~e. — If the cost of constructing the sewer system extension to the utility involves extraordinary costs such as waterway crossings, wetland crossings, extensive land clearing, etc., the developer or the utility may petition the Board of County Commissioners for an exemption from the requirement to connect the development to utility.~~

I. Minor Changes of Site Plans

- 1. Minor changes that do not require review include:
 - a. Addition of awnings, canopies or ornamental structures, redesign and different location of pools parking spaces, drives and driveways, modifications in stairs or elevations of decks, porches, terraces and fencing;
 - b. Addition of parking spaces not to exceed twenty-five percent (25%), including fractions thereof, of the total number of existing parking spaces or twenty (20) spaces, whichever is the lesser amount and where it can be demonstrated that existing stormwater drainage retention facilities can accommodate additional runoff generated by such addition to the parking area;
 - c. Attached or detached additions to buildings which do not increase the floor area in excess of eight percent (8%) of the ground floor area of the principal structure or five hundred (500) square feet, whichever is the lesser amount; and/or
 - d. Installation of utility system improvements including buildings not exceeding five hundred (500) square feet.

Approval of said changes prior to issuance of a Certificate of Occupancy requires authorization by the Building Official and Planning Director after review and approval of the Building Official and the Planning Director. If approved as a minor change, the site plan shall not be required to be returned to the Planning

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and Zoning Department for resubmission.

J. Major changes that will require a site plan review include:

1. All site development or alteration not meeting the criteria above will be required to submit a site plan for review.

2. An Owner/Developer site plan submittal will be required for development or alterations that have been determined to not need updated stormwater retention facilities or exceeds the five hundred (500) square feet threshold as listed above but has less than ~~fifteen (1500)~~ **four thousand (4,000) square feet of impervious and semi-impervious surface areas subject to vehicular traffic or nine thousand (9,000) square feet of impervious and semi-impervious surface areas.**

3. For structures and uses of ~~fifteen hundred (1500)~~ **four thousand (4,000) square feet of impervious and semi-impervious surface areas subject to vehicular traffic or nine thousand (9,000) square feet of impervious and semi-impervious surface areas** ~~or more of floor area or impervious surface area, whichever is greater~~, all architectural and/or engineered designs must be prepared by a professional architect or engineer registered in the State of Florida. All other structures and uses must still meet the site plan requirements, however, such plans need not be designed by a professional architect and/or engineer.

4. Existing legal non-conforming developed sites applying for a change of use or change of occupancy will be allowed to request an exemption review from the Engineering Department for the engineered site plan requirement. If it is determined that the additions to the site will not pose a flood hazard to the neighboring properties, and the additions do not cause the site to exceed a maximum threshold of 40% coverage, pervious or impervious, of developed area, then the requirement for an engineered site plan can be reduced to an Owner/Developer submittal.

K. Processing and Storage

1. Within all Districts (except the M-1 and M-2 District) all businesses, services, or manufacturing or processing of materials, goods or products shall be conducted within completely enclosed buildings. Storage may be permitted outdoors upon demonstration of need, but shall be effectively screened by a wall, fence or planting so that such materials will not be visible from a public way. However, in all instances such outside storage areas shall be screened from adjacent residential areas. All outdoor storage must be behind an effective screen.

2. Processing and Storage Within the "M-1" and the "M-2" District: In either district any use is permitted either indoors or outdoors, but in conformance with the applicable performance standards. Within these

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districts, all business, servicing, manufacturing or processing within two hundred (200) feet of a residential district boundary shall be conducted within completely enclosed buildings. All storage in an " **M-1 and the M-2**" district within two hundred (200) feet of a residential district boundary may be outdoors but shall be effectively screened by a solid wall, fence or planting so that the materials shall not be visible from the residential district. The requirement shall not apply for the outside storage of aircraft.

L. Solar Electrical Generating Facilities

1. The minimum parcel size for a solar electrical generating facility shall be 10 acres.
2. Except for security fencing, project signs, and access paths, no solar electrical generating facility structure, equipment, or building shall be located within twenty five (25) feet of the property line when abutting residential uses.
3. The area of the solar panels and the transmission lines shall be considered open space for purposes of calculating floor area ratio and impervious surface coverage.
4. A minimum twenty-five (25) foot natural vegetative buffer shall be provided between all upland activities and wetlands. However, impacts to the wetlands may be allowed to the extent permitted by the state, regional, and federal agencies, provided impacts are offset by mitigation consistent with said agencies.
5. 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 Chapter 44 of the Code of Federal Regulations as well as Santa Rosa County floodplain management regulations.
6. State or federally listed plant or animal species shall be protected pursuant to the requirements of the Florida Fish and Wildlife Conservation Commission or the United States Fish and Wildlife Service.
7. Except for security fencing, project signs and access paths, no solar electrical generating facility structure or equipment, shall be located within twenty five (25) feet of the property line. Buffers shall not be required between abutting solar facilities. Maintenance buildings and administrative offices shall not be located less than twenty-five (25) feet.
8. Except for required landscaping abutting residential uses, solar electrical generation facilities shall be exempt from all other landscape requirements as described in Section 4.07.00.

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9. Within the first ten (10) feet of the twenty five (25) feet setback to residential uses or residential zones, native grasses and shrubs shall be retained to provide a minimum six (6) foot high, fifty (50) percent ~~opaque~~ **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 to ensure meeting of the fifty (50) percent opacity requirement at the time of installation.
10. Retention of existing vegetation and/or temporary fencing and screening may be required where appropriate to minimize impacts during construction.
11. The following maximum height provisions shall apply
- a. Security fencing: Eight (8) feet
 - b. Project signs: Nine (9) feet
 - c. Solar Panels or modules: Fifteen (15) feet
 - d. Buildings: Twenty-five (25) feet
 - e. 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 one hundred (100) feet in height must be approved by the Aviation Advisory Committee.
12. The area of the solar panels and the transmission lines shall not be considered in the calculation of the Floor Area Ratio provided, however, that the area encumbered by supporting structures shall be considered in stormwater calculations and management plans.
13. Development order approval in accordance with Section 4.02.07 is required prior to the construction of a solar electrical generation facility. Building permits are not required for structures of facilities of ~~electrical utilities which are directly involved in the generation,~~ transmission or distribution of electricity pursuant to Section 553.73, Florida Statutes.
14. 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.
15. All proposed solar electrical generating facilities shall be reviewed by the United States Navy and United States Air Force for mission compatibility prior to a development order approval by Santa Rosa

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County.

M. ~~Information Included on Site Plan – For structures and uses of fifteen-hundred (1500) square feet or more of floor area or impervious surface area, whichever is greater, all architectural and/or engineered designs must be prepared by a professional architect or engineer registered in the State of Florida. All other structures and uses must still meet the site plan requirements, however, such plans need not be designed by a professional architect and/or engineer.~~ A site plan, for the purposes of this section, shall include, but not necessarily be limited to, the following requirements:

1. Site plan with grades, finished ground floor elevations, contours, number of dwelling units, **density calculations**, square footage of site, building coverage, square footage of paved areas, and open area.
2. A scaled drawing of the sides, front, and rear of the building or structure, generalized floor plan uses and square footage of each proposed use of all buildings or structures.
3. Location and character of all outside facilities for waste disposal (including dumpsters), storage areas, display, or utilities.
4. All pedestrian walks, malls, yards and open spaces.
5. ~~Location, size, character, height or orientation of all signs as required in this ordinance.~~
6. Location and general character of landscaped areas based on the criteria and Performance Standards set forth herein, including the location of any protected or preserved trees.
7. Location and general character of all existing curb cuts, driveways, parking areas, within one hundred (100) feet of any proposed curb cuts, driveways or parking areas.
8. Location, height and general character of perimeter or ornamental walls, fences or other screening devices.
9. Stormwater Design prepared by a Florida Professional Engineer. Stormwater plan shall include locations of all new infrastructure and supporting calculations. Calculations shall include but not limited to, ponds, inlets, pipe, gutter spread and culverts at a minimum. Refer to Section 4.04.00 Stormwater Design Requirements
10. Location of existing easements and rights of way.
11. Land survey with complete legal description prepared ~~and certified by a registered surveyor.~~ All architecture or engineering designs must be prepared by a professional architect or engineer registered in the State of Florida pursuant to Florida Statutes 471 as exists or hereafter amended and which require an appropriate seal on the subject plan prior to issuance of a building permit and also prohibit a Florida registered architect or engineer from placing a seal on a plan not prepared or directly

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supervised by such a registered professional.

12. For protective shoreline structures, in addition to the above, a scaled plan and an anti-erosion impact statement, certified by an engineer registered in the State of Florida with experience in beach erosion problems and solutions, shall be submitted showing the following:

- a.** The scaled plan shall show topographic contours, identification of significant topographic discontinuities, location of existing easements, location of seaward structures on adjacent properties, and specifications of the proposed structure including:
 - i.** Cross sections of all construction including subgrade construction and excavation with elevations.
 - ii.** Specific location and alignment of the proposed protective shoreline structure relative to mean high water line upland structures, water-ward structures, with measurements denoting distances separating the mean high-water level, the proposed structures, and upland and adjacent structures.
 - iii.** Points of tie in with adjacent properties and water-ward structures and proposed return walls.
 - iv.** Anti-erosion design features including but are not limited to: toe protection (i.e. sub graded revetment to minimize scour); wing walls and tie in with appropriate toe protection to protect wall from interior erosion; angle and alignment of wall surfaces to effectively dissipate energy of wave impact; tie backs designed to provide effective reinforcement; drainage system including use of filter cloth and weep holes; type of material to be used in construction and assurance that wood products are appropriately treated for long term preservation and stability; and sand and vegetative covers including source and sand, frequency of replenishment, anticipated quality and texture, together with location and type of vegetative cover to be used to stabilize the water front area impacted by proposed development.
 - v.** A description of the features of the site plan and proposed measures to be undertaken by the developer in order to prevent or minimize erosion of adjacent and down drift properties. This statement shall include any anticipated adverse impacts of the proposed structure and shall be thoroughly elaborated. The anti-erosion impact statement shall be certified by an engineer registered in the State of Florida with experience in waterfront erosion.

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vi. In cases where developer does not propose to cover the wall with sand and undertake a sand replenishment program, a statement is required by an engineer registered in the State of Florida certifying that a sand cover is not possible or practical and describing conditions supportive to the judgment.

vii. An agreement by the Department or County Engineer construction activity shall be conducted in a way which minimizes the adverse impact on the waterfront anti erosion program.

viii. The County Planning and Zoning Department or County Engineer may request other information as is necessary for proper evaluation of a waterfront development proposal.

ix. An agreement by the developer that the County, its officers and employees shall be held harmless from any damages to persons or property which might result from work or activity undertaken by the developer and authorized by the County.

13. All plans shall be drawn to a scale of one (1) inch equals twenty (20) feet, unless the Planning Director or ~~their~~ **his/her** designee, determines a different scale is sufficient or necessary for proper review of the proposal.

14. For all multi-family residential and all non-residential development proposals, the trim-line sheet size shall be at least 22 inches by 34 inches. A ½ inch margin shall be provided on all sides except for the left binding side(s) where a 2" margin shall be provided if multiple sheets are used. PZ Director or designee may allow 11x17 sheets if warranted.

15. If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.

16. The front cover sheet of each site plan shall include:

a. A general vicinity or location map drawn to scale showing the position of the proposed development in the section, township and range, together with the principal roads, county limits, or any other pertinent orientation information.

i. A complete legal description of the property pursuant to Subpart (11) above.

ii The name(s), address(es) and telephone number(s) of the owner(s) of the property.

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- iii. The name, business address and telephone number of those individuals responsible for the preparation of the drawing(s).
 - b. **Provide a complete legend of symbols, abbreviations and line types matching the scale of the drawing.**
 - c. **North-point and scale on every sheet.**
 - d. **Zoning classification, Future Land Use category, and parcel number of all project properties.**
 - e. **Zoning classification, Future Land Use category, and parcel number of all adjacent properties.**
 - f. **All rezoning, conditional use or variance allowances to include the date and time of approval shall be included on the cover sheet.**
17. The area of the property shown in square feet and/or acres.
18. The 100-year flood elevation boundaries, the CCCL, CHHA, and Shoreline Protection Zone, where appropriate or applicable.
19. Total area calculation with percentage of total site to be covered by impervious surface(s) and landscaping.
20. And other information as may be required by the Planning and Zoning Department.
21. Military Airport Zones and Public Airport Zones. If the parcel, either part or whole, lies within any Military Airport Zone, Public Airport Zone, Clear Zone, Runway Protection Zone, or Accident Potential Zone, the boundaries of such zone shall be delineated on the parcel. If the entire parcel lies inside any such zone, the parcel shall incorporate a statement that declares all property within its legal description lies within the applicable zone.
- If contiguous property is owned by a military installation or public airport, the name of the installation or airport shall be so designated.
- Any parcel or portion thereof that lies within any Military Airport Zone, Public Airport Zone, Clear Zone, or Accident Potential Zone shall include substantially similar language as that appearing in the following statement, as may apply to the property:
- “On the date this parcel recorded, all or a portion of the property appearing within this plat lies within a Military Airport Zone, Public Airport Zone, Runway Protection Zone, Clear Zone, or Accident Potential Zone. Use of or construction upon lands or waters within this parcel may have additional restrictions set forth in ordinances

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of the Santa Rosa County Board of Commissioners or in covenants recorded in the official records of the Clerk of the Circuit Court for Santa Rosa County.”

22. Borrow pits and disposal facilities. Site Plans for such activities shall include:

- a** The identification, location, and proximity of any community or private potable water wells permitted by the Northwest Florida Water Management District; and,
- b.** The identification, location, and proximity of the nearest residential structure, paved roadway, and proposed access to the site.

N. Bicycle and Pedestrian Access: Pathways shall be required to provide a safe and convenient system of facilities for bicycle and pedestrian travel. Commercial and multifamily development shall be designed to support bicycle and pedestrian mobility in accordance with the following:

- a. Circulation pathways shall be provided both internally and between abutting commercial properties through the use of sidewalks, walkways or similar pedestrian-oriented facilities, bike lanes or multi-use pathways.**
- b. Internal connections shall include facilities to inter-link all: parking areas, building entrances, planned outparcels, abutting commercial properties and existing streets.**
- c. Facilities may be incorporated into a required landscape buffer.**
- d. Pedestrian facilities shall be separated from vehicle driveways and clearly identified by curbs, pavement markings, planting areas, fences or similar features designed to promote pedestrian safety.**
- e. If an existing street contains a sidewalk that is on the adjacent opposite side of the roadway, a crosswalk must be installed to connect the sidewalk systems.**
- f. Sidewalks are to be constructed along any front or side street of a development unless the existing roadway has a planned expansion under development for which a sidewalk system is planned by an outside agency.**

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- g. All sidewalks shall be constructed in accordance with Section 4.03.06.H I. Open drainage ditches in the right-of-way shall be piped or relocated at developer expense where necessary to provide sidewalks in the right-of-way.
- h. Existing sidewalks and bikeways damaged during the development of a property shall be repaired or replaced by the owner of such property.
- i. Development within the Rural Protection Zone is exempt from this section.
- i. Sidewalks shall be provided to connect the primary building entrance to public streets, external sidewalks, and outparcels.
- j. Pedestrian circulation for projects with multiple buildings: continuous internal sidewalks, shall be provided between buildings throughout the project. The internal sidewalk system shall connect all abutting streets to primary building entrances.
- k. The developer has the option to either build the required sidewalk along the affected parcel frontage or contribute funds to the county for construction at a later date at the county's discretion (at the developer's request). Contributed funds shall be based on the county's latest pricing agreement.

4.02.08 PIT 1 and PIT 2 Development Standards

The purpose of the PIT 1 and PIT 2 districts is to provide policies, standards, requirements, and procedures to regulate and control the location and expansion of borrow pits, construction and demolition debris (C&D) and land clearing (LCD) disposal facilities and ensure that all such facilities are located in a manner that will promote public health, safety, general welfare and the physical and economic development of the area.

- A. Consistency with Comprehensive Plan – Lands to be designated as or rezoned to a PIT 1 or PIT 2 zoning district may be located only within the following comprehensive Plan Future Land Use Map Categories: Agriculture Rural Residential, Agriculture, Agriculture Estate Residential or Industrial
- B. Variances: Variances to the requirements of this District may be granted by the Board of County Commissioner following a recommendation by the Zoning Board
- C. Subdivision Conformance – Any land or lot within a plat or record (or not) on the effective date of this amendment shall not be re-divided into two (2) or more lots unless the provisions of the Subdivision Regulations of Santa Rosa County, Florida (Section 4.03.00 et.seq.) have been met.

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D. Applicability

1. This section shall apply to all development activities for new, conversions to and expansions of excavation/mining activities, borrow pits, LCD and C&D debris disposal facilities and operations proposed after adoption of Ordinance 2011-19 (July 28, 2011), except as described in subpart 2 below. The provisions of this Chapter shall supersede all conflicting requirements of other ordinances of Santa Rosa County regarding the location and permitting of gravel, dirt, excavation, mining, borrow pits, LCD and C&D disposal facilities.
2. As described in Section 9.02.08 apply to development activities related to certain legally existing or previously approved excavation/mining activities, borrow pits, LCD, and C&D debris disposal facilities as of adoption of Ordinance 2011-19 (July 28, 2011).
3. Those facilities which have an approved and unexpired site plan on file with the County may develop and operate to the extent approved on said site plan without such activity being subject to the standards of this Section.
4. Standards established herein for setbacks, fences, gates, screening and landscape buffers shall not apply to any property boundary line or portion thereof between adjacent legally permitted excavation/mining sites, borrow pits, or disposal facilities actively operating from the same excavation or disposal area.

E. Zoning Location Criteria – All requests to rezone to the PIT1 or PIT 2 zoning district must meet the following criteria. The intent of these location criteria are to ensure the compatibility of the site with adjacent properties and with the surrounding general area while imposing appropriate performance standards (i.e. setbacks, buffering, etc) to allow suitable development of the site. For the purposes of this section, “sites” shall be defined as the entire property, or specified portion thereof, for which this zoning district is requested or applied.

1. Sites shall be located no closer than one thousand (1000) feet to the nearest recorded or approved residential subdivision. For purposes of this section, an approved subdivision is a subdivision that has received construction plan approval.
2. Sites shall be located no closer than one thousand (1000) feet to the nearest residential zoning district. For the purposes of this section AG and AG2 are not considered residential zoning districts.
3. Rezoning requests approved for properties within any Military Airport Zone (MAZ) or Public Airport Zone (PAZ) shall be specifically conditioned to allow only borrow pit facilities and to prohibit future conversions of these borrow pit facilities to any type of disposal facility, with the exception of that portion of NOLF Choctaw MAZ located east of Highway 87S.

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4. Sites shall be located no less than one thousand (1,000) feet from any public potable water well, as measured from the center of the wellhead. Similar protection is provided to private potable water wells via the locational criteria in 1, 2, and 3 above.

5. Sites shall not be located within the 5 year wellhead capture zone of any public potable water well if a capture zone has been identified.

6. Ingress and egress to the site must be no less than one thousand (1,000) feet from the closest residence, this is measured from the edge of the driveway to the nearest corner of the residence.

F. Access – The operation shall not utilize ingress and egress through any recorded subdivision. Routes shall be chosen so as to have the least impact on residential areas. The Public Works and Engineering Departments shall review the ingress and egress routes to determine if they are suitable for the vehicles and loads to be used and if there are any adverse impacts on County rights-of-way or roadways. The County shall also coordinate with FDOT, as necessary, regarding any adverse impacts to federal or state roadways.

G. Fences and Gates – The outer perimeter of any gravel, dirt, earth material excavation/mining activity, borrow pit, C&D or LCD disposal facility shall be surrounded by a fence and/or wall measuring at least five (5) feet in height above finished grade. Fences and walls shall be constructed, erected and maintained in accordance with the provisions established by Section 5.02.02. Required access gates connected to fences or walls shall provide a continuous effective barrier. Access gates shall be locked at all times during non-operating hours. Vegetation overgrowth adjacent to perimeter fences, walls, and access gates shall be adequately cleared and/or maintained a minimum of fifteen (15) feet in width with a roadway constructed to provide a safe pathway for inspections thereof. “No trespassing” signs should be posted every 250 feet of fence length or pit perimeter.

Existing pits as of the date of this ordinance can provide a continuous perimeter fence with a minimum height of five (5) feet with all fence wire strands and components shall be no greater than six inches apart or a heavy, thick, natural, impassable vegetative barrier may be used in lieu of a fence.

H. Screening Buffers – All disposal facilities shall be screened from view from adjacent right-of-ways and adjacent properties using a combination of existing vegetation, planted landscaping and landscaped berms.

1. The minimum width of the buffer area shall be fifty (50) feet.

2. All existing vegetation shall be preserved within this buffer area. However, if the existing vegetation is not sufficient to provide the required visual opacity, additional landscaping and berms shall be installed. The minimum height of a berm shall be four (4) feet and landscaping shall be installed on and along the front of the berm in a manner to achieve opacity.

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3. Any type of facility operations, activities or vehicle/equipment storage shall not be permitted within the required buffer areas.
 4. This screening requirement is intended to supersede all other landscape and buffer requirements located elsewhere in this code.
- I. Setbacks – Minimum setbacks from borrow pit, C&D and LCD disposal facility activities shall be as follows:
1. All activity shall be setback a minimum of 100 feet from any property boundary, LCD and C&D debris disposal activities setback from property boundary shall be measured from the toe of the proposed final cover slope.
 2. All activity shall be located no less than one thousand (1,000) feet from any public potable water well, as measured from the center of the wellhead.
 3. All activity shall not be located within the 5 year wellhead capture zone of any public potable water well if a capture zone has been identified.
- J. Lot Size – The minimum width of any lot developed for a borrow pit, C&D, or LCD disposal facility shall have a minimum width at the street right-of-way line of not less than one hundred (100) feet to allow for adequate ingress and egress.
- K. Debris vertical height limit – Debris disposed at C&D and LCD disposal facilities may exceed ground level, but shall not be viewable from any single family residentially zoned properties (RR-1, R-1, R-1M, R-1A, or HR-1)
- L. Drainage and Stormwater Management – Stormwater shall be retained on-site. Drainage and stormwater control measures for uses incidental to debris disposal operations (e.g. parking, accessory buildings and the like) shall prevent soil erosion and comply with Chapter 4.
- M. Regulation of Nuisances – Nuisances such as noise, air pollution, odor, dust, etc., typically associated with excavation/mining, borrow pit, and/or disposal facility operations shall be retained on-site as reasonably possible per the provisions established by Section 3.06.08 “Standards Regulating Environmental Nuisances”.
- N. Reclamation – A reclamation plan meeting the following minimum criteria must be submitted with the site plan and shall be implemented within 12 months of cessation of excavation activity.
1. All upland areas disturbed by excavation operations must be revegetated in quantities and densities necessary to prevent and control erosion and to provide stability to the slope. Unvegetated, vertical slopes may remain so long as the slopes are stable and required safety fencing is maintained. Topsoil or natural organic material shall be placed in all planting areas to provide soils enrichment necessary for healthy plant growth.

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2. The littoral zone, or zone of fluctuation, or reclaimed lakes shall be vegetated with native wetland species. Lakes shall be stocked with native freshwater fish in order to more quickly establish a wildlife habitat.

4.02.09 Navarre Beach

A. The provisions set forth are designed to protect the quality of life, health, safety, and welfare of the residents of Navarre Beach, while recognizing the unique and distinguishing characteristics of the barrier island that protects the mainland areas of the County from the hazardous and damaging effects of hurricanes and storm surges and serves as an important economic resource for the citizens of Santa Rosa County.

B. Lease Agreements – In addition to this ordinance all development on Navarre Beach shall be subject to the relevant lease agreement between the leaseholder and Santa Rosa County and all other regulations established by Santa Rosa County. The allowance of any building or use under this ordinance shall not establish a property interest or be considered as approval for a leaseholder to construct or develop said building or use.

All development on Navarre Beach must also be provided for in the lease agreement between Santa Rosa County and the leaseholder.

All lease agreement amendments on Navarre Beach will be processed through the Planning and Zoning Department to the BOCC including a public hearing and notification to surrounding property owners.

C. Maintenance Associations – All multiple owner residential or commercial projects are required to have Maintenance Associations approved by the County.

D. Mobile homes are prohibited on Navarre Beach.

E. Sidewalks – and other labor intensive transportation facilities, as appropriate, shall be required for the entire length of the project.

F. Landscaped Open Space – All commercial and multifamily (5 units or more) properties shall devote at least twenty (20) percent of the parcel to landscaped open space. Landscaped open space includes a ten (10) foot wide front perimeter strip, landscaped islands in parking lots, drainage areas, preserved wetlands, and side and rear buffers. Improved parking and driveways are not considered landscaped open space. Landscaping compatible with the location shall be required, including xeriscape treatments.

G. Screening Adjacent to Residential Districts – Where commercial districts abuts the side or rear lot line of any residential district, any open storage of equipment, materials or commodities shall be screened from the residential lot line. The screen may be in the form of walls, fences or landscaping and shall be at least six (6) feet in height and shall be at least fifty (50) percent opaque as viewed from any point along the residential lot line. When landscaping is used as screening, the height and opacity requirements shall be attained within eighteen (18) months after open storage uses are established.

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4.02.10 Itinerant Vendors

A. Itinerant Vendors shall be defined as all persons, firms and corporations who engage in the business of selling, offering for sale or exhibiting for sale, any goods, wares or merchandise from a fixed location, and in the course of carrying on such business, do not operate from a permanent building or in conjunction with a lawful commercial use which utilizes a permanent building. Itinerant vendors shall not include persons, firms, or corporations making sales by visiting individual homes or businesses.

B. Itinerant Vendors are allowed by right in the Highway Commercial Development and Industrial district. Only one (1) vendor per business/parcel will be allowed unless otherwise approved by the Director of Planning and Zoning.

C. Itinerant Vendors or multiple vendors on the same parcel may be allowed in certain locations or other zoning districts with approval by the Director of Planning and Zoning. The locations will be reviewed, and the following criteria considered:

1. Sites must have limited proximity to existing residential uses.
2. Sites must have existing access to a major thoroughfare.
3. The scale, intensity, and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to surrounding properties.

D. On Navarre Beach

1. All Itinerant Vendors must be at a fixed commercially zoned property with a commercial lease, or a sublease approved by the Board of County Commissioners.
2. No accessory structures will be used for stand-alone business or by itinerant Vendors.

E. Site Requirements

1. Sites must have existing access to a major thoroughfare.
2. All structures shall comply with the setback requirements of the zoning district.
3. Parking requirements for food trucks/trailers will be calculated per Section 4.05.02.B.2 per drive up window **or itinerant vendor with sit down seating** in addition to one (1) space per employee for a max.
4. Parking requirements for tents will be calculated per Section 4.05.02.B.2 for the specified use of the tent.

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F. Additional requirements and restrictions.

1. All trucks/trailers must be tagged and road ready.
2. All tents must be compliant with building code and/or fire and life safety code requirements.
3. No accessory structures will be permitted on the site to be used in conjunction with the approved vendor.
4. All material used for seating and shade must be temporary in nature and able to be removed or stowed for inclement weather events.

G. Exemptions

1. The sale of agricultural products when the products are sold by the person who grew said products.
2. The sale of merchandise by a charitable, religious, fraternal, youth, civic, service or other such organization when the sale is made by the members thereof and the proceeds are used exclusively in the charitable, religious, fraternal, youth, civic and service activities of the organization.
3. The sale of merchandise at fairs, festivals, celebrations or other special events sponsored or permitted by the appropriate governing body.

H. Expiration

1. An Itinerant Vendor permit shall be valid for a period of one (1) year.

I. Renewal

1. Prior to the expiration date of the permit, the owner/applicant will be allowed to request a renewal of the Itinerant Vendor permit. The request must be submitted via email or signed letter.
2. Approval of the renewal request will be based on the following criteria:
 - a. A site inspection must be performed prior to the approval of a renewal request.
 - b. The vendor site must be compliant with the previously approved site plan.
 - c. If the previously approved site plan no longer meets current LDC requirements, the site plan must be updated to meet current code to the greatest extent possible.

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d. If the previously approved site has not been in use, and meets the criteria set forth in LDC Section 9.02.06, the site plan must be updated to fully meet current code standards.

e. An approved renewal will be valid for an additional one (1) year.

3. There will be a renewal review fee of \$100 to be paid prior to issuing a new permit.

J. Transferability

1. An Itinerant Vendor permit may be transferred between ownerships to allow the existing vendor to continue to operate.

2. No Itinerant Vendor permit shall be transferred to a different vendor to be located at that same location. All new vendors must obtain their own permit.

K. Continuing Obligation - Violations

1. Any Itinerant Vendor permit and approved site plan pursuant to this ordinance carries with it a continuing obligation to abide by such site plan. Failure to comply and continually maintain all approved elements of an approved site plan, including appearance and other site requirements/restrictions shall be a violation of this section and subject to termination of the approved Itinerant Vendor permit.

4.02.11 Marina and Yacht Club Performance Standards

A. There shall be no permanent docking within thirty (30) feet of fuel pumps or other fueling equipment.

B. Except as provided in this section (below), there shall be no dry land storage of watercraft or trailers, except under a permanent roof. No watercraft shall be stacked upon the other except under a permanent roof. Parking facilities shall be provided on the basis of one (1) space for each (3) watercraft storage slots and, in addition, all other parking requirements and design specifications in shall be satisfied.

C. All docks and structures erected over the water shall be on piers permitting the free flow of water; no bulkhead shall be permitted to extend in public water to such a distance as to interfere with navigation and commerce.

D. No on shore engine repair shall be allowed except in designated repair areas screened from the public view.

E. No fish (except bait) shall be kept or sold.

F. Facilities such as restaurants and bait and tackle shops shall be situated on uplands, except where the location of such facilities over public lands is found

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to be clearly in the public interest.

G. Roofed dockage (which for emphasis does not include vertical walls) and wet storage of marine pleasure craft when roof does not exceed one half of the total dockage area. Roofs over all slips in any marina shall be of uniform height not to exceed thirty-five (35) feet above mean high water line and shall only cover the end of the pier nearest shore.

H. Major repairs such as construction or rebuilding of watercraft, installation of new bottoms or substantial structural additions or alterations are prohibited as these are industrial in nature.

I. Storage of all motors not attached to watercraft shall be within buildings. Storage of watercraft on trailers, with or without outboard motors, shall be permitted only for sale or rental purposes without permanent roofing or screening. Trailers with or without watercraft thereon for sale, rental or repairs shall be located within a parking area screened from the public view by ornamental fence, wall or landscape enclosure not to exceed six (6) feet in height. Parking areas shall be approved through site plan approval process by the County Planning and Zoning Department.

J. All new marinas shall provide adequate capacity to handle sewage in accordance with state standards, either by means of on-site pump-out and treatment facilities or connection to a treatment plant. Marinas shall have available the above sewage facilities with the capacity to handle the anticipated volume of wastes. All marinas with fueling facilities shall provide pump-out facilities at each fuel dock. Commercial marinas and those which serve live aboard or overnight transient traffic shall provide upland sewage facilities. Facilities of 100 slips or more shall provide permanent pump-out facilities.

K. All marinas shall have the capability to respond to contain any spills of petroleum or other hazardous materials within the boundaries of the leased area.

L. New docking facilities or existing leased facilities shall provide ways to improve, mitigate, or restore unacceptable environmental conditions or eliminate impacts caused by their proposed facilities. This may include shallowing dredged areas, restoring wetland or submerged vegetation, or making navigational channels.

M. Immediate access (ingress and egress) points shall be delineated by channel markers, indicating speed limits and any other applicable regulations.

N. Preference will be given to facilities which will be open to the public on a "first come, first served" basis.

O. On sites with historically erosion prone shorelines, marinas shall ensure that appropriate shoreline protection measures (as determined by Army Corps of Engineers and Department of Environmental Regulations) will be taken.

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P. Marinas should have the capacity to provide maximum practicable protection of the contents of the proposed premises from damage caused by wind and wave forces resulting from hurricanes. Structures shall comply with all applicable coastal construction codes. Marinas shall also have the ability to evacuate persons and vessels by area roadways (by documenting traffic capacities) and by area waterways.

Q. Marinas shall maintain water quality standards as provided by Chapter 403, Florida Statutes.

R. Docking facilities shall be sited in locations having adequate water depths to accommodate the proposed boat use without disturbing bottom habitats.

S. Docking facilities should require minimal or no dredging or filling to provide access by canal, channel, or road: This restriction shall also apply to widening or deepening any existing canal or channel, but not to regular maintenance dredging and filling to meet depth standards of existing canals or channels. Preference will be given to marina sites with natural channels.

4.02.12 Termination, Extension and Transferability – Site plan approval shall terminate five (5) years after being granted if no building permit has been issued by the Building Department with a five (5) year extension upon request by the developer or engineer of record, provided construction has commenced. Site plan approval shall also automatically terminate upon revocation or expiration of a building permit issued by the Building Official, or upon revocation or expiration of a permit issued by the Environmental Manager. In the event the property receiving site plan approval is transferred, the site plan approval for an approved site plan shall be transferable.

Site plan approval for all PIT activity shall terminate five (5) years after being granted if no permit has been granted by the Environmental Department. Site plan approval shall also automatically terminate upon the revocation or expiration of a permit issued by the Environmental Department. In the event the property receiving site plan approval is transferred, the site plan approval for an approved site plan shall be transferable.

4.02.13 Approval, Disapproval and Procedure

A. Time Limit: If the application for site plan approval is complete to the satisfaction of the Planning Director, and all other reviewing departments, the applicant shall be notified in writing.

The process for site plan review shall be complete within ten working days if all information has been supplied by the applicant at the time of submission of their application.

B. Upon the approval of any site plan by the Planning and Zoning Department, a building permit may be issued by the County Building Department.

C. Development activity, including but not limited to clearing of property may not be commenced without a building permit. No building, excavation/mining, borrow pit, or disposal facility permit shall be issued without a final development order or land development certificate issued by the Planning Director or their

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his/her designee.

4.02.14 Continuing Obligation - Violations: Any site plan approved pursuant to this ordinance carries with it a continuing obligation to abide by such site plan. Failure to comply and continually maintain all approved elements of an approved site plan, including landscape, appearance and other site development performance standards shall be a violation of this ordinance subject to enforcement and penalties as provided herein.

4.03.00 SUBDIVISION DESIGN AND LAYOUT

4.03.01 Generally

A. The public health, safety, and general welfare require the orderly and progressive development of land within Florida and its incorporated municipalities and counties. In furtherance of this general purpose, counties, by Chapters 125, 163, and 177 of the Florida Statutes, are authorized and empowered to adopt, amend or revise and enforce measures relating to land subdivision. It is the intent of this ordinance to secure or to ensure:

1. The establishment of standards of subdivision design and innovation which will encourage and lead to the development of sound and economically stable communities, and the creation of healthful living environments;
2. Installation by the land developer to prescribed standards, those necessary improvements which shall not become a charge on the citizens and taxpayers in other portions of the County;
3. The efficient, adequate, and economic supply of services to existing and new land developments;
4. The prevention of traffic hazards and the establishment of safe and convenient means for the circulation of traffic, both vehicular and pedestrian, within new land developments and from new land developments into and from established communities;
5. And subject to periodic or seasonal flooding, subdivision and development shall include provision for protective flood control measures and drainage facilities as required by this LDC.
6. Regulation of land subdivision is intended to aid in promoting land development in accordance with orderly physical patterns; to encourage orderly, timely, optimum and compatible land development. It is the further intent of the Santa Rosa County Board of County Commissioners to cooperate with developers working in the County in providing mechanism by which adequate community facilities can be provided for all citizens.
7. The long-term operational viability of military installations and public airports shall be protected by discouraging placement of incompatible land uses within designated Military Airport Zones or Public Airport Zones to protect public health and safety by directing residential uses to areas

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exposed to lower risks or impacts from airfield or military installation operations and activities.

B. No person shall subdivide any land within the County nor shall any person begin any land disturbing activity or construction work in any subdivision, with the exception of exclusions indicated in Section 4.03.13 of this Ordinance, unless the requirements of this Ordinance are met.

C. In any subdivision for which compliance with this Ordinance is required, no certificate of land use, no building, electrical, or plumbing permit, and no setback permit shall be issued by any public official until the subdivision has been approved, Final Plat recorded, ~~and complies with the facilities requirements of Section 4.03.08,~~ or in any minor subdivision until any required access management plan has been approved.

D. No road, right-of-way, or easement on or across divided property, shall be accepted or maintained by the County unless a final plat conveying such road is approved as provided herein. Any road across such land which connects two portions of the county road system and which is necessary for inclusion into the County road program and not predominately for the benefit of the owners, may be exempted from the provisions of this paragraph upon determination by the County Engineer that the road is constructed for street construction under this Ordinance.

E. For lots located on any of the corridors shown in Table ~~4.04.02.A~~ **4.05.01** access spacing standards for roadway connections must meet the standards established in Chapter 4.05.01.B.

F. Any person who sells or offers to sell any parcel of land not in compliance with this Ordinance (except as provided in Section 4.03.13), violates or refuses to comply with, or resists enforcement of this Ordinance or statutory requirements of Chapter 125, 163, 177 of Florida Statutes shall be subject to the penalties specified in Section 11.04.03.B of this Ordinance.

G. The requirements of this Ordinance are in addition to any applicable Federal and State regulations.

H. All Preliminary Plats and Construction Plans are valid for five (5) years from the date of the BOCC approval. A five (5) year extension is available upon request by the developer or engineer of record.

I. On multi-phase projects for which a preliminary plat and ~~construction plans have been approved~~ **construction plans have** been approved and construction has begun, the preliminary plat has no expiration date and any approved setbacks shall remain in place through the life of the project.

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4.03.02 Preliminary Plat Approval Process

A. Pre-application Conference – Before preparing the preliminary plat, the developer may request a conference with the County Engineer (CE) to discuss plans for a subdivision. If a preliminary plat is proposed for property that lies in whole or part within a Military Airport Zone or Public Airport Zone, as defined in Chapter 8, a pre-application conference is mandatory and shall be scheduled with the County Engineer. The County Planning Director and the military representative, who serves as an ex officio member of the Zoning Board, shall be notified of the pre-application conference.

Exception: The County Engineer or Planning and Zoning Director may withdraw the requirement for the Preliminary Plat Approval for Commercial Subdivisions provided they meet the requirements and follow the Commercial Development Approval Process.

NOTE: No comment made by any persons associated with the County during any pre application conference or discussion shall be considered either as approval or rejection of the proposed development or development plans.

B. Application Process

1. The developer or owner shall file with the County Engineer written application for approval of the Preliminary Plat and appropriate review fees as established by resolution of the BOCC. The submittal shall include the following in order to deem the submittal complete for review:

a. Subdivision Application **Via Online Portal**

b. Development narrative requesting the review and describing the proposed stormwater management system, wetlands protection provisions, potable water supply, sanitary sewer, fire protection, traffic impact and circulation.

c. Seven (7) Preliminary Plats (signed/sealed) **PDF Preliminary Plats digitally signed/sealed by both Engineer of Record and Surveyor of Record per FAC**

d. Two (2) Current Boundary Survey **PDF Current Boundary Survey digitally signed/sealed by the Surveyor of Record per FAC**

e. **PDF of** approval letter from **addressing the County** for the proposed subdivision name and street names

f. **PDF** Correspondence with the US Postal Service to coordinate the mailbox kiosk

g. **PDF** Utility availability letters from the local utility providers (water and sewer) or correspondence with the Florida Department of Health for Septic Tank construction.

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2. **Applications will not be accepted without all documents listed above. All preliminary plats will be distributed to the appropriate departments for review.**

~~The County Engineer shall date stamp all submittal copies and distribute appropriately. The distribution shall include the Planning and Zoning Department for its review and comment. NOTE: Submittals package that do not include all required documents will not be stamped in until all documents are received. Incomplete packages will be returned. The Engineering Department will not be responsible for incomplete packages left at the engineering office.~~

3. The County Engineer shall approve the Preliminary Plat or return it disapproved with ~~written~~ comments and/or ~~marked~~ **mark ups** prints within ~~fourteen (14)~~ **fifteen (15)** working days from the date of submission of a complete application as noted above.

4. An applicant **application** for a preliminary plat located in whole or part within a Military Airport Zone shall submit a copy of the preliminary plat and any supporting documents to the military representative who serves as an ex officio member to the Zoning Board at the time application is delivered to Santa Rosa County. The County Engineer shall not approve or recommend to approve **the approval of** any preliminary plat until they ~~he/she~~ have **has** received and reviewed written comments prepared by the military representative.

4.03.03 Minimum Requirements for the Layout of Subdivisions

In laying out a subdivision the developer shall comply with the following design principles and requirements:

A. Dedications

1. Ingress and Egress - A developer shall provide adequate ingress and egress to the tract to be subdivided, including all necessary roads, easements, swales and rights-of-ways, as well as drainage structures. An all-weather access shall lead to an established and publicly maintained road system. The developer shall prepare necessary deeds, agreements, and easements for the ingress and egress system and shall attempt to acquire such rights of easements.

2. **The proposed stormwater and roadway infrastructure shall be dedicated entirely for public or private use.**

B. Subdivision Layout

1. A traffic study must be provided which estimates trip generation, internal traffic volumes and circulation, and projected traffic volumes at external access points of the subdivision.

a. The traffic study shall project daily trip generation using the latest data available from the Institute of Transportation Engineers (ITE) *Trip Generation* manual latest edition.

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- b. Internal traffic volumes and circulation shall be estimated using modeling techniques and/or professional judgment and shall be approved by the Planning Director and the County Engineer.
- c. Potential through traffic shall be included in the traffic study if construction of the subdivision will provide a connection between two existing streets.
- d. **At the direction of the County Engineer, a traffic study or signal warrant study following FDOT criteria may be required for any subdivision over 250 lots with implementation of recommended improvements.**

2. The internal subdivision roadways and subdivision roadway layout shall be designed based on the Street (or Road) functional classification of each roadway as defined in Chapter 1 of this Ordinance in accordance with the projected traffic volumes and circulation as demonstrated in the traffic study.

a. Residential streets shall not be designed to carry through traffic, except for when a residential street is required to continue an existing roadway as described in 4.03.03(B)(3)(a) below or to extend to a boundary line to provide interconnectivity as described in 4.03.03(B)(3)(c) below. Street patterns shall minimize the possibility of excessive vehicular travel but shall maximize, to the extent possible, the opportunity for alternate traffic routes to any given destination. Projected traffic volumes for residential streets shall not exceed 1,500 vehicles per day. Residential streets shall be designed according to the Santa Rosa County Subdivision Roadway Design Manual.

b. Residential collector streets shall be utilized when projected traffic volumes are greater than 1,500 vehicles per day, but no more than 2,500 vehicles per day. Whenever possible, residential access shall not be provided from a residential collector. If residential frontage along a residential collector is proposed and approved, the frontage shall be limited to the following:

Vehicles per Day (VPD)	<1,800	1,800-1,999	2,000-2,200	>2,200
Allowable Frontage*	20%	10%	5%	0%

*Listed as a percentage of total residential collector street length

c. Minor collectors shall be utilized when projected traffic volumes exceed 2,500 vehicles per day but are no more than 5,000 vehicles per day. Platted residential lots shall not have access to a minor collector. Access to non-platted residential lots or

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non- residential lots may be provided in accordance with the Access Management provisions of Section 4.04.03(D). Minor collectors shall be designed according to the Santa Rosa County Subdivision Roadway Design Manual.

d. Major collectors shall be utilized when projected traffic volumes exceed 5,000 vehicles per day. Major collectors shall be designed using a four-lane section, as specified in the Santa Rosa County Subdivision Roadway Design Manual, when projected traffic volumes exceed 9,000 vehicles per day. Platted residential lots shall not have access to a major collector. Access to non-platted residential lots or non-residential lots may be provided in accordance with the Access Management provisions of Table 4.04.02.A. Major collectors shall be designed according to the Santa Rosa County Subdivision Roadway Design Manual.

e. Existing streets abutting or affecting the design of a subdivision or land development shall be classified according to its function, design, and use, and the projected impact of the development. The classification of existing streets shall take into account the hierarchy outlined in this section. Modifications to existing streets within or abutting a proposed subdivision may be required and must meet, to the extent possible, the design requirements of the Santa Rosa County Subdivision Roadway Design Manual.

3. Street Layout – The street layout of the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood. Specifically, the layout of subdivision roadways and external access points shall be based upon internal circulation and the projected internal traffic volumes of the subdivision, the possibility to connect to or extend existing roadways, the development potential of the adjacent property and surrounding vicinity, and the orderly development, operation, and preservation of the existing roadway network. This requirement shall apply to all proposed streets, including private streets.

a. Extension/Continuation of Existing Roadways – Where appropriate to site geometry, projected traffic volumes and the classification of existing roadways, proposed streets shall be continuous and in alignment with and shall extend and continue existing, planned, or platted streets. The design of the extension required by the County will be based upon traffic circulation, projected traffic volumes, the classification of the existing roadway, public safety issues and compatibility of adjacent land uses.

b. Minimum Number of External Access Points – In a proposed subdivision of fifty (50) lots or more, there shall be at least two entrance streets into the proposed subdivision. If only one

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entrance is possible due to site constraints, a boulevard section shall be required as shown in the Santa Rosa County Subdivision Roadway Design Manual. The boulevard section shall extend to the first looped street or to the point where there are a maximum of fifty (50) lots beyond the termination of the boulevard. If access to individual lots is to be provided to the boulevard section, then pavement striping may be used in lieu of a raised median.

c. Extension of the Roadway Network to Adjacent Areas: In order to facilitate the extension of the roadway network to surrounding areas, roadways and roadway stub-outs shall be provided for in new development.

i. When a roadway extension is required under this provision, the right-of-way for the roadway shall be extended to the boundary of the property or other approved boundary for phased development and, at minimum, a roadway stub-out shall be required. **Interconnectivity from a residential platted subdivision stub-out to the rear of a newer commercial use shall not be required.**

ii. A roadway stub-out shall be constructed by extending the roadway pavement and curbing to at least the terminus of the twenty-five (25) foot (minimum) radius of the extended roadway stub-out. If a roadway stub-out is extended beyond the depth of a single lot, a temporary turning circle shall be required at the end of that roadway with a minimum outside diameter of fifty (50) feet.

iii. If any adjacent parcels to the proposed subdivision ~~has~~ **have** an existing stub-out, the proposed subdivision roadway layout shall align with the existing stub-out and construct the roadway connection to the existing stub-out.

iv. The roadway to be extended shall be constructed and classified in accordance with the following:

a) The development potential of adjacent parcels shall be calculated to determine the requirements of the roadway to be extended. Development potential shall be quantified by multiplying the size of the adjacent parcel by the greater of either the allowable density of the zoning or future land use of that parcel. When determining development potential, consideration shall be given to other existing or possible access points for the adjacent parcel and the overall traffic flow potential. If two (2) or more parcels are contiguous and under the same ownership, this will not limit connectivity requirements to only a single access point. Each adjacent parcel may be required

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to have an access point from the proposed development if the calculations warrant.

b) If the adjacent parcel(s) to which the roadway extends has the existing development potential to require a higher classified roadway than what would be required by the proposed development under review, then the right-of-way necessary for the higher classified roadway shall be extended through the property to the common boundary of the property under review and the adjacent parcel(s). However, the pavement cross section shall be classified as determined by the projected traffic volumes for the proposed development under review only and any lot frontage restrictions and setbacks will be based on that classification, exclusive of the offsite traffic projections.

d. Dedication of Additional Right-of-Way – If an existing public or private street or other right-of-way easement is of insufficient width for the projected classification of the roadway and is parallel and contiguous with the boundary of a proposed subdivision, then right-of-way of a sufficient size to create a half-width right-of-way will be dedicated in the proposed subdivision along the entire boundary of the proposed subdivision. If an existing public or private street or other right-of-way easement traverses the proposed subdivision and is of insufficient width for the projected classification of that roadway, then right-of-way of a sufficient size to create a full-width right-of-way will be dedicated in the proposed subdivision along the entire length of the roadway. If the additional right-of-way required to continue the existing dedicated road or other easement in a continuous, orderly manner is not in the proposed subdivision, the developer will prepare the agreement or easement for dedicating the additional right-of-way required and will attempt to obtain such right-of-way.

e. Cul-de-Sac Length – A cul-de-sac or local dead-end street shall not exceed thirteen hundred and twenty (1320) feet in length.

f. Traffic Calming – Streets shall be designed to incorporate traffic calming elements, to include roundabouts, median islands, speed tables, raised crosswalks, low speed curves and lateral shifts, in accordance with the following and as provided in the Santa Rosa County Subdivision Roadway Design Manual.

i. Traffic calming elements shall be required on residential streets, and residential collector streets where access is provided to residences, when the distance between speed control points is equal to or greater than

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1,320 feet. For residential collector streets, the traffic calming elements shall only be located where residential frontage is provided.

ii. Traffic calming elements shall be constructed as specified in the Santa Rosa County Subdivision Roadway Design Manual and the Florida Department of Transportation (FDOT) Design Manual.

iii. Speed bumps/humps or unwarranted stop signs are prohibited as traffic calming options and shall not be considered as speed control points.

iv. Traffic calming is not permitted on major or minor collectors or on residential collectors where no access to residences is provided unless an engineering study has been done to model the traffic and a professional engineer signs and seals the recommendation. However, roundabouts and median islands are permissible for these street classifications.

g. Sidewalks– Sidewalks shall be incorporated into the design of subdivision streets **and multifamily development** in accordance with requirements below and the requirements of the Santa Rosa County Subdivision Roadway Design Manual.

i. Sidewalks shall be constructed on one side of residential collector roads and on both sides of major and minor collector roads. Sidewalk construction shall be in accordance with the requirements of Section 4.03.06(E) of this Code. Sidewalks shall be located as specified in the Santa Rosa County Subdivision Roadway Design Manual.

ii. In order to promote pedestrian connections from proposed developments to school sites, in addition to and in conjunction with the sidewalk requirements, sidewalks shall be required in the vicinity of schools as follows:

a) For developments which are adjacent to an existing or planned school site, the development must provide a pedestrian route within the development and a direct pedestrian connection to the school site as well as a connection to any adjacent parcel for which a roadway connection is required per Section 4.03.03.B.3.c. Sidewalks will be required ~~will be required~~ on both sides of a boulevard entrance and on at least one side of all streets to provide a continuous system throughout the development. In addition, the pedestrian route must be provided across the development's entire frontage along the

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corridor that has a direct connection to the school. Additional connections to the school site are encouraged. If a roadway separates the development from the school site, a crosswalk must be installed to connect the sidewalk systems.

b) Within a two (2) mile radius from any point along the subdivision boundary within the subdivision of an existing or planned school site, a pedestrian route must be provided within any proposed development. Sidewalks will be required on at least one side of all streets to provide a continuous system throughout the development. In addition, the pedestrian route must be provided across the development's entire frontage along any corridor that serves the school as well as a connection to any adjacent parcel for which a roadway connection is required per Section 4.03.03.B.3.c. If a roadway separates the developments, a crosswalk must be installed to connect the sidewalk systems.

c) If the proposed subdivision is adjacent to a subdivision, whether existing or having an approved preliminary plat, with existing sidewalks, then the proposed subdivision must connect to the existing sidewalk system either through the internal roadways or along the main entrances to the subdivisions.

iii. Where a sidewalk exists on a public right-of-way for which a subdivision includes any access point, a sidewalk connection shall be provided. If the existing sidewalk is on the adjacent **opposite** side of the roadway, a crosswalk must be installed **at intersecting roadways** to connect the sidewalk systems. All projects providing access points to a roadway where a planned expansion is under development for which a sidewalk system is planned, a sidewalk connection shall be provided at each access point of that roadway. For all sidewalks required under this section, the sidewalks must extend internally to the first main intersection of the street providing the sidewalk.

4. Blocks

a. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth, unless prevented by exceptional topography or other physical conditions. In the case of primary and secondary highways and collector streets, where it may be desirable to limit direct access to those roads through lots may be approved provided that a suitable non-access easement is

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recorded on that portion of the lots directly adjacent to the primary, secondary, or collector street. The length of blocks shall not exceed one thousand three hundred twenty (1320) feet.

b. In any block over six hundred (600) feet in length and where necessary for a school or other pedestrian generator, the County Engineer (CE) may require that a pedestrian way, not less than twenty (20) feet wide, be dedicated near the center and entirely across such block.

C. Minimum Right-of-Way Widths of Streets, Alleys, and Easements for Utilities and Drainage

- 1.** Highways and primary thoroughfares; not less than one hundred (100) feet wide.
- 2.** Local streets, easements, and temporary cul-de-sacs or dead-end streets; sixty (60) feet wide, curb and gutter streets; fifty (50) feet wide.
- 3.** Turning circles (permanent) at the end of cul-de-sacs or dead-end streets; one hundred (100) feet wide.
- 4.** Easements for utilities, where required, shall be at least fifteen (15) feet wide, and shall be centered on rear or side lot lines, where practical.
- 5.** Alleys shall be platted to a width of not less than twenty (20) feet. Alley turnaround lengths to be determined by the NFPA.
- 6.** Drainage easements shall be platted to a width of twenty (20) feet or more if required according to Section 4.03.07(E)(7).
- 7.** Vertical clearance over subdivision roadways shall be a minimum of 14'6".

D. Minimum Pavement Width – The portion of pavement required to be installed at the developer's expense is set forth below, provided that the developer shall not be responsible for paving on any non-access highway or primary thoroughfare, secondary or collector street which has been accepted for maintenance by the Board of County Commissioners. If the road was not accepted for maintenance by the Board of County Commissioners, the developer shall bring the road into compliance with County standards. The developer shall bring the road in compliance with County standards as determined by the County Engineer.

- 1.** Streets – For Residential Streets, twenty two (22) feet in width, excluding curbing for local collector or below. For all other street classifications, the minimum required width shall be provided in the Santa Rosa County Subdivision Roadway Design Manual, but shall be no less than twenty-four (24) feet in width, excluding curbing. If soil and topographic conditions indicate that drainage problems will be created or aggravated, satisfactory drainage control (which may include curb and gutter) shall be required. The determination of whether drainage problems

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will be created or aggravated will be made by the County Engineer (CE).

2. Turning Circles – The pavement of a turning circle at the end of a cul-de-sac or dead-end street shall have a minimum outside radius of thirty (30) feet with a return radius of twenty-five (25) feet.

- a. **Dead-end streets or stub-outs shall not extend deeper than the frontage of one lot and shall not exceed 150 feet unless a turning circle is provided at the end of the street.**
- b. **Phased developments shall provide a temporary turning circle at the end of a phase if the temporary end of the street exceeds one lot and 150 feet.**

3. Alleys – Alleys, shall have a minimum twenty (20) feet right of way and be paved to a width of sixteen (16) feet. Alley turnaround lengths to be determined by the NFPA1.

4. One-Way Street – Sixteen (16) feet in width, excluding curbing.

E. Intersections

1. Proposed street pavements shall intersect one another within ten (10) degrees of right angles as topography and other limiting factors of design permit, and shall be rounded by a radii of twenty-five (25) feet minimum. The County Engineer may require larger radii at intersections with arterial and collector streets.

2. Street right-of-way intersections shall be rounded by radii of twenty-five (25) feet minimum. The CE may require larger radii at intersections with arterial and collector streets.

3. All development proposals shall provide turning lanes as required according to county specifications.

F. Lots – Every lot shall conform with the appropriate requirements of Chapter 2 of this Code and with the following:

1. Platted residential lots may only have a side or rear yard on an existing collector or arterial roadway as defined in Section.4.05.02

2. Access to proposed non-residential lots or outparcels must be provided in accordance with the provisions of Section 4.04.02.

3. A platted subdivision may not exclude land from the plat which is under common ownership and/or is located along an existing collector or arterial roadway as defined in Section 4.04.02.

4. **All proposed lots must have adequate buildable area for a residential structure.**

5. **All perimeter lot setbacks must maintain the minimum setbacks of the parent parcel.**

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G. Design Innovations – Upon receipt of certification by developer's registered professional engineer, the County Engineer may recommend to the Board of County Commissioners experimental methods in the design of a subdivision and in installation of improvements. Where such experimental methods and design innovations are authorized, the developer may be required to post a maintenance bond, or equal, covering any maintenance for improvements which may be accepted by the County. Such bonds shall become effective upon acceptance of the Final Plat and shall be in an amount determined by the County Engineer to be sufficient to cover up to one hundred (100) percent of the initial cost of the improvements and other expenses such as as-builts, certifications, etc.. Maintenance bonds, or equal, shall run for a period determined by the County Engineer of no less than one year on street paving, water, sewer or storm drainage improvements.

H. Development around Wetlands and High Groundwater

1. Where the permanent water table is less than two (2) feet below ground surface, or is uncertain, the County Engineer shall require a typical boring for each lot in a proposed subdivision. These heights shall be shown on the Preliminary Plat and shall be certified by the developer's registered professional engineer licensed in Florida.

2. No building shall be constructed on a lot in a subdivision where the permanent water table is less than two (2) feet at the building site on that lot unless a special engineering report is submitted and so noted on the construction plans. The report as prepared by a registered professional engineer licensed in Florida shall address subsurface conditions and construction methods to ensure provision of adequate foundations and safe, stable construction of all buildings, driveways, streets, sewage disposal/collection systems in the subdivision.

If a special engineering report is required, no building permit shall be issued for any construction except in conformity with the requirements of that report. A copy of the special engineering report shall be transmitted to the County Building Official by the County Engineer after approval of the construction plans by the Board of County Commissioners.

NOTE: The measurements of the water table referenced in subparts 1 and 2 above, do not constitute the definition of wetlands within Santa Rosa County.

3. The developer who submits a Preliminary Plat of a proposed subdivision or any part thereof to be platted in a wetland area as defined by the Florida Department of Environmental Protection (FDEP), or the U.S. Army Corp of Engineers (ACOE), shall:

a. Comply with all relevant rules and regulations promulgated by regulatory agencies (including Chapter 17-312, F.A.C.) and show proof of such compliance.

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b. Provide Information on Natural Water Courses - A natural water course (live flowing creek) shall be shown on the Preliminary and Final Plat. The existence of control and regulation of the Florida Department of Environmental Protection, E.P.A. or the Army Corps ~~or~~ **of** Engineers over such areas shall be approximately shown or noted on the Preliminary and Final Plat. The parties responsible for the wetland delineations shall be identified on the Preliminary Plat.

c. Comply with the State Department of Health and Rehabilitative Services, Chapter 10D-6, Standards for Individual Sewage Disposal Facilities, if applicable, and show proof of such compliance.

d. The Preliminary Plat shall follow the process outlined in Section 4.03.02 . For proposed subdivisions or any part thereof to be platted in a wetland area the additional provisions shall be included:

i Covenants, conditions, restrictions, agreements, permits which govern the continued protection of the wetlands in which the proposed subdivision is located.

ii. No lots shall include jurisdictional wetlands as determined by a wetlands delineation as defined by FDEP or USACE.

iii. All jurisdictional wetlands shall include a minimum ~~45~~ **25**-foot buffer.

iv. All wetlands and wetlands buffers shall be located with a common area of the development and protection of the wetlands shall be included in the covenants and restrictions of the development

v. All residential lots shall have adequate upland access areas and adequate upland building areas conforming to appropriate setbacks to accommodate standard construction methods for driveways, dwellings, and on-site wastewater disposal systems as required.

I. Special Residential Subdivision Design Standards Applicable to Military Airport Zones (MAZ)

1. If the proposed residential subdivision is located within the NAS Whiting Field, Harold, Pace, Site X, and Choctaw (southwest area only) MAZs and is 20 acres or greater in size, the Cluster Subdivision Design standards detailed below apply unless a minimum lot size of five (5) acres is maintained. If the proposed subdivision is located within the Santa Rosa MAZ, and is 20 acres or greater in size, the Cluster Subdivision Design standards apply unless a minimum lot size of four (4) acres is

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maintained.

2. Cluster Subdivision Standards.

a. Any proposed division of land for residential development, unless otherwise exempt, shall be designed in a manner that places residential lots away from military installation property lines, Accident Potential Zones, and Clear Zones while leaving a conservation or agriculture preservation area between proposed residential lots and the military installation. Directing the location of residential lots to portions of a parcel furthest from a military installation can be achieved by clustering as described in (e) below.

b. Agricultural Preservation or Conservation Easements. For any proposed subdivision in which single family residential development is allowed, at least fifty (50%) percent of the property appearing in the subdivision plan shall be preserved in a single contiguous agricultural preservation or conservation area. For properties abutting the military installation, the agricultural preservation or conservation area shall include all portions of the property abutting the military installation. To reduce potential threat to public safety and welfare from air and ground activities associated with the military installation, the shape and delineation of the designated agricultural or conservation area shall take into consideration proximity to Accident Potential Zones, Clear Zones, 65 decibel (DNL) Noise Zones, military installation property lines, landing and take-off flight paths, as well as the location of ground activities and buildings within the military installation.

c. Dedication of Conservation or Agricultural Preservation Area. The proposed subdivision plan shall dedicate the agricultural preservation or conservation area through an easement or tract appearing within the recorded final plat.

d. Permissible Uses within Designated Agricultural Preservation or Conservation Areas. For those portions of a proposed cluster subdivision plan assigned as a conservation or an agricultural preservation area, permissible uses shall be limited to silviculture, cattle grazing, or similar agrarian uses, or for recreation activities such as subdivision parks, golf courses, publicly-owned parks or sports facilities, or similar outdoor recreation activities; and infrastructure necessary to support the clustered development such as roadways and dry stormwater ponds.

e. Residential Density and Lot Size. Residential density assigned to the conservation or agricultural preservation area is allowed to be clustered onto the residential portion of the proposed subdivision. Where residential density is clustered onto the residential portion of the subdivision plan, the maximum density for the residential area shall not exceed the density

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allowed by zoning for the entire land area of the proposed subdivision, which includes the agricultural preservation or conservation area. [For example, a 200-acre property with an assigned residential density of one unit per acre could develop with a maximum of 200 units, subject to other provisions of the County's Code and Comprehensive Plan. All 200 units would be placed on the portion of the property not assigned as a conservation or agricultural preservation area.

Except on the perimeter of a clustered subdivision, minimum lot sizes and street frontage widths are not established. However, all proposed lots must have adequate buildable area for a residential structure with no variances to setbacks or accessory structures allowed. On the perimeter of a clustered subdivision where the parcel abuts an Agriculture zoning district, a minimum lot size of 21,780 square feet (1/2 acre) is required. In all cases, the setback requirements of the zoning district will apply.

When a cluster subdivision project involves split zoning designations, the gross density of the overall project area located within the MAZ may be transferred within the overall project area, provided that all dwelling units are clustered as described above.

For parcels straddling an MAZ Boundary, the clustering regulations of this section only apply to the area lying within the MAZ boundary. Densities cannot be transferred into the non-MAZ boundary area.

3. Number of Residential Units Per Lot. Notwithstanding the density limitations detailed below, one dwelling unit may be constructed or placed upon lot of record as of April 14, 2005.

J. Mailbox Cluster (Kiosk) Requirements:

1. New Subdivisions

a. Mailbox Cluster (Kiosk) Requirements

- i. The mailbox cluster should be on the departure lane of the subdivision and a minimum of 300-feet from the entrance.
- ii. Provide a pull over lane that will accommodate a delivery truck and one vehicle at a minimum. Additional area may be required for subdivisions with 50 lots or greater.
- iii. The mailbox cluster area must meet all ADA standards. Stripping and signage for ADA is not required, but the geometry must meet the requirements.
- iv. The mailbox cluster must be on a concrete pad. The concrete pad must be 5'x10' at a minimum. Other dimensions may be allowed pending coordination with the

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US Postal Service.

- b. Mailbox Clusters located outside the right-of-way –
 - i. Provide a parking area **and a** concrete pad for the mailbox cluster, and handicap accessibility that meets ADA standards. Stripping and signage for ADA is not required, but the geometry must meet the requirements. All parking stalls shall be stripped and dimensions shall meet the requirements in this code.
 - ii. The parking area will be labeled as common area and will be the responsibility of the Homeowners Association.

2. Approved Subdivisions not Constructed or Platted prior to February 8, 2018–

- a. Mailbox Clusters In the right-of-way –
 - i. The mailbox cluster should be located a minimum of 300-feet from the subdivision entrance.
 - ii. The mailbox cluster area must meet all ADA standards. Stripping and signage for ADA is not required, but the geometry must meet the requirements.
 - iii. The mailbox cluster must be on a concrete pad. The concrete pad must be 5'x10' at a minimum. Other dimensions may be allowed pending coordination with the US Postal Service.

4.03.04 Preliminary Plat Requirements

A. Preliminary Plat Preparation – The Preliminary Plat of a proposed residential or non-residential subdivision shall be prepared and sealed by a Professional Surveyor and Mapper (PSM) and Florida Professional Engineer (PE). The sheet size shall be 22" x 34" or **maximum of 24" x 36"**.

B. Vicinity Sketch – A Vicinity Map of a legible scale shall appear on the face of the Preliminary Plat. The map shall be referenced to easily recognized physical features.

C. Scale –The plans shall be printed in black and white monochrome ~~and or~~ grey scale. ~~Maps may be in color.~~ **The plans shall be drawn to a scale of one (1) inch equals one-hundred (100) feet, unless approved by the County Surveyor or County Engineer.**

D. Preliminary Plat Information – The Preliminary Plat shall include at a minimum, and show the following features and information:

- 1. The name of the proposed subdivision, including street names, which shall not duplicate or closely approximate the name of any other subdivision or street. Subdivision and street names shall be pre-approved by Santa Rosa County Addressing prior to submittal.

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2. The plat shall have a title printed on each sheet in bold legible letters the name of the subdivision, printed above and in letters larger than the balance of the title; County and State; section, township and range; if in a land grant, so state.
3. When the plat is a replat of or addition to an existing plat of record the words "section", "unit", "replat", etc.; and when the plat encompasses lands in a planned unit development, the abbreviation "PUD". Likewise, all other planned developments shall contain the appropriate abbreviation for such designation within the title.
4. Provide a complete legend of symbols, abbreviations and line types matching the scale of the drawing.
5. The names and addresses of the owners of record, the developer, the engineer and the land surveyor who prepared the Plat. Also, the telephone numbers of the developer, engineer and land surveyor are required.
6. Legal description of the property, which is so complete that from it, without reference to the Plat, the starting point and boundary can be determined. The description should be referenced to the section, township, and range as applicable. If in a land grant, the Plat will so state. The initial point in the description shall be tied to the nearest government corner or other recorded and well established corner, Section lines and forty acre section lines occurring in the platted land shall be indicated by lines drawn upon the Plat, with appropriate words and figures.
7. All rezoning, conditional use or variance allowances to include the date and time of approval shall be included on the cover sheet.
8. The boundary lines, based on an accurate survey in the field, of the tract to be subdivided. Recording or survey discrepancies of adjoining or referenced tracts are to be shown in detail.
9. The location, widths and names of all existing or platted streets or roads and all easements within and immediately adjacent to the tract and other important features such as water courses, railroad lines, wetlands, zoning, apparent land use, etc.
10. The lot lines, rights-of-way and recording data (Plat Book and Page) of adjoining subdivisions.
11. Contours with intervals of one (1) foot, or as needed for clarity, referenced to ~~USC&G Datum~~ **NAVD'88 Datum**.
12. The layout and widths of proposed rights-of-way, alleys and easements and the layout, number and approximate dimensions of proposed lots including the area of each in square feet when required.
13. The total number of lots and the density calculations for the development.

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14. Lots shall be numbered in consecutive numerical order, and blocks also numbered or lettered in consecutive order.
15. **Reserved** ~~Tabulation of Survey Data is not permitted without prior approval by the County Surveyor.~~
16. Provide Note when applicable - Where the height of the water table is less than two (2) feet below ground level or is uncertain and the County Engineer requires a typical boring for each lot, these heights shall be shown.
17. **Graphically show** proposed front yard and corner side yard building setbacks. Note all other setbacks ~~lines to~~ **and** include **a note for** setbacks that **must** run concurrent with easements. The setback data may require both perimeter parcel setbacks and interior lot setbacks if applicable.
18. All parcels of land intended to be dedicated or reserved for public use; to be reserved in the deeds for the common use of property owners in the subdivision, or to be reserved for the common ownership of property owners in the subdivision; with the purposes, conditions, or limitations of such dedication or reservation indicated.
19. North-point, scale, and date on every sheet.
20. Proposed retention and distribution of storm water in accordance with County, State, and Federal laws, ordinances and regulations.
21. Special flood hazard areas shall be shown where the proposed subdivision or any part thereof is in an area subject to 100 year flooding.
22. Provide location of the Mailbox Cluster in coordination with the US Postal Service ~~if provided in a separate parcel.~~ See Section 4.03.03.K **for further requirements.**
23. Zoning classification, Future Land Use category, and parcel number of all adjacent properties.
24. The location and classification of any required buffer(s) within the subdivision.
25. Proposed streets, with typical cross-sections, ~~shall be shown.~~
26. Proposed sidewalks to be constructed ~~by the developer.~~
27. Military Airport Zones and Public Airport Zones. ~~If~~ **if** the plat, either part or whole, lies within any Military Airport Zone, Public Airport Zone, Clear Zone, Runway Protection Zone, or Accident Potential Zone, the boundaries of such zone shall be delineated on the plat. If the entire plat lies inside any such zone, the plat shall incorporate a statement that declares all property within its legal description lies within the applicable zone. If contiguous property is owned by a military installation or public airport, the name of the installation or airport shall be so designated.

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Any plat or portion thereof that lies within any Military Airport Zone, Public Airport Zone, Clear Zone, or Accident Potential Zone shall include substantially similar language as that appearing in the following statement, as may apply to the property:

“On the date this plat was recorded, all or a portion of the property appearing within this plat lies within a Military Airport Zone, Public Airport Zone, Runway Protection Zone, Clear Zone, or Accident Potential Zone. Use of or construction upon lands or waters within this plat may have additional restrictions set forth in ordinances of the Santa Rosa County Board of Commissioners or in covenants recorded in the official records of the Clerk of the Circuit Court for Santa Rosa County.”

28. Provide the note - Signs shall be regulated by Section 4.10.00 the Santa Rosa County Land Development Code. Subdivision signs must be permitted separately through the Building Department.

29. Provide the note - Fences and walls within residential zones shall be regulated by Section 5.02.00 of the Santa Rosa County Land Development Code. Walls must be permitted separately through the Building Department.

30. Provide the note - Separate building permits will be required for any retaining wall or other structure constructed within common areas.

31. Provide the note when applicable – Separate Development Orders will be required for pools and/or clubhouses constructed within amenity areas.

32. Provide the note when applicable – Sidewalks are required within this development per this ordinance.

E. Military Airport Zone and Public Airport Zone Code, Covenants, and Restrictions – Any residential subdivision located in whole or part within a Military Airport Zone or Public Airport Zone, as defined in Chapter 8, shall submit a Codes, Covenants, and Restrictions document that requires a property owner of property located within a Military Airport Zone or Public Airport Zone, to disclose to any prospective buyer or tenant the property’s proximity to a military installation or public airport. The Codes, Covenants, and Restrictions shall be recorded concurrent with the recording of the plat. Sample language for inclusion in such Codes, Covenants, and Restrictions, will be provided to the applicant by the Planning and Zoning Department.

F. A tree survey and tree identification table is required. The preliminary plat layout must be shown on the tree survey.

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4.03.05 Subdivision Construction Plans Approval Process (Required Improvements)

A. After approval of the preliminary plat (or concurrently), the developer shall submit to the County Engineer no more than five (5) years after approval of the Preliminary Plat (regardless of Land Development Code version), the construction plans conforming to the requirements of Section 4.03.06 of this ordinance and appropriate review fees as established by the resolution of the BOCC. The County Engineer shall approve the construction plans or return it disapproved with written comments and/or marked prints within thirty (30) working days from the date of submission of a complete application. A five (5) year extension is available upon request by the developer or engineer of record.

Exception: The County Engineer or Planning and Zoning Director may withdraw the requirement for the Construction Plan Approval for Commercial and Multi-family Subdivisions provided they meet the requirements and follow the Commercial Development Approval Process **if required**. These Developments will still be required to follow the subdivision requirements stated in this ordinance.

The initial submittal shall include the following in order to deem the submittal complete for review:

1. Construction plan application **Application via online portal**
2. Request Letter which includes the name of the subdivision, number of lots, developers name and engineer of record contact information.
3. ~~Two (2) Sets of~~ **PDF Construction Plans (digitally signed/sealed by Professional Engineer per F.A.C.)**
4. ~~Two (2) sets of the~~ Stormwater Management Plan with Drainage Calculations **digitally signed/sealed by Professional Engineer per F.A.C. (signed/sealed by Professional Engineer)**
5. One (1) Geotechnical Report **digitally signed/sealed by Professional Engineer per F.A.C. (signed/sealed by Professional Engineer)**
6. ~~One (1) Set of~~ Technical Specifications **digitally signed/sealed by Professional Engineer per F.A.C. (signed/sealed by Professional Engineer)**
7. **Lot grading plan digitally signed/sealed by Professional Engineer per F.A.C.**
8. **Copy of all Federal, State and Local Permits must be received prior to commencement of construction.**

The Final submittal shall include:

1. ~~Three (3) final sets of construction plan (signed/sealed and labeled as "Issued for Construction"~~

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- ~~2. Two (2) Sets of the Lot Grading Plan (signed/sealed)~~
- ~~3. Digital Copy of all plans, calculations, specifications and geotechnical report~~
- ~~4. Copy of all Federal State & Local Permits (must be received prior to commencement of construction)~~

B. The procedure for approval of the construction plans shall be the same as the procedure for approval of preliminary plats as set forth in Section 4.03.02 above.

C. After preliminary plat and construction plans are approval by the County Engineer at the discretion of the Board of County Commissioners, and after the submittal of all Federal, State and Local permits, the applicant may commence construction activities and installation of improvements

4.03.06 Construction Plans – Minimum Requirements

A. Construction plans shall be prepared by an Professional Engineer licensed in the State of Florida, **digitally signed/sealed by Professional Engineer per F.A.C.** ~~whose embossed seal and wet signature shall appear on such plans as required by the Florida Administrative Code (FAC).~~

B. Subdivision designs, both residential and non-residential, shall utilize the latest editions of the following at a minimum:

1. Santa Rosa County Subdivision Design Manual, ~~latest edition;~~
2. Florida Department of Transportation (FDOT), Standard Plans for Road and Bridge Construction, FDOT Design Manual, FDOT Standard Specifications for Road and Bridge Construction, and other FDOT standard reference manuals as needed. ~~All manual shall the be the latest edition.~~
3. The Manual of Uniform Minimum Standards for Design, Construction and Maintenance of Streets and Highways (aka, The Florida Greenbook), ~~latest edition~~
4. Northwest Florida Water Management District (NFWFMD) Environment Resource Applicant's Handbook Volumes 1 & 2.
5. Florida Department of Environmental Protection (FDEP) regulations for stormwater, potable water, wastewater, erosion control and environmental regulations.
6. US Army Corp of Engineers (ACOE), environmental regulations;
7. Manual on Uniform Traffic Control Devices (MUTCD)
8. Florida Pedestrian Facilities Planning Design Handbook
9. ADA Standards for Accessible Design, ~~latest edition~~
10. Additional technical manuals may be required and will be implemented at the direction of the County Engineer as necessary

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C. Residential and Non-Residential Construction plans shall include the following at a minimum and the sheet size shall be 22" x 34" or **maximum of 24" x 36"**:

1. Vicinity Sketch referenced to an easily recognized landmark
2. An overall site layout with street names, block numbers and lot numbers which shall match the preliminary plat exactly
3. Plans and Profiles – Plans and profiles of each proposed street, including private streets, at a horizontal scale of fifty (50) feet or less to the inch, and vertical scale of five (5) feet or less to the inch, with existing and tentative grades indicated along with the seasonal high groundwater elevations; including plans and profiles of proposed sanitary sewers, swales, water mains, storm sewers, with grades, length and sizes indicated for each.

D. Streets and Utilities –Roadway cross sections of each proposed street, including private streets, at a horizontal scale of ten (10) feet or less to the inch, and vertical scale of five (5) or less to the inch at a minimum interval of two hundred (200) feet or less, and all critical areas showing the width of pavement, the rights-of-way, the location and width of sidewalks when installed, and the location of the utility mains, storm sewers, swales and existing grade. The County Engineer may reduce the required number of cross sections in subdivisions utilizing curb and gutter.

E. Grading & Drainage Plans – A complete grading and drainage plan shall be included of the construction plans. The plan shall include existing and final grading, spot elevations and drainage features including location of inlets, swales, retention/detention areas, and related features.

F. Clearing - A complete clearing / grubbing plan showing the limits of the clearing that will be included as part of the installation of the infrastructure. The plan shall also include any lots that will be cleared as part of the construction and ~~shall show the location of trees to be protected.~~ **A tree survey, tree identification table and mitigation plan are required per LDC Section 4.07.05. The site layout must be shown on the tree survey.**

G. Erosion Control Plan – Provide an erosion control plan that specifies in detail the erosion and sedimentation control measures to be used during all phases of construction. These plans shall be in accordance with the FDEP's "Erosion & Sediment Control Designer & Reviewers Manual," latest edition. At a minimum the plan shall include the type, detail and location of the control measure used. **Stockpile areas shall be identified and proper erosion protection shall be installed.**

H. Bench Marks – A minimum of three bench marks referenced to USC&G datum shall be shown on the plans and record plats, not more than fifteen hundred (1500) feet apart. Bench marks shall not be required at closer intervals than six hundred (600) feet. Plans shall indicate the location, elevation and description of all bench marks to include section, township, and range reference

4. Design and Development Standards

with departures and distances to location. Benchmarks that are damaged, destroyed, or moved during construction must be replaced by a Professional Surveyor and Mapper.

I. ~~Sidewalks – All sidewalks constructed in Santa Rosa County shall meet the following requirements:~~

- ~~1. Location shall have a minimum strength of two thousand five hundred (2,500) pounds per square inch (PSI).~~
- ~~2. The minimum width of sidewalks shall not be less than five (5) feet.~~
- ~~3. The sidewalk shall not be less than four (4) inches thick. At driveways a minimum thickness of six (6) inches or four (4) inches with woven wire fabric reinforcement shall be required.~~
- ~~4. All sidewalks shall be constructed with 2% cross slope maximum.~~
- ~~5. One half (1/2) inch expansion joints shall be at thirty (30) foot intervals or less, with control joints at ten (10) foot intervals.~~
- ~~6. 1. Location of proposed improvements such as sidewalks, bikeways, or bridle paths shall be included on **all sheets within the** construction plans.~~
- ~~7. 2. If sidewalks are required or proposed along lot frontages, the sidewalks shall be constructed at the time of home construction for each residential lot. In all other locations where sidewalks are required or proposed, the sidewalk shall be constructed by the Developer during the installation of subdivision improvements. **Sidewalks along the side yard of the corner lot shall be constructed by the developer.**~~
- ~~8. 3. Sidewalks shall be constructed to the requirements of the latest editions of the *Florida Pedestrian Facilities Planning Design Handbook*; the *Manual on Uniform Traffic Control Devices* (MUTCD); the appropriate indices of the Florida Department of Transportation (FDOT) *Design Standards for Design, Construction, Maintenance and Utility Operation on the State Highway System* and *The Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways* (the *Florida Greenbook*).~~

J. Drainage Plans – See Section 4.04.00 for detailed information.

K. Finished Floor Elevations

1. Minimum finished habitable floor elevations (excluding basements) shall be eight (8) inches above finished grade. If no sod is installed, elevation shall be ten (10) inches above finished grade. Finished grade shall be sloped downward from the foundation six (6) inches within ten (10) feet or less including sidewalks, patios and driveways and then sloped a minimum one-sixteenth (1/16) inch per foot to a positive drainage outfall.

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2. In all new subdivisions a sealed professional engineer's evaluation shall be required. The engineer's evaluation will include design data, calculations, drawings and applicable assumptions to establish the 100 year water surface profile for the area and shall be submitted to the County Engineer. Upon review by the County Engineer, a minimum finished habitable floor elevation of fourteen inches (14") above the expected 100 year water surface profile will be established and forwarded to the Building Inspection Department where required.

3. In areas determined by Santa Rosa County to be flood-prone with documented high water elevations, a minimum finished habitable floor elevation of eighteen inches (18") above the high water mark will be established by the County Engineer. Finished floor elevation requirements shall be verified prior to issuance of a Certificate of Occupancy by a certified elevation letter from a registered land surveyor or registered engineer.

These regulations are adopted to attempt to reduce flooding to habitable areas of single family residences. It is recognized that no regulation will guarantee that such flooding will occur. These regulations shall not be construed to impose any duty or liability against Santa Rosa County in relation to the enforcement of these regulations or in relation to any flooding which may occur.

~~L. Final Construction Plan~~

~~1. Public/Private Subdivisions—Dedication to the County, if applicable—After installation of improvements, the developer shall submit a letter requesting County acceptance of such improvements for maintenance for all public subdivisions. The submittal shall include the following:~~

~~a. A letter specially stating that all improvements were installed per Santa Rosa County Standards. (signed/sealed)~~

~~b. A copy of all Federal, State and Local utility certification letters from FDEP showing the water/sewer has been placed into service and the transfer to operation and maintenance from the NWFWM~~

~~c. Two (2) sets of as-built construction plans which shall indicate the work that is actually in the field. (signed/sealed)~~

~~d. One (1) Drainage Mylar that shows all drainage easements, ponds, inlets and pipes. Drawing shall include constructed invert elevations, pipe sizes, slopes, material and benchmarks. (signed/sealed) Not required for Private subdivisions~~

~~e. One (1) certified asphalt core results and density tests for subgrade and base. These results must meet or exceed Santa Rosa County requirements.~~

~~f. Provide a letter stating a list of road names and lengths—~~

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~~Not required for Private subdivisions~~

~~g. Request for final site inspection or all improvements. The County Engineer will physically inspect the improvements and will approve them or disapprove them as set forth in full in Section 4.03.07. Upon a disapproval of the improvements, the County Engineer will provide the developer a "punch list" of corrections. Upon the approval, the County Engineer will forward their his/her letter, together with any recommendations produced by the Road and Bridge Department and accompanying drawings to the Board of County Commissioners which shall, in any event, act to approve, accept, or reject the improvements within fifteen (15) working days of the complete submittal of the approved system for acceptance.~~

4.03.07 Minimum Design Requirements

A. General - All of the improvements required under this Ordinance shall be constructed according to plans approved by the County Engineer with respect to construction details, subject to inspection and certified testing lab data supplied by the developer.

B. Road and Street Construction – Rights-of-way and drainage easements shall be cleared as required and left in a clean and neat condition and shall be sprigged with grass or shall otherwise be protected as required by the County Engineer. Standard Specifications, where referred to herein, shall mean "*Standard Specifications for Road and Bridge Construction*, Florida State Department of Transportation," latest edition as they may be amended from time to time. Applicable sections of the Standard Specifications shall apply to all streets. These specifications are on file with the County Engineer and are available online from FDOT's website.

1. Subgrade – Subgrade stabilization shall be done in accordance with applicable portions of the Standard Specifications. Unsuitable materials such as stumps, roots, muck, etc., will be removed to at least a depth of two (2) feet below the subgrade. The subgrade and shoulders shall be stabilized to a depth of ~~six (6) inches for residential and twelve (12) inches for non-residential~~ and to the width of three (3) feet beyond the curb or pavement edge as appropriate. The subgrade and the curb pad shall be prepared at the same time. The stabilized area shall be free of muck, roots and other objectionable materials. The subgrade and shoulders shall be stabilized to obtain a minimum Limerock Bearing Ratio (**LBR**) of forty (40) **(75 for sand-clay base)** and compacted to a minimum of ninety-eight (98) percent of maximum density as determined by modified AASHO T 180 **or ASTM D1557** unless greater standards are recommended in the Geotechnical Report. In this case, the most stringent requirement will be required. **Density testing and LBR ratios shall be taken at three hundred (300) feet.**

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2. Excavation and Embankment – Excavation and embankment shall be done in accordance with the appropriate section of the Standard Specifications to lines and grades indicated in the construction plans.

3. Concrete Curb and Gutter - All roads shall be constructed with concrete curbs. Concrete curb and gutters or lay back curb and gutter shall be required in subdivisions with lot widths less than 200 feet. For residential subdivisions concrete curb and/or gutter shall be of a barrier, mountable or header type, as per detail provided by the County Engineer. FDOT Type 'F' curb may be used for medians only. For non-residential subdivisions, the curb and gutter requirement may be varied by the County Engineer. Ribbon Curb will be required at a minimum. The subgrade and the curb pad shall be prepared at the same time.

a. Forms may be wood or metal having a depth of not less than six (6) inches. These shall be set using sufficient supports to hold the concrete without moving.

b. Contraction joints shall be constructed every ten (10) feet but no section shall be less than four (4) feet long. Steel templates shall be used for these joints and withdrawn after the initial set. At intervals not to exceed ~~fifty (50)~~ **sixty (60)** feet and at all structures and inlets and at all radius points, a one-half (1/2) inch full-depth expansion joint shall be constructed of an approved material. Expansion joints shall be constructed with preformed expansion joint materials cut and shaped to the cross-section of the curb.

c. Compressive strength for the concrete shall not be less than two thousand, five hundred (2,500) pounds per square inch (PSI) at the end of twenty-eight (28) days. No concrete shall be placed when the air temperature is forty (40) degrees Fahrenheit and falling. Curing methods shall conform to the appropriate section of the Standard Specifications.

d. Machine placement of concrete curb and gutter ~~may be~~ **is** allowed ~~with the approval of the County Engineer~~, provided that an acceptable finished product, true to line, grade, and cross section, is consistently produced.

4. Ribbon Curb

a. All roads with a minimum lot width of 200 feet may be constructed utilizing ribbon curb. These lots shall also have a minimum lot size of 1-acre and have a minimum 70-foot right-of-way. Subdivisions not meeting these criteria will be required to install curb and gutter as indicated.

b. Ribbon Curb required at the connection with existing rural roadway sections.

c. All subdivision shall have ribbon curb, at a minimum.

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d. Ribbon Curb shall be installed utilizing the same requirements as the Concrete Curb and Gutter.

5. **Sidewalks – All sidewalks constructed in Santa Rosa County shall meet the following requirements:**

a. The concrete shall have a minimum strength of two thousand five hundred (2,500) pounds per square inch (PSI).

b. The minimum width of sidewalks shall not be less than five (5) feet.

c. The sidewalk shall not be less than four (4) inches thick. At driveways a minimum thickness of six (6) inches or four (4) inches with woven wire fabric reinforcement shall be required

d. All sidewalks shall be constructed with 2% cross slope maximum **and shall meet ADA requirements.**

e. One-half (1/2) inch expansion joints shall be at thirty (30) foot intervals or less, with control joints at ten (10) foot intervals.

6. Base – Base shall be constructed of the materials shown on the plans, which materials shall conform to the specifications below and as approved by the County Engineer. The minimum thickness of the base material shall be six (6) inches for residential, **(9) inches for sand clay base** and eight (8) inches in non- residential, unless greater standards are recommended in the Geotechnical Report. **(Note that the base requirements for turn lanes must meet non-residential requirement.)** In this case, the most stringent requirement will be required. Thickness and density of the base shall be measured under direction of the County Engineer at intervals of not less than two hundred (200) feet, in holes through the base of not less than three (3) inches in diameter. Where the compacted base is deficient by more than one-half (1/2) inch, the contractor shall correct such areas by scarifying and adding material for a distance of one hundred (100) feet in each direction from the edge of the deficient area, and the affected area shall be brought to the required state of compaction and to the required thickness and cross section. Where the estimated wet seasonal high water table (per Geotechnical Report) is less than 2 ft below the bottom of the subgrade, water proof graded aggregate base material and/or underdrains will be required.

a. Seasonal High Groundwater Table

i. If the seasonal high groundwater table is lower than two (2) feet below the subgrade and two (2) feet of separation between the subgrade and water table can be maintained, then any base material listed below may be used as long as it meets the requirements of the Standard Specifications.

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- ii. If the seasonal high groundwater table is within the two (2) feet separation between the sub-grade and the water table, then graded aggregate base must be used as the base material.
 - iii. If the seasonal high groundwater table is within the subgrade, then graded aggregate base and underdrains shall be used.
 - iv. Absolutely no seasonal high groundwater table is allowed within the base material.
 - b. Sand-Clay Base - **Sand Clay shall only be allowed on existing dirt roadbeds and in residential developments only. The use of sand-clay will not be allowed on any new roadways.** The material shall conform to the appropriate section of the Standard Specifications and shall be primed and constructed according to the appropriate section of the Standard Specifications.
 - c. Shell Stabilized Base - The materials shall conform to the appropriate section of the **FDOT** Standard Specifications and shall be primed and constructed according to the appropriate section of the Standard Specifications.
 - d. Limerock Stabilized Base - The material shall conform to the appropriate section of the **FDOT** Standard Specifications and shall be primed and constructed according to the appropriate section of the Standard Specifications.
 - e. Graded Aggregate Base - The material shall conform to the appropriate section of the **FDOT** Standard Specifications and shall be primed and constructed according to the appropriate section of the Standard Specifications
 - f. Soil Cement - The material used shall conform to the appropriate section of the **FDOT** Standard Specifications and shall be primed and constructed in accordance with the appropriate section of the Standard Specifications and shall be approved by the County Engineer.
 - g. **Roadway base shall be proof-rolled prior to installation of the asphalt surface. Proof-rolling shall be conducted utilizing a tandem axle dump truck with certified scale ticket indicating 65,000-68,000 gross weight, unless otherwise specified in the Geotechnical report.**
7. Type SP-12.5 Surfacing Asphalt - An asphaltic-concrete surface material shall be required on all roads and shall be a minimum of ~~one-quarter (0.25)~~ **one-half (0.5)** inch above the curb lip after compaction. The surface shall be Type SP-12.5 Asphaltic

4. Design and Development Standards

Concrete and shall meet all specifications as given in the appropriate section of the Standard Specifications, or equivalent, as determined by the County Engineer. The surface shall be constructed in accordance with the appropriate section of the Standard Specifications.

- a. Residential Subdivisions - The surface shall be Type SP-12.5 Asphaltic Concrete and shall be ~~one and one-half (1-1/2)~~ **2-inches** inches thick after compaction. No tolerance is allowed for less than 4-1/2" **2-inch** thickness.
- b. Non-Residential Subdivisions - The surface shall be Type SP-12.5 Asphaltic Concrete and shall be three (3) inches thick after compaction. No tolerance is allowed for less than 3" thickness.
8. Other Surfacing - Other materials may be used, subject to approval of specifications by the County Engineer.
9. Inspection - ~~During the construction, a field inspection of each phase will be made by the County Engineer, or their his/her designee.~~
 - a. **Contractor shall schedule a pre-construction meeting with the engineering department prior to construction.**
 - b. **During construction, a field inspection of each phase will be made by the County Engineer, or their designee. It is the developer's responsibility to notify the County Engineer twenty-four (24) hours before a phase of construction will be ready for inspection and testing.**
10. Required Inspection Notifications
 - a. Erosion Control Measures
 - b. Subgrade
 - i. **County Inspectors shall approve density and LBR results prior to base or curb installation**
 - c. Pond berm/Clay cores
 - d. Anti-seep collars
 - e. Base and Prime
 - i. **County Inspectors shall approve density and LBR results prior to paving operations.**
 - f. Curbing and Pavement
 - i. **County Inspectors shall approve density and LBR results prior to base installation.**
 - g. Pipe after joints are cemented or secured

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- h. Pipes at backfill
 - i. County Inspectors shall approve density results prior to backfill.
 - i. Headwall – footings
 - j. Final
- 11. Testing requirements – All roadway testing shall alternate from left to center to right with additional tests at all intersections, cul-de-sacs, turn lanes, and other location as directed by CE.
 - a. All tests are to be taken immediately before the next layer of the road cross section is installed. Testing results shall be reviewed and approved by County inspectors prior to moving onto the next stage.
 - b. Santa rosa County has the authority to require additional testing due to weather conditions.
 - c. It is the contractor's responsibility to notify Santa Rosa County of the time and date that the testing will occur and provide SRC with a copy of all of the test results.

C. Street Name Markers and Traffic Control Devices – Street name markers and traffic control devices shall be installed in accordance with specifications of the County Engineer available in the Engineering Department the MUTCD or Santa Rosa County Design Manual. All pavement markings shall be thermoplastic.

D. Water Supply and Sewerage Sanitary Sewer

- 1. Water Distribution Systems – Where a central system is provided, the subdivision shall be provided with a complete water distribution system, including fire hydrants, on water lines adequate to serve the area being platted. ~~In areas that have, or plan to have, two (2) or more dwelling units per acre,~~ a distribution system capable of delivering the equivalent of a 6" PVC pipe shall be installed and connected to an existing 6" water main (or larger).
 - a. Fire protection shall meet NFPA 1 Section 18.5 of the National Fire Protection Association Fire Code Handbook or the local fire district regulations (whichever is more stringent).
 - b. Nominal 6" hydrants with standard threads shall be installed at the spacing indicated.

Where a water utility system exists or will exist upon completion of the subdivision or development, within ~~one-half (1/2)~~ **one (1)** mile of the subdivision or development, a central distribution system to serve the development shall be installed by the developer for connection to the water utility system.

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The developer shall be responsible for the construction of the first $\frac{1}{4}$ **1/2** mile of the water system from the development. The developer shall only be responsible for the construction of a water system with a capacity meeting minimum standards for the capacity generated by the development. The utility shall be responsible for construction or funding of the construction of up to but not exceeding $\frac{1}{4}$ **1/2** mile of the additional line if necessary. However, the utility shall be responsible for construction costs only to the extent such costs do not exceed the dollar amount of water taps to be generated from the subdivision.

2. Sewage Sanitary Sewer System – In every subdivision, provision shall be made for the satisfactory disposal of sanitary sewage. Where a sewer utility system exists or will exist upon completion of the subdivision, within ~~one-half (1/2)~~ **one (1)** mile of the subdivision, a central collection system to serve the development shall be installed by the developer for connection to the sewer utility system. The developer shall be responsible for construction of the first $\frac{1}{4}$ **1/2** mile of the sewer system from the development. The developer shall only be responsible for construction of a sewer system with a capacity meeting minimum standards for the capacity generated by the development. The utility shall be responsible for construction or funding of the construction of up to but not exceeding $\frac{1}{4}$ **1/2** mile of additional line if necessary. However, the utility shall be responsible for construction costs only to the extent such costs do not exceed the dollar amount of sewer taps to be generated from the subdivision.

a. The utility may satisfy its obligation, as set out in this subsection (b.), by crediting to the developer a number of sewer taps, equal in value to the cost of constructing any necessary line extension not to exceed $\frac{1}{4}$ **1/2** mile sewer system construction, or its obligation may be satisfied by any other mutually agreed upon arrangement between the developer and the utility. In the event the utility exercises its right to satisfy its obligation by the crediting of taps, the developer shall be responsible for constructing the $\frac{1}{2}$ **1** mile of sewer system.

b. If the cost of constructing the sewer system extension to the utility involves extraordinary costs such as water way crossings, wetland crossings, extensive land clearing, etc., the developer or the utility may petition the Board of County Commissioners for an exemption from the requirement to connect the subdivision to utility.

c. If the developer constructs the system beyond the first $\frac{1}{4}$ **1/2** mile, then the utility shall within thirty (30) days of the developer completing the construction, credit the developer the required amount with cash or sewer taps in cash equivalents.

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i. Minimum standards for sewer lines shall be as follows and shall follow FDEP installation requirements: Gravity lines – 8" PVC.

a) Manholes shall be offset from the centers of intersections and cul-de-sacs where Permanent Control Points (PCP's) are to be placed.

ii. Force mains – 4" PVC

a) All components of the system crossing public rights-of-way are buried at least 48 inches below finished grade

b) The main line is contained within a Utility Easement outside the right-of-way.

c) All lines (main lines and laterals) that cross public rights-of-way to be sleeved and have a tracer wire

iii. Low Pressure Sewer

a) All components of the system crossing public rights-of-way are buried at least 48 inches below finished grade

b) The main line is contained within a Utility Easement outside the right-of-way.

c) All lines (main lines and laterals) that cross public rights-of-way to be sleeved and have a tracer wire

d. The determination of whether a sewer utility system will exist upon completion of the subdivision shall be made at the time of preliminary plat approval. In conjunction with the submittal of preliminary plat, the developer shall submit a letter from the franchised sewer utility committing whether or not a sewer utility system will exist within one half mile of the subdivision upon completion of construction. All determinations shall be effective for a one year period. If a final plat has not been submitted within one year of a determination, a new determination of whether a sewer utility system will exist upon completion of construction of the subdivision will be made.

e. All proposed subdivisions to be platted in the unincorporated areas of Santa Rosa County south of East River, and on Garcon Point are subject to the following:

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i. A sanitary sewer collection system shall be permitted through the local utility and the Florida Department of Environmental Protection (FDEP). The systems shall be installed along with the other required improvements. Each lot shall be served by a central collection system.

ii. ~~Reserved In areas others than Garcon Point where sanitary sewer is not currently available due to the lack of system capacity, a "Dry Collection System" shall be permitted and installed in accordance with the local utility and FDEP requirements. Permits for construction of residential structures can be issued for subdivisions with Dry Collection Systems provided the following are met:~~

~~a) An onsite disposal permit is issued by HRS,~~

~~b) The "onsite" disposal system is constructed entirely on the property other than the lot for which the residential structure permit is sought,~~

~~c) An easement is provided allowing the exclusive use of the disposal system by the specified residential structure,~~

~~d) An agreement is executed by the home builder and homeowner that guarantees that the residence will be tied to the central collection system within thirty (30) days after notification to the homeowner by the utility that sewer is available.~~

~~e) The homebuilder shall provide an escrow account to the county for the individual residence in an amount to be determined by the County not less than \$3,500.00 and sufficient to secure; the complete and proper removal of the onsite disposal system, physical connection of the residence to the central collection system, payment of the tap fee and restoration of all disturbed areas. The tap fee payment may be made directly to the utility and the escrow amount reduced by the tap fee amount.~~

iii. If the cost of constructing the sewer system extension to the utility involves extraordinary costs such as water way crossings, wetland crossings, extensive land clearing, etc., the developer or the utility may petition the Board of County Commissioners for an exemption from the requirement to connect the subdivision to utility.

c. ~~Level of Service Standard – It is the responsibility of the applicant for subdivision approval and/or developer of such subdivision to provide the CE with documentation on forms~~

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~~provided by the county, and such documentation will illustrate the impact the subdivision will have on water and sewer level of service standards. In addition, on forms provided by the county, the applicant/developer shall provide calculations acceptable to the CE which calculations indicate the projected impact on the water and sewer system serving the subdivision.~~

3. Stubs - Where sewer services are required by this Ordinance, stubs on sewer services for each lot shall be provided to a point at least ten (10) feet beyond the curb. Stubs shall be provided at a reasonable depth. The utilities contractor shall record measurements of stubs from the nearest manhole to each lateral and provide these measurements to the County Engineer or the appropriate utility company servicing the area. Stubs shall be inspected and approved by the County Engineer or appropriate utility company prior to covering with soil. Locations of laterals shall be indicated by temporary markings on the curb or pavement.

E. Drainage System

1. The developer shall provide an adequate drainage system for any subdivision, including all necessary swales, ditches, canals, green-belts, outfalls, bridges, pipe, retention basins, etc. The drainage system shall be designed in accordance to with the stormwater requirements in Section 4.04.00 and to accommodate off-site and on-site contributions. ~~The system shall lead to a positive drainage outlet. Evidence of such positive discharge shall be provided as a part of the construction plan submittal. If there is no existing creek, stream, ditch, wetlands, or other water course on the subject developments property to discharge to after treatment the developer shall prepare the necessary hold harmless agreements and easements for disposition of surface waters beyond the limits of the subdivision and shall attempt to acquire necessary rights of easements. No drainage system shall provide for the use of ponds, lakes, settling basins, or other such structures unless the developer has obtained prior approval from the County Engineer. They shall be constructed in accordance with sound engineering practices and standards adopted of this code. The developer may dedicate such structure to the County, or to owners of property within the subdivision. The fact of such dedications shall be noted on the face of the plat.~~

~~A Homeowner's Association or similar body shall be created and given responsibility for maintaining such drainage structure and for paying the property taxes due upon the land upon which the structure is located. The County shall not be deemed to be responsible for the maintenance for the structure, and the County will not be deemed to be the owner of an easement upon the structure; however, the developer shall execute, on their behalf and on behalf of the landowners within the subdivision who are ultimately to have ownership of the structure, a hold harmless agreement, holding Santa Rosa County harmless from the effects of any~~

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~~waters which may flow into or about the structure, and such other provisions as the County may require. The Homeowner's Agreement or document creating the Association or body mentioned above, or other appropriate agreements mentioned above, will vest in Santa Rosa County the authority to assess reasonable fees upon the owners of lots designated in the subdivision as owning the structure, or upon the owners of lots designated as part of the Homeowner's Association, or other similar body, for payment of costs of maintenance and for payment of property taxes for lands designated as ponds or other drainage structures, in the event that such structure is not maintained or that taxes are not paid. These provisions shall also be set forth in any restrictive covenants binding the property.~~

2. Filling - Low lying land on a building site shall be filled with suitable soil approved by the County Engineer. Minimum elevation of the crown of subdivision roads shall be four (4) feet above mean sea level (U.S.C. & G.S. Datum).

3. Storm Sewers and Manholes - Materials and installation procedures for storm sewers and manholes shall be in accordance with the appropriate sections of the Standard Specifications or as noted below or as approved equivalents.

a. Storm Pipes

i. Pipes allowed under streets: Reinforced Concrete Pipe, Class III (ASTM C-76), A-2000 Double Gasket (ASTM F949) or HP Storm Polypropylene (ASTM F2881) or other brands meeting the ASTM requirements as noted for each approved material.

ii. Other Pipes allowed (not allowed under streets): Metal (restrictions), HDPE or ADS. Other pipe materials may allowed with approval from the County Engineer

iii. No metal pipe is allowed in the South End of the County

iv. Minimum Pipe Size shall be is 45" **18"** diameter or elliptical equivalent **under any public right of way. 15" minimum otherwise.**

v. ADS (HDPE) pipe must be installed per manufacturers recommendation and the underground contractor shall provide proof of installation certification by the manufacturer to install the ADS pipe. No deflections shall be allowed in the ADS pipe once installed.

vi. Pipes installation requirements:

a) Backfill in 6-inch lifts

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- b)** Minimum cover of 12 inches
 - c)** Density testing is required every 2 vertical feet up to the bottom of the subgrade
 - d)** Density is to be a minimum of 95% per AASHTO T180
 - e)** All joints are to be wrapped in woven filter fabric.
 - f)** ADS (HDPE) pipe must be installed per manufacturers recommendation and the underground contractor shall provide proof of installation certification by the manufacturer to install the ADS pipe. No deflections shall be allowed in the ADS pipe once installed.
- vii.** Maximum Spacing between manhole is 400 feet
- viii.** All pipes to extend to the bottom of stormwater ponds or to the permanent pool for wet ponds.
- ix.** Pipe connections to structures shall include concrete collars

b. Pipe Inspection

The contractor must perform video pipe inspection for all pipe systems to be dedicated to the County. Prior to conducting the inspection, submit to the County Engineer a video recording schedule for videoing, dewater installed pipe, and remove all silt, debris and obstructions. Submit pipe videoing and reports to the County for review prior to the continuation of paving.

The video pipe inspection submittal must include a digital video along with a pipe observation summary report for each pipe run. The report must include:

- i. Rigid Pipes:**
 - a)** Actual recorded length and width measurements of all cracks within the pipe.
 - b)** Actual recorded separation measurement of all rigid pipe joints.
 - c)** Detailed written observations of leaks, debris, or other damage or defects.
- ii. Flexible Pipes:**
 - a)** Actual recorded length
 - b)** Representative diameter of the pipe.

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- c) Pipe deformation/deflections measurements with the County requirements and/or manufactures recommendation.
- d) Detailed written observations of leaks, debris, or other damage or defects.

The CE may waive this requirement for side drains and cross drains which are short enough to inspect from each end of the pipe.

Re-inspection: At any time after reviewing the submitted pipe inspection reports, the County Engineer may direct additional inspections. If defects are observed, the re inspection and all work performed to correct the defects will be done at no cost to the County. Acceptance of all replacements or repairs will be based on video documentation of the completed work prior to Final Completion.

c. Manholes and Inlets

i. Material:

- a) Concrete - Minimum compressive strength required at twenty-eight (28) days is two thousand, five hundred (2,500) pounds per square inch (PSI).
- b) Reinforcing Steel - shall be Billet-Steel Bars for Concrete Reinforcement (ASTM Designation A615) of intermediate or hard grades, or equivalent.
- c) Brick - shall be hard, solid, burned brick meeting AASHTO Specification No. M-114, Grade MW.
- d) Other approved materials as approved by the County Engineer.

ii. Frames, covers and Grates - Cast iron frames, covers and grates shall conform to the drawings in all essentials of design. All castings shall be made of clean, even grain, tough, gray cast iron. The quality of iron in the castings shall conform to the current ASTM Specifications for Class 20 Gray Iron Castings. The castings shall be smooth, true to pattern and free from projections, sand holes or defects. The portion of the frame, cover or grates which are in contact shall be machined so that no rocking is possible. The castings shall be coated with coal tar pitch varnish.

iii. ~~Steps – Manhole steps shall be Clow National Cast Iron Manhole Steps No. A-1483, or other approved material.~~
Stormwater inlets shall not be placed within the radius of an public maintained intersection.

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4. Canals and Lakes

- a. For canals or lakes designed to have bank slopes 6:1, or flatter, slope protection or seawalls are not generally required.
- b. For canals or lakes designed to have bank slopes steeper than 6:1, but flatter than 2:1, the entire bank slope from the design water surface to a point three (3) feet beyond the berm line shall be grassed in a manner to guarantee a healthy growth of Pangola, Bahia or Bermuda, Centipede and/or other suitable grass.
- c. Bank slopes designed to be steeper than 2:1 will be considered on an individual basis taking into consideration the type of soil; a seawall designed in accordance with good engineering practice and meeting the approval of the County Engineer will be required.
- d. All canals shall be excavated to a width and depth sufficient to eliminate interruption to navigation or drainage that may result from minor shoaling caused by bank erosion.

5. Drainage Easements and Rights-of-Way - The use of open ditches or swale drainage, where practical, should be limited to road rights-of-way or drainage easements. When open ditches are utilized on a drainage easement an access area for the maintenance of these ditches shall be provided with a sufficient width to carry cleanup equipment.

In any case, a minimum width necessary for the water course plus fifteen (15) feet shall be provided. The fifteen (15) feet shall all be on one side of the water course area and no drainage easements shall be less than twenty (20) feet in width.

6. Erosion Control - Erosion control measures shall be provided to prevent sedimentation and/or erosion of wetlands, County rights-of-way, or adjacent property. Refer to Section 3.04.05 for additional erosion control requirements

7. Sub-drains, Subsoil Drains and Trench Drains - Sub-drains, subsoil drains, and trench drains shall be required where soil and water conditions warrant.

8. Fire Hydrants shall be provided for detached one and two family dwellings must meet the current National Fire Protection Association Fire Code Handbook NFPA 1 section 18.5.

F. Utilities - Where appropriate to the design of the subdivision, the developer is encouraged to consider placing all utilities underground.

G. Inspection - The County Engineer will cause improvements to be inspected from time to time. Such inspections will be accomplished at a cost to be established by resolution of the BCC.

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H. Turn Lanes Required: Development proposals shall provide turning lanes as required according to County specifications and shall be coordinated with the Florida Department of Transportation, as appropriate. Volume warrants for turn lanes shall be as follows:

<u>Roadway</u>	<u>Right Turn</u>	<u>Left Turn</u>
County		
Projected AADT >4000	> 50 Lots	> 25 Lots
Projected AADT <4000	> 60 Lots	> 30 Lots

4.03.08 Reserved Acceptance and Maintenance of Infrastructure

After preliminary plat and construction plan approval by the County Engineer and Board of County Commissioners, and after the submittal of all Federal, State and Local permits, the applicant may begin the installation of required improvements. Before any final plat may be approved by the County, and before any lot may be sold or any building permit issued in the proposed subdivision, one of the following must be satisfactorily completed:

A. The developer may secure any necessary permits and install all required improvements as approved in the preliminary plat and construction plans and certified to the County Engineer; or

B. The developer may post with the County Engineer a performance bond in the form recommended by the County Attorney sufficient to cover the full cost of improvements required in the preliminary plat (or part thereof if developed in accordance with Section 4.03.09 .C below), and construction plans; the amount to be based on estimates provided to and approved by the County Engineer. The bond shall be released upon satisfactory installation and certification of all improvements; (bond shall be provided for a maximum of 2 years); or

C. The developer may post with the County Engineer a cashiers' check or an acceptable letter of credit for an amount necessary to complete all improvements required in the preliminary plat (or part thereof if developed in accordance with Section 4.03.09, below), and construction plans; the amount to be based upon estimates approved by the County Engineer; a cashiers' check or a letter of credit to be released upon satisfactory installation and certification of all improvements; Note: The amount of the check or letter of credit may be reduced at the discretion of the County Engineer based upon completed and certified improvements; or

D. The developer may recommend to the County Attorney and the County Engineer any method of assuring proper installation of improvements in a subdivision not heretofore specifically permitted. The Board of County Commissioners may accept any such alternate procedure provided that it unquestionably guarantees installation and certification of all required

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improvements.

~~All bonds, cashiers checks, letter of credit or other securities will only be good a maximum period of 2-years. After two years and the installation of improvements are not completed, the county will proceed with completing the improvements with the funds provided.~~

~~E. The developer shall be responsible for correcting any and all defects in, or damage to, the required improvements which occur within a two year period following acceptance for maintenance by the County of the required improvements. The developer shall execute a warranty agreement as prepared by the County.~~

~~F. No lot may be sold or building permit issued until the final plat is approved by the County and the plat is recorded.~~

4.03.09 Final Plat – Approval Process

A. Before any final plat may be approved by the County, and before any lot may be sold or any building permit issued in the proposed subdivision all required improvements as approved in the preliminary plat and construction plans shall be installed and certified to the County Engineer by the engineer of record unless otherwise exempt.

After all required improvements as improved in the preliminary plat and construction plans are installed and certified to the County Engineer, After satisfactory compliance with one of the requirements in Section 4.03.08 above, the developer shall submit a letter to the County Engineer requesting approval of the final plat. This plat should conform in every respect with the requirements specified in Section 4.03.10 of this Ordinance and shall be submitted within five (5) years from the date of approval of the construction plans with a five (5) year extension upon request by the developer or engineer of record, provided construction has commenced; unless for sufficient cause the time has been extended or major design changes have been made to this ordinance related to the design or installation of improvements. Otherwise, full resubmission of the preliminary plat shall be required. Any request for extension should be made to the County Engineer prior to the expiration date.

B. Each final plat shall be signed by all those required pursuant to Florida Statute Chapter 177 (the Plat Act).

C. If the developer wishes to submit a final plat for a portion of an approved preliminary plat, they may do so, provided that ~~one or more of the requirements of Section 4.03.08 above has been met for the area included in the final plat.~~ The portion of the preliminary plat included in the phased portion shall be such that all of the infrastructure to support the phase of the development is fully installed to the satisfaction of the County Engineer **and meet the requirements from the NFWFMD to convert the stormwater system to operation and maintenance.** **The final plat** and shall be submitted within five (5) years of the Construction Plans for the phased portion of the plat with a five (5) year extension upon request by the developer or engineer of record, provided construction has

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commenced. There shall be a five (5) year extension allowed for the phased portion submitted upon request by the developer or engineer of record.

D. The developer shall file with the County Engineer a ~~written~~ **an online** application for approval of the Final Plat (or portion thereof) and **acceptance for maintenance (public subdivision only)** and appropriate review fees as established by resolution of the BOCC. The ~~final plat~~ submittal requirements are as follows:

1. Final Plat Application **via online portal**
2. ~~Seven (7)~~ Final Plats (**digitally** signed/sealed **by a Florida Licensed Surveyor**)
3. ~~One (1) original and one (1)~~ **PDF** copy of the Covenants & Restrictions
4. ~~One (1) original and one (1)~~ **PDF** copy of the Tax Letter (from the Tax Collectors Office)
5. ~~One (1) original and one (1)~~ **PDF** copy of the Title Opinion (or include on the face of the plat)
6. ~~One (1) original~~ **PDF** of the ~~two~~ **three**-year warranty agreement **and maintenance agreement per 4.03.09.H**
7. **Copy of pipe video report for all pipes in public subdivisions. Video shall be provided upon request of the County Engineer.**
8. **A letter specially stating that all improvements were installed per Santa Rosa County Standards. (digitally signed/sealed)**
9. **A copy of all Federal, State and Local utility certification letters from FDEP showing the water/sewer has been placed into service and the transfer to operation and maintenance from the NFWFMD**
10. **As-built construction plans which shall indicate the work that is actually in the field. (digitally signed/sealed)**
11. **Certified asphalt core results and density tests for subgrade, base, and pipe backfill. These results must meet or exceed Santa Rosa County requirements and approved by inspection staff during construction.**
12. **Provide a letter stating a list of road names and lengths – Not required for Private subdivisions**
13. **The Engineer of Record (EOR) shall request a final site inspection on all improvements. The County Engineer or their designee will physically inspect the improvements and will approve them or disapprove them as set forth in full in Section 4.03.07.**

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- a. Upon a disapproval of the improvements, the EOR or Developer shall provide the County Engineer a “punch list” of corrections discussed during the inspection.
 - b. A second final inspection will be required to verify completion of improvements.
14. After final review, provide the following
- a. ~~One (1) Digital format of all the required submittal documents, including An AutoCAD formatted drawing of the final plat line work and coordinates which shall be in State Plane Coordinates~~
 - b. One (1) original Mylar with all required developer and surveyor signatures. Once the Mylar is submittal, the Mylar shall be retained at the Engineering office until BOCC approval.
 - c. An AutoCAD formatted drawing of the drainage as-builds
 - d. One (1) original (wet signature) paper copy of Covenants & Restrictions
 - e. One (1) original (wet signature) paper copy of Tax Letter
 - f. One (1) original (wet signature) paper copy of Title Opinion
- E. ~~**Reserved** The County Engineer shall date stamp all copies and retain the original Mylar and the executed original of any Covenants and Restrictions.~~
- F. The County Engineer, County Attorney, and County Surveyor, shall approve the final plat for submission to the Board of County Commissioners for final approval or return it disapproved with written comments, and/or marked prints within fifteen (15) working days from the date of submission of a complete application.
- G. If the County Engineer approved the plat for presentation to the Board of County Commissioners, the County Engineer shall ~~forward vicinity and location maps, and copies of easements, on~~ their recommendation to the Board of County Commissioners for action. No final plat shall be forwarded for Board approval until such time as all items required by this section have been submitted to approved by the County Engineer.
- H. If the developer has previously subdivided and sold lots, whether platted or un-platted, and has failed to correct defects in improvements as required by ~~Section 4.03.08(E)~~ this code and the County has been required to expend funds to correct said defects or damage, ~~the BOCC shall be notified and subsequent actions shall be provided by the BOCC.~~ the County Engineer shall send written notice by registered mail of said unreimbursed expenditures to the

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developer. If the developer disputes the County Engineer's findings, the developer may request a hearing before the Board of County Commissioners. Such request must be filed in writing with the County Engineer within 15 days of delivery of said notice. When timely filed, said hearing shall be held on a date set by the County.

If the developer fails to appeal the County Engineer's finding, or after appeal the Board of County Commissioners sustains the County Engineer's finding, no further plats for subsequent developments shall be approved for said developer until the developer has reimbursed the County for correction costs incurred.

I. Warranty Bond for Platting and Acceptance of Improvements

When the applicant requests platting and acceptance of improvement facilities for maintenance after construction, the applicant shall submit a warranty bond on a bonding company acceptable to the County in the amount of twenty-five (25) percent of the cost of the construction of the improvements as calculated by the original construction contract, FDOT unit prices or as approved by the County Engineer. This warranty bond shall be accompanied with a cost breakdown of each of the improvements constructed. The cost breakdown shall be certified by the Engineer of Record. The bond shall be furnished as a warranty against failure, deterioration, or damage resulting from defects in workmanship or materials of the improvement facilities, including internal sidewalks abutting unbuildable lots, green or common areas, detention and retention ponds, and external sidewalks.

1. Duration of Warranty Bond - The applicant shall warrant the construction for a period of three (3) years following the date of acceptance of the improvements for maintenance by the BOCC.
2. Letter of Credit - If the applicant chooses to fulfill the warranty bond requirement by use of an Irrevocable letter of credit, the expiration date of the irrevocable letter of credit shall be a minimum of thirty (30) days beyond the last day of the warranty period. The additional thirty (30) day period is required to allow appropriate time for the County Engineer to determine whether or not the applicant has corrected any failure, deterioration or damage resulting from defects in workmanship or materials of the improvement facilities which arose during the warranty period.
3. Surety Bond - If the applicant chooses to fulfill the warranty bond requirement by use of a surety bond, said surety bond shall be conditioned upon:
 - a. The principal warranting the construction of the improvement facilities for a period of three (3) years from

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date of acceptance of the improvement facilities for maintenance by the BOCC

- b. The principal correcting within the warranty period any failure, deterioration or damage resulting from defects in workmanship or materials of the improvement facilities that arose during the warranty period.

4. Calling of Warranty Bond

If at any time prior to the release date if it is determined by the County Engineer that any failure, deterioration, or damage resulting from defects in workmanship or materials of the improvement facilities has not been corrected, the County Engineer shall send written notice to the developer of such effects and direct that the defects be corrected.

If the defects have not been corrected within 30 days (or such longer period as determined by the County Engineer) of receipt of the written notice the County will inform the applicant by certified letter that the warranty bond will be called. The release date shall be 90 days after the end of the three-year warranty period.

5. Release of Warranty Bond

Unless a notice of the defect has been issued prior to the release date the warranty bond shall be deemed released. If notice of defect has been given, the warranty bond will not be released until the County Engineer confirms and gives written notice to the developer that corrective repairs have been completed.

4.03.10 Final Plat Requirements

A. ~~When improvements have been installed, or otherwise provided for in accordance with this Ordinance, the Final Plat shall be submitted not more than five (5) years after approval of the Construction Plans or Development Order with a five (5) year extension upon request by the developer or engineer of record, provided construction has commenced; and shall clearly show the following features and information on Mylar sheets 22" x 34" or maximum of 24" x 36":~~
The plans shall be printed in black and white monochrome ~~and~~ or grey scale.
Vicinity maps may be in color.

B. Reserved ~~Vicinity Sketch~~ — ~~A Vicinity Map of a of a legible scale shall appear on the face of the Preliminary Plat. The map shall be referenced to easily recognized physical features.~~

C. The plat shall have a title printed on each sheet in bold legible letters the name of the subdivision, printed above and in letters larger than the balance of the title; County and State; section, township and range; if in a land grant, so state.

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- D.** When the plat is a replat of or addition to an existing plat of record the words “section”, “unit”, “replat”, etc.; and when the plat encompasses lands in a planned unit development, the abbreviation “PUD”. Likewise, all other planned developments shall contain the appropriate abbreviation for such designation within the title.
- E.** Provide a complete legend of symbols, abbreviations and line types matching the scale of the drawing.
- F.** Legal description of the property which is so complete that from it, without reference to the Plat, the starting point and boundary can be determined. The description should be referenced to the section, township, and range applicable. If in a land grant, the Plat will so state. The initial point in the description shall be tied to the nearest government corner or other recorded and well established corner. Section lines and corners, and forty acre section lines occurring in the plat shall be indicated by lines drawn upon the Plat, with appropriate words and figures. In the case of irregular boundaries, a survey closing-line shall be included.
- G.** All Plat boundary lines with lengths of courses to hundredths of a foot and bearings in degrees, minutes and seconds, based on an accurate survey in the field.
- H.** The exact location and the widths along the property lines and names of all existing or recorded streets intersecting or paralleling the boundaries of the tract.
- I.** Bearings and distance to nearest established street bounds, other established survey lines, or other official monuments, which monuments must be located or accurately described on the Plat. Any established survey or corporation lines shall be accurately monument-marked and located on the Plat, and their names shall be lettered on them.
- J.** The accurate location of all permanent reference markers and all markers, specified by Chapter 177 of the Florida Statutes, shall be located and of such material as required by Chapter 177. A minimum of three benchmarks referenced to published NAVD88 datum shall be established on concrete permanent referenced markers and shown on the face of the recorded plat. In addition, all other lot corners shall be marked with metal rods, pipes, or concrete monuments meeting Florida Standards of Practice as outlined in the Florida Administrative Code. The requirement for lot corner markers may be postponed provided that a letter of agreement from the developer’s surveyor guaranteeing installation of lot corner markers as specified after construction accompanies the Final Plat. All Plat boundary corners shall be marked with 4 inch concrete monuments with the surveyor or company identification cap or disk. Any exceptions will need an approval from the county surveyor.

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- K.** The exact layout with all survey data required by the Florida Plat Act, including:
- 1.** Street and alley lines - location, bearings, names, angles of intersection and width (including widths along the line of any obliquely-intersecting street).
 - 2.** The lengths of all arcs, chords, radius points of curvature and tangent bearings.
 - 3.** All easements or rights-of-ways should be shown, and their intended use shall be clearly stated. Proposed street names shall be included.
 - 4.** All lot lines will be shown with bearings and distances in feet and decimals to the hundredth of a foot. If a straight lot line joins a curve it will be labeled as R (radial) or NR (non-radial). A line table can be used when necessary to show lot line information.
- L.** Lots shall be consecutively numbered in numerical order, and blocks also consecutively numbered or lettered in order.
- M.** ~~**Reserved** Tabulation of Survey Data is not permitted without prior approval by the County Surveyor~~
- N.** The accurate outline of all property which is offered for dedication for public use, and all property that may be reserved by covenant in the deeds for the common use of the property owners in the subdivision with the intended use indicated.
- O.** All building or beach setback lines stipulated in deed restrictions or County Ordinances shall be shown or noted.
- P.** Private restrictions, if any:
- 1.** Boundaries of any type or use restriction.
 - 2.** Any private restrictions for each definitely restricted section of the subdivision.
 - 3.** Restrictive covenants, if any, will be submitted with the Final Plat, if not previously submitted for early review.
- Q.** Name of the subdivision and name or number of any larger subdivision or tract of which the tract being subdivided forms a part. The words, "Santa Rosa County, Florida" shall appear under the name of the subdivision.
- R.** Names of adjoining subdivisions. If contiguous property is un-platted, it shall be so designated.
- S.** If the subdivision is a re-subdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing of the earlier plat to permit an overlay to be made, and the fact of its being a subdivision shall be stated as a subtitle following the name of the subdivision wherever it appears on the plat.

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T. Names and addresses of the owner or owners of record, the developer, and of the registered Florida Surveyor and Mapper who prepared the plat.

U. North arrow, scale, and date. Bearing or azimuth reference shall be clearly stated on the face of the plat in the notes or legend. **The plans shall be drawn to a maximum scale of one (1) inch equals one-hundred (100) feet, unless approved by the County Surveyor or County Engineer.**

V. Certification by the Florida Surveyor and Mapper who prepared the plat to the effect that the plat is a true and correct representation of the lands surveyed; that the survey was made under their responsible direction and supervision; that the survey data complies with all the provisions of the Florida Plat Act; Chapter 177, Florida Statutes, that all monuments and markers indicated thereon actually exist and their location, size, and material are correctly shown. Any monument destroyed or disturbed by construction shall be replaced by the developer's surveyor: 1) prior to acceptance of improvements and release of bond, or 2) prior to acceptance of the Final Plat, whichever maybe later. The embossing seal of the Surveyor and Mapper shall appear on the plat.

W. All dedications, approvals and certificates required by law, including a current title opinion by an attorney or a certification by an abstractor or a title insurance company showing ownership of all land included in the subdivision, and certifications by the County Engineer.

X. Special flood hazard areas where the proposed subdivision or any part thereof is in an area subject to 100 year flooding. Flood Insurance Rate Maps (FIRM) for Santa Rosa County will be used to determine the 100 year flood hazard areas. This notation will be made on the Final Plat by the developer.

Y. **For private subdivisions, a Homeowner's Association or similar body shall be created and given responsibility for subdivision maintenance and ownership and for paying the property taxes due upon the land upon which the subdivision is located. The County shall not be deemed to be responsible for the maintenance for the subdivision, and the County will not be deemed to be the owner of an easement upon the subdivision; however, the developer shall execute, on their behalf and on behalf of the landowners within the subdivision who are ultimately to have ownership of the subdivision, a hold harmless agreement, holding Santa Rosa County harmless from the effects of any waters which may flow into or about the system, and such other provisions as the County may require. The Homeowner's Agreement or document creating the Association or body mentioned above, or other appropriate agreements mentioned above, will vest in Santa Rosa County the authority to assess reasonable fees upon the owners of lots designated in the subdivision as owning the subdivision, or upon the owners of lots designated as part of the Homeowner's Association, or other similar body, for payment of costs of maintenance and for payment of property taxes for lands designated as ponds or other drainage subdivision, in the event that such subdivision is**

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not maintained or that taxes are not paid. These provisions shall also be set forth in any restrictive covenants binding the property.

Y. Z. Any restrictive covenants which may have been required by the County for maintenance of privately owned improvements, such as subdivision entrance markers and private recreation areas or sites.

Z. AA. If certification of developer's engineer was required as to any item set forth in these regulations, the engineer's signature and appropriate certification will also appear on the face of the Final Plat.

AA. BB. Subdivision boundaries must be tied to the "Santa Rosa County, GPS Network" or other GPS network and that network must be noted on the plat.

1. A minimum of two (2) control monuments must be tied to.
2. Attach a note or table to plat, that indicates the control monuments used, their coordinate values and how to convert grid distances to ground distances.
3. A minimum of ~~two (2)~~ **three (3)** permanent reference monuments (PRM's) **suitable for GPS observation** on the subdivision boundary must be tied to and labeled. Their coordinate values shall be shown and referenced to the Florida State Plane Coordinate System.
4. Surveys shall be performed in compliance with 3rd Order, Class I procedures with a minimum accuracy requirement of 1:12,000. All ties to the Control Monuments will include a closed loop traverse or a traverse closing on a minimum of two (2) control points established by GPS observations through procedures meeting or exceeding the above stated accuracy requirements.
5. The final plat shall have a statement that indicates the source GPS network that is the basis of the State Plane Coordinates, Latitude & Longitude shown, ~~if used, that ties to the "Santa Rosa County GPS Network" in accordance with the above requirements.~~
6. ~~Once the final plat is approved by all the reviewing county departments, an AutoCAD dwg file will be provided to the County Engineer and County Property Appraiser.~~

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4.03.11 Final Plat – Filing Process

- A. Prior to approval by the Board of County Commissioners, the original Mylar shall be reviewed and signed by the County Surveyor.
- B. Following approval by Board of County Commissioners, the original Mylar shall be signed by the County Engineer and County Attorney.
- C. The County Engineer shall transmit the signed original ~~line~~/Mylar, fees, and other required documents to the Clerk of Circuit Court, who shall sign the plat certifying that it meets the requirements of the Plat Act and shall reserve Plat Book and page number for recording.
- D. The County Clerk shall retain the signed Mylar.
- E. At the time offiling the final plat, the developer shall pay fees to the County by a schedule as established by resolution of the Board of County Commissioners.
- F. The developer shall pay all recording fees required by the County Clerk's Office. These fees shall be deposited in the appropriate fund of the County.

4.03.12 Reserved Fees

~~Appropriate fees shall be charged for processing the preliminary plat. At the time of filing the final plat, the developer shall pay fees to the County by a schedule as established by resolution of the Board of County Commissioners.~~

~~The developer shall pay all recording fees. These fees shall be deposited in the appropriate fund of the County.~~

4.03.13 Exemptions and Exceptions to Platted Subdivisions

- A. The modifications to standards shall be allowed only upon certification of the developer's registered professional engineer and recommendation of the County Engineer and approval by the Board of County Commissioners.
- B. ~~Minor Subdivisons — Minor Subdivisions as herein defined, need not comply with the platting requirements and specifications of this Ordinance. Proposed minor subdivisions meeting any of the following criteria must be reviewed for consistency with applicable Land Development Code and Comprehensive Plan regulations prior to subdivision of the land:~~
 - ~~1. — if the property being divided is located on an Access Management corridor;~~
 - ~~2. — if the property being divided is located in a Military or Public Airport Zone as specified in Chapter 8;~~
 - ~~3. — if the property being divided is located in the Garcon Point Protection Area identified in the Santa Rosa County Comprehensive Plan;~~
~~or~~
 - ~~4. — if the property being divided is less than 4 acres~~

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B. Minor Subdivisions – Minor Subdivisions as herein defined, need not comply with the platting requirements and specifications of this Ordinance. Minor subdivisions must comply with all of the following criteria. A “new” lot shall be any lot, parcel or tract means subdivided after effective date of this provision.

1. Number of lots. The maximum number of lots that can be created is three.

2. Existing street frontage. All parcels have adequate existing county-maintained or county-approved street frontage.

3. No new streets. No new street or any extension of an existing street is proposed or required.

4. No dedications. There is no dedication of public improvements. This does not preclude such acquisitions as an additional right-of-way for an existing street to provide the minimum right of way width prescribed by the LDC.

5. Additional Requirements. If the minor subdivision is located on an Access Management corridor, located in a Military or Public Airport Zone, or located in the Garcon Point Protection Areas, the subdivision must be reviewed for consistency with the Land Development Code and Comprehensive Plan regulations prior to subdivision.

The application must include a site plan, drawn to scale, showing the configuration and acreage or square footage of the original parcel(s) and proposed division. ~~The application for subdivisions meeting requirement four (4)-above must also include drainage plans as required by Section 4.04.00.~~

C. Model Home/Sales Office - For each parcel subject to an approved subdivision construction plan, the construction of no more than two (2) principal residential structures for use as a model home and/or on-site sales office provided that such structures may not be sold, occupied for residential purposes or issued a Certificate of Occupancy until the Final Plat is approved and recorded.

D. Variances - In any particular case where the developer can show that by reason of exceptional topographic or other conditions, strict compliance to this ordinance would cause practical difficulty or exceptional and undue hardship, the requirements causing such practical difficulty or hardship may be relaxed through recommendation of the County Engineer and approval of the Board of County

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Commissioners provided that such relief can be granted without detriment to the public good and without impairing the intent and purpose of this Ordinance. Rights-of-way and street widths shall not be varied for safety and public good .

The Clerk of Circuit Court shall not accept for recording deeds or other legal instruments conveying divisions of property for conveyance to Santa Rosa County unless said instruments have been accepted by the Board of County Commissioners.

E. Paving Exemptions - ~~The paving requirements of this Ordinance shall not be applicable to the paving of any dirt street that is a part of those dirt streets which are parts of the County road system and are being maintained by the County on the effective date of this Ordinance, unless the dirt street is included as part of a larger development or subdivision. .~~ Any dirt road or street within a county right-of-way or part of the County Road system and being maintained by the County must be paved in accordance to this Ordinance and shall be required to provide stormwater improvements in accordance with this Ordinance. Any dirt road or street NOT within the County road system and not being maintained by the County, is not required to meet the requirements of this ordinance. These roads shall remain private not be acceptance by the County for maintenance. All dirt road paving activities shall be required to meet all State Agency requirements, including but limited to stormwater controls, environmental regulation, archeological protections, etc.

F. Boundary Line Exemptions - Conveyances which are executed solely to resolve boundary line disputes or to increase or decrease the size of adjoining parcels of property and which do not create developable parcels of property separate and apart from the existing parcels are exempted from the platting requirements of this Ordinance.

G. Large Parcel Exemptions - Subdivisions of land into parcels fifteen (15) acres or greater in size need not comply with the platting and road frontage requirements of this Ordinance so long as no new County roads are created or no new lot or parcel is created within Accident Potential Zone or Clear Zone. Prior to the adoption of Ordinance 91-24, the subdivision of land into parcels greater than four acres in size was exempt from platting requirements. Any residential development which sold lots pursuant to said four acre provision prior to August 22, 1991, may continue the subdivision and development of lots greater than four acres in size without complying with platting requirements. Such continued subdivision of parcels greater than four acres in size shall be allowed only on roads which physically existed prior to August 22, 1991.

H. Large Parcel Subdivisions - The subdivision of land into individual parcels of four (4) acres or more, but less than fifteen (15) acres, may be accomplished pursuant to the following provisions:

- 1.** A preliminary plat shall be filed which meets the requirements established by Section 4.03.04 this Code and any supplemental requirements as may be imposed by the Santa Rosa County Engineering

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Department.

2. No new County roads shall be created. All roads shall be private roads and shall have a sixty (60)-foot right-of-way with a thirty (30)-foot all-weather road.
3. The fact that the roads are “private roads” shall be indicated on the final plat and within the restrictive covenants of the deeds.
4. Subdivision and road names shall be approved by County Addressing prior to submittal of the preliminary plat.
5. The final plat shall meet all requirements of the Florida Plat Act and Section 4.03.10 of this Ordinance.
6. Drainage plans prepared by a Florida Professional Engineer shall include a stormwater management plan, and such management plan shall be based upon the stormwater requirement. The stormwater requirements noted in Section 4.04.00 may be modified such that the stormwater design allows treatment and attenuation in roadside swales.
7. The final plat may not be approved until the County has been supplied proof of establishment of a homeowners association which has been legally formed and filed with the Secretary of State.
8. All private roads shall be owned by the homeowners association, with all landowners becoming a partner as a condition of ownership. The association shall have right of lien foreclosure against an owner's property for non-payment of property assessment which has been assessed by the homeowners association's elected board of directors when such assessments are for drainage and/or road maintenance.
9. Deed restrictions shall be included which prohibit the re-subdivision of the parcels or property into lots or parcels less than four (4) acres in size.
 - I. Alternative Subdivisions – This ordinance is intended to allow for flexibility and creativity for developments by allowing more open space and park areas through the subdivision of lands into residential and non-residential lots, which will not possess the required road frontage, lot size, or internal setbacks required by the Santa Rosa County Zoning Map and Santa Rosa County Future Land Use Map without exceeding the allowable density as provided by the Santa Rosa County Zoning Map and Santa Rosa County Future Land Use Map. If the two maps differ, the lesser density shall prevail.
 1. A final plat must be submitted and shall follow the provisions of section 4.03.00 of this Ordinance.
 2. A preliminary plat shall be filed which meets the requirements established by Section 4.03.00 in this Code and any supplemental requirements as may be imposed by the Santa Rosa County Engineering Department.

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3. No new roads or infrastructure will be accepted for County maintenance.
 - a. All new roads created shall be private roads. All roads and other improvements and infrastructure shall be privately owned and maintained.
4. The perimeter setbacks of the project must maintain the minimum setbacks of the zoning district.
5. Construction plans shall be filed which meets the requirements established by Section 4.03.00 in this code.
6. The final plat may not be approved until the County has been supplied proof of establishment of a homeowners association which has been legally formed and filed with the Secretary of State.
7. All private roads shall be owned by the homeowners association, with all landowners becoming a partner as a condition of ownership. The association shall have right of lien foreclosure against an owner's property for non-payment of property assessment which has been assessed by the homeowners association's elected board of directors when such assessments are for drainage and/or road maintenance.
8. Park areas will need to comprise 25% of the project parcel. Park areas can include walking trails (in addition to sidewalks), grassed open space, areas with wetlands that cannot be developed and recreational amenities. This is not meant to include holding ponds in that calculation, unless they are used as a recreational amenity as evidenced by walking trails surrounding the water feature, a fountain or other such obvious aquatic recreational amenities. **On the plat, all common vacant areas must include the note: This area is to remain vacant based on the approved plat boundary and the 25% requirement for the Alternative Subdivision.**
9. There shall be no minimum setbacks required for each lot within the project boundary.
10. There shall be no minimum lot size for the project provided the allowable density for the parcel shown on the Santa Rosa County Zoning Map and Santa Rosa County Future Land Use Map are not exceeded. If the two maps differ, the lesser density shall prevail.
11. **On the perimeter of a clustered subdivision where the parcel abuts an Agriculture zoning district, a minimum lot size of 21,780 square feet (1/2 acre) is required.**
12. **Dedication of Conservation or Agricultural Preservation Area. The proposed subdivision plan shall dedicate the agricultural preservation or conservation area through an easement or tract appearing within the recorded final plat.**

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13. Provide the note on the plat – This plat is being created using the Alternative Subdivisions provision as allowed per LDC Section 4.03.13.I

14. Provide the note on the plat – The total density as allowed by the current Santa Rosa County Land Development Code for the property described in this plat has been utilized. No additional development shall occur or be permitted within said described property including, but not limited to, dwelling units.

J. Reservations - Notwithstanding any other provision of this Ordinance, a developer may establish a reservation program for prospective purchasers with the following conditions:

1. The developer must establish an escrow or trust account as follows:

a. The sub-divider shall, within three (3) business days of receipt, pay all reservation deposits into an escrow account established with a trust company, or a bank having trust powers, located within this state. The sub-divider shall give the prospective purchaser a receipt for any reservation deposit.

b. Within seven (7) days of receipt of a reservation deposit, the escrow agent shall send to the prospective purchaser for whom the reservation deposit was received a notice that such deposit has the funds are being held and will be released only in accordance with this section.

c. The funds may be placed in an interest-bearing or non-interest bearing account, provided, the funds shall at all reasonable times be available for withdrawal in full by the escrow agent.

d. The sub-divider shall maintain, for each reservation program, separate records within their books and records in accordance with generally accepted accounting standards, as defined by rule of the Board of Accountancy.

e. Upon the written request of a prospective purchaser, the escrow agent shall immediately and without qualification refund in full all moneys deposited by the prospective purchaser. Upon such refund, any applicable interest shall be paid to the prospective purchaser, unless otherwise provided in the reservation agreement.

f. The escrow agent may release specific deposits from the reservation account to the sub-divider only upon adequate showing that the prospective purchaser has entered into a binding contract or agreement for purchase of the subject lot, parcel, or unit. Upon such release, any applicable interest shall be paid to the prospective purchaser, unless otherwise provided in the reservation

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agreement.

g. The developer must comply with any other applicable state and federal regulations.

K. Parent Parcel Subdivisions - A Parent Parcel subdivision as specified in Section 5.06.02 and 2.06.03 need not comply with the platting requirements of this Ordinance. Applications must be submitted and approved prior to subdivision of the land in accordance with the requirements as listed in the Sections above. ~~Applications for Parent Parcel subdivisions which are less than four (4) acres in size must also include drainage plans as required by Section 4.04.00, prior to (or concurrent with building permit or land clearing submittal application.~~

4.04.00 STORMWATER DESIGN REQUIREMENTS

4.04.01 Drainage and Stormwater Management Plan

A. All development not exempt from the requirements of this Code shall provide for adequate drainage and stormwater management. The term "Adequate drainage and stormwater management" means the design and construction of drainage systems that will not cause flood damage to the property involved or surrounding properties, and will meet the criteria specified in Chapter 62-330, FAC and the criteria specified herein. Specifically, drainage and stormwater management systems shall provide for maintenance of surface water quality and flood attenuation.

B. Owners or developers of all developments not exempt from the requirements of this Chapter shall submit a proposed drainage and stormwater management plan conforming to the requirements of this chapter and signed and sealed by a Professional Engineer registered in the State of Florida prior to receiving a development order or building permit for any such development, and such development order or building permit shall be conditioned upon full compliance with that plan and this Chapter. No development subject to the requirements of this chapter shall be made except in conformity with this chapter and such plan. The plan shall consist of engineering drawings, calculations, narrative et cetera.

C. All Developments, **Residential, Commercial and Industrial** Subdivisions ~~and Site Plans~~ – The developer shall submit drainage calculations and plans for the collection, control, and disposal of run-off. The calculations and plans shall be in accordance with specifications as required by this Code and shall include design and performance standards pursuant to the Florida Administrative Code. On-site retention and detention storage shall be provided for the increased stormwater run-off from the proposed development and off-site contributing **area**. The drainage facilities shall provide a release mechanism to limit the stormwater run-off peak rate and timing from the storage facility to that which would have been expected from the development site under natural or pre-developed conditions, **unless the drainage facility is in a closed basin. The system shall lead to a positive drainage outlet. Evidence of such positive discharge and assurance the positive discharge can handle the discharge**

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shall be provided as a part of the construction plan submittal. The plans shall include all necessary calculations and documentation demonstrating the adequacy of the facilities to accommodate off- site and on-site stormwater runoff contributions. Drainage plans shall include provisions which incorporate natural drainage features into the overall drainage pattern when such incorporation does not negatively impact sensitive natural resources. Channeling runoff directly into water bodies or functioning wetlands is prohibited.

D. Drainage Plans for all single-family lots of record located within the area of Santa Rosa County south of Yellow River.

1. Lots within platted subdivisions without an approved lot grading plans. Engineered Drainage Plans shall include:

- a. Finish Floor Elevation of the structure**
- b. Indicate how the stormwater will reach the designed stormwater infrastructure with the subdivision.**
- c. Provide spot elevations around the perimeter of the lot along the property lines**
- d. Provide flow arrows to indicate the direction of the flow**
- e. Show all infrastructure on the site necessary to convey the runoff (swales, ditches, culverts, inlets, etc.**

2. Lots not within a platted subdivision. Engineered Drainage Plans shall include:

- a. Finish Floor Elevation of the structures**
- b. Provide a stormwater storage pond to treat and attenuate the stormwater in accordance with the stormwater regulations**
- c. Provide spot elevations around the perimeter of the lot along the property lines**
- d. Provide flow arrows to indicate the direction of the flow**
- e. Show all infrastructure on the site necessary to convey the runoff (swales, ditches, culverts, inlets, etc.**

3. All lots will require a certified as-built prior to issuance of the Certificate of Occupancy.

D. Drainage & Plot Plans for all one and two single-family lots of one (1) acre or less or any lot with less than 200-foot of road frontage (two (2) acre max) measured to the rear of the primary structure shall include:

4. Drainage Design with the following minimum requirements:

- a. Finish Floor Elevation of the structure**
- b. Provide an existing survey with elevations and 0.5 foot contour lines**

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- c. Using the survey information, provide proposed spot elevations within the property and around the perimeter of the lot to show how and where the runoff will be directed. Spot elevations shall not be spaced greater than 25-foot apart.
- d. Show all site improvements necessary to convey the runoff (swales, ditches, culverts, inlets, etc.) to a positive outfall (existing road, inlet, wetlands, ditch, swale, etc.) and provide all elevation and/or inverts of the improvements
- e. Show Best Management Practices (BMP's) to control runoff during construction.
- f. If the runoff cannot be conveyed to a positive outfall or will have a negative impact on the adjacent properties, then stormwater pond to treat and attenuate the runoff will be required. The pond shall be designed by a professional licensed engineer and in accordance with the stormwater regulations herein. Individual stormwater ponds on residential lots will be allowed to reduce the design storm event to the 10-year 24-hour event.

2. Plot Plans shall include:

- a. All details for the installation of a residential driveway
 - 1.) Location of the driveway
 - 2.) Proposed spot elevations along driveway
 - 3.) Culvert (if required) size, material and inverts (minimum 15" pipe size). Culverts will be required for driveways where there are existing or proposed ditches
- b. If Sidewalks are required, all details for the installation shall include:
 - 1.) Layout, location and elevations meeting ADA requirements
 - 2.) All Sidewalk Details
- 3. Drainage and Plot plans must be drawn to scale with scale noted on plans, neat and accurate, but are not required to be signed/sealed by a professional engineer.
- 4. All lots shall provide a topographic survey showing the final grades and all improvements of the lot prior to issuance of the Certificate of Occupancy.
- 5. Exemptions for drainage plans only. Plot plans for driveways, culverts and sidewalks and associated BMP's are still required
 - a. All structures having stem walls, pilings or pier supports is exempt from the drainage plan provided that:

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- 3.) The ground under the structure stays in the natural condition to the greatest extent possible
- 4.) Less than one-foot of fill is imported to the site.
- b. Lots of special circumstances at the discretion of the County Engineer or the Building Official provided the drainage will not adversely affect adjacent properties.
- E. ~~Drainage Plans for all newly created non-platted lots located within the area of Santa Rosa County North of Yellow River.~~
 1. ~~All new lots that front on an existing public or private street, paved or unpaved, shall provide an easement that is 30 feet in width from the centerline of roadway on the side of the new lot in order to facilitate the installation of future drainage improvements.~~
 2. ~~All new lots that are less than 1 acre in size shall direct runoff away from the primary structure to avoid impervious surfaces such as driveways and patios to the greatest extent possible to encourage infiltration into the yard area and minimize runoff. If the lot contains a paved driveway, the pavement should be graded to direct as much runoff as possible to the surrounding yard area to encourage infiltration and minimize runoff to the greatest extent as is practical.~~
- F. Velocity of Runoff – Maximum velocity of drainage in open unpaved channels shall not exceed three (3) feet per second.
- G. Open Ditches or Swales – The use of open ditches or swales, for conveyance purposes only, may be allowed; provided the following conditions are met:
 1. In Easements or Private HOA parcel
 - a. All ditches and/or swales shall be stabilized, grassed or paved. If the easement is County maintained, all swales therein shall be concrete with a rough raked finish regardless of velocities.
 - b. Bank slopes shall be six (6) to one (1) or flatter, unless permanent concrete stabilization is provided.
 - c. Velocity of water shall not exceed three (3) feet per second in grassed swales or six (6) feet per second in paved ditches. Velocities greater than six (6) feet per second may be allowed with appropriate energy dissipates as approved by the County Engineer.
 2. In Road Rights-of-Way
 - a. Swales shall be kept to a minimum depth.
 - b. Bank slopes shall be six (6) to one (1) or flatter with a four

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(4) foot shoulder at a slope of .06' to 1'.

H. Minimum Slopes – The slope for ditches, roadway center lines, swales, and gutters shall be three-tenths (.3) percent.

I. Stormwater Design Requirements

1. A stormwater management plan (aka engineered drainage plan) shall be submitted with all development applications including, subdivisions, commercial site plans, building permits, land clearing permits and single/multi-family permits unless otherwise noted in the ordinance. The stormwater management plan shall be designed by a Professional Engineer licensed in the State of Florida.

2. Submittal requirement for a stormwater management plan include:

a. Grading and Drainage Plans (to scale) for the collection, control and disposal of stormwater runoff. The plans shall indicate the location and details of all improvements in accordance with standard engineering practices.

b. Calculations to support the design for the stormwater management plan which shall include, but not be limited to, ponds, inlets, pipes, swales, ditches, gutters and culverts.

c. Pre-development and Post Development Basin Maps, including off-site areas, along with sub-basin maps for all individual drainage components.

d. **Geotechnical Report & Soil Information: Design features shall be supported by a geotechnical report that meets the requirements of the requirements of the Environmental Resource Permitting Applicants Handbook, Volume II from a licensed Engineer or other professional authorized under Florida Statutes to do such work. The report shall include all parameters that affect the design and recovery of proposed systems, including all elements required below.**

i. **Roadways: Test borings to a minimum depth of four (4) feet below proposed edge of pavement and incorporating a maximum spacing of five hundred (500) feet along the roadway centerline.**

ii. **Retention/Detention Areas: A minimum of two (2) test borings per proposed retention/detention facility or two (2) per acre of proposed retention/detention facility, whichever is greater. Borings shall extend to a minimum depth of two (2) feet below the proposed pond bottom or to the water table, whichever is greater**

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- A hydraulic conductivity test at the proposed bottom of the facility
 - Any infiltration data utilized must include a safety factor of 2, no matter the source. Soil boring logs, the existing groundwater table elevation, and the estimated seasonal high groundwater table elevation without consideration of drainage improvements that may lower the groundwater
 - iii. In special cases, additional borings may be required to determine the soil classifications predominant to the area
 - iv. For projects proposing less than 9,000 square feet of impervious area, the engineer of record (EOR) may use data obtained from the NRCS Soil Survey Map.
 - e. All documents submitted shall be signed/sealed.
3. Stormwater Treatment Ponds **Design Requirements:**
- a. The retention and detention ponds shall provide for the increase in stormwater run-off from the proposed development and off-site contributing areas. The design shall include a peak discharge analysis consisting of generating pre-development and post-development runoff hydrographs, routing the post-development hydrograph through a detention basin, and sizing an overflow structure to control post-development discharges at or below pre-development rates. ~~The design shall include post development rates to be less than pre-development rates for the~~
 - i. Designs utilizing the Intensity, Duration & Frequency (IDF) curves shall analyze critical duration storms for the 2, 10, 25, 50 and 100-year storm events for the 1-hour, 2-hour, 4-hour, 8-hour and 24-hour frequency storms based on the FDOT Zone 1 IDF Curve. This criterion is for dry and ~~wet retention ponds.~~ NOAA Atlas 14 Rainfall. Tabular and graphical data to be utilized for all Santa Rosa County Projects can be found on the SRC Website or by utilizing Latitude 60.6020°; Longitude -87.0733°.
 - ii. Designs utilizing the Natural Resources Conservation Service (NRCS) Type III rainfall distribution with an antecedent moisture condition II shall analyze the 25-year & 100-year, 24 hour design storm events
 - b. Time of Concentration shall be calculated using the SCS method, Velocity Method, or the Kirpich Equation.

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c. **Drainage systems in areas with positive drainage outfall via public right-of-way or onsite flowing ditch, shall provide evidence as a part of the construction plan submittal.**

d. The County Engineer may decrease the allowed release rate for those developments which have documented significant downstream stormwater impacts to pre-developed stormwater runoff rate from a ten (10) year storm, based on the ~~FDOT Zone 1-IDF Curve~~ **NOAA Atlas 14 Rainfall.**

e. The County Engineer may reduce the detention storage requirement for developments that provide a direct stormwater discharge to the Gulf of Mexico, Santa Rosa Sound, Escambia Bay, East Bay, Blackwater Bay, East River, Yellow River, and Blackwater River and provide 1" retention volume and recovery.

f. Drainage systems in areas with no positive drainage outlet **outfall**, via public right-of-way or onsite flowing ditch, shall be designed to more stringent criteria to include retention of the twenty-four (24) hour, one hundred (100) year frequency storm (13.44 inches over the entire site) with no offsite discharge, based on the ~~FDOT Zone 1-IDF Curve~~ **NOAA Atlas 14 Rainfall.**

g. Drainage system in closed basins as determined by the County Engineer shall be designed to more stringent criteria to include retention of the twenty-four (24) hour, one hundred (100) year frequency storm (13.44 inches over the entire site) with no offsite discharge and shall use a runoff coefficient of one (1).

h. Under-drain and side drain systems shall be in conformance with NFWFMD criteria and shall be designed to percolate and filter the one- inch (1") retention volume in thirty-six (36) hours.

i. All treatment ponds intended for public ownership shall be fenced in accordance with Santa Rosa County Fence standards with adequate access provided for County maintenance.

j. One-half (1/2) foot of freeboard, above the maximum calculated high-water elevation for the applicable design storm, shall be provided in all ponds.

k. All treatment ponds intended for ~~pubic~~ **public** ownership shall provide a five (5) foot maintenance berm around the perimeter of the pond and shall be sloped toward the pond at 1:8 or flatter.

l. Ponds with bank slopes designed to be steeper than 3:1 or with impoundments greater than eight (8) feet in height, as measured from the lowest point on the downstream toe, to the design top elevation of the pond, shall be considered on an individual basis and may be required to install five (5) foot wide

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bench inside the pond for maintenance as required by the County Engineer. Design criteria shall be in accordance with sound engineering practice and the approval of the County Engineer will be required.

m. Wet Detention ponds shall be designed in accordance with the NFWMD Applicant's Handbook, Volume 2 utilizing the Santa Rosa County treatment volume and attenuation criteria as noted in above.

4. Treatment - The drainage system shall include practical means of reducing the amount of pollution generated by the project.

a. Dry Retention/Detention Ponds: Reducing pollution shall be accomplished by retaining one (1) inch of rainfall over the entire site to be disposed of by percolation within seventy-two (72) hours and the entire retention volume (max stage) shall be recovered with two hundred forty (240) hours. Stormwater systems utilizing filter systems shall provide the recovery within thirty-six (36) hours. Only the pond bottom surface area shall be considered the infiltration area.

b. Wet Detention Ponds: Reducing pollution shall be accomplished by retaining one (1) inch of rainfall over the entire site to be disposed of by drawing down one-half (1/2) of the required treatment volume between forty-eight (48) and sixty (60) hours. These calculations shall be in accordance with the NFWMD Handbook Volume 2.

c. Other methodologies for treatment of stormwater, such as Vegetated Natural Buffers (VNB's) may be considered with the approval of the County Engineer. These methodologies must be an approved method by the NFWMD and must follow the same design criteria **and shall meet the requirements of the Environmental Resource Permitting Applications Handbook, Volume II.**

5. All discharge structures shall include a skimming device.

6. **All subdivision stormwater ponds shall have a minimum 5-foot-wide concrete overflow weir set at the 6-inch free elevation.**

Geotechnical Report

~~a. Any infiltration data utilized must include a safety factor of 2, no matter the source.~~

~~b. For projects proposing less than 9,000 square feet of impervious area, the engineer of record (EOR) may use data obtained from the NRCS Soil Survey Map.~~

~~c. For projects proposing 9,000 square feet or more of~~

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~~impervious area, the geotechnical report shall be provided percolation tests for the right of way and shall meet the requirements of the Environmental Resource Permitting Applicants Handbook, Volume II.~~

4.05.00 ACCESS MANAGEMENT STANDARDS

4.05.01 Generally

No Access Connection shall be constructed on any public road without a permit issued by Santa Rosa County pursuant to this section. Requirements for review are established in Chapter 11.

4.05.02 Access Management

A. Legislative Intent – The purpose of this section is to provide and manage access to land development, while preserving the regional flow of traffic in terms of safety, capacity and speed. Major thoroughfares, including highways and other arterials serve as the primary network for moving people and goods. These transportation corridors provide access to businesses and dwellings and have served as the focus for commercial and residential development. If access systems are not properly regulated, these thoroughfares will be unable to accommodate the access needs of development and retain their primary transportation function. This ordinance balances the right of reasonable access to private property, with the right of the citizens of Santa Rosa County and the State of Florida to safe and efficient travel.

B. Access Standards and Permitting – The following standards shall apply to all properties fronting on roadways that have been assigned an access management corridor designation shall be entitled to reasonable access to public thoroughfares. “Reasonable access” means the minimum number of connections necessary to provide safe and efficient ingress and egress to the roadway. All lots of record or parcels subject to a contract for deed or purchase, as of the respective effective date of this Section, and fronting on those thoroughfares designated in the above table, shall be entitled one (1) driveway/connection per parcel on said public thoroughfare(s) unless side street access from a public right of way is attainable. For purposes of this section, contiguous lots under single ownership shall be considered a single parcel. Lot ownership shall be traced back to the effective date of this Section and if, under one ownership at any time since the effective date, those lots will only be entitled to the one (1) driveway connection.

When a lot or parcel is subdivided, either as metes and bounds parcels or as a recorded plat, all access to newly created lots shall be internalized using a shared circulation system via the permitted access connection(s). The number of connections to the roadway shall be the minimum number necessary to provide reasonable access, not the maximum available for that frontage. The Planning Director may consider these factors in determining the need for multiple access connections for a development: 1) separation of standard vehicles from heavy

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trucks or emergency vehicles; 2) two one-way connections that in combination serve ingress and egress to the development; and 3) multiple connections enhance the safety of the abutting roadway and improve the on-site traffic circulation. Single family residential or duplex development, whether on existing lots of record or on newly created lots, shall provide for a turnaround area if a direct driveway connection is permitted to an access management roadway and deemed necessary by the local fire authority.

All access to outparcels shall be as direct as possible, avoiding excessive movement across parking aisles and queuing across surrounding parking and driving aisles. Access points shall not be located on major access drive aisles. Outparcels shall be served by a private access and shall provide for joint and cross access, shared parking and pedestrian interconnectivity. In addition, the developer shall make improvements to common driveways in accordance with the development's impact as needed.

1. Access Management System and Standards

The following access management system has been developed for roadways under state and local jurisdiction.

- a. Access management standards shall be applied in accordance with the functional classification of a roadway in the table 4.05.01.A
- b. The spacing requirements for driveway connections for parcels located on access management corridors will be as follows:
 - i. All roadways under State jurisdiction will meet the access management spacing requirements of the State of Florida and of Santa Rosa County. If the State of Florida requirements are less restrictive, then the requirements of Santa Rosa County may be waived at the discretion of the Planning Director and the County Engineer.
 - ii. All roadways under County jurisdiction will meet the following spacing requirements:

<i>Roadway Classification</i>	<i>Connection Spacing (in feet)</i>	
	<i>>45 mph</i>	<i><45 mph</i>
Major/Minor Arterial	660	440
Major Collector	440	245
Minor Collector	300	185

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2. Connection spacing shall be measured from the closest edge of the pavement to the next closest edge of the pavement. Where construction plans are available for the widening, relocation, or other improvement is indicated in an adopted transportation plan or the Florida Department of Transportation Five Year Work Program, the projected future edge of the pavement of the intersecting road shall be used in measuring connection spacing.

The access classification system and standards of the Florida Department of Transportation shall apply to all roadways on the State Highway System. The designated roadways as shown in the table below may be amended by resolution of the Board of County Commissioners.

*Turn lane analysis required for portion inside the City Limits of Milton/Town Limits of Jay that is maintained by Santa Rosa County.

Table 4.05.01.A Access Management Roadways

<i>Functional Class</i>	<i>Road Number and Name</i>	<i>Segment Limits</i>	<i>County Turn Lane Analysis Required (Y or N)</i>
State Jurisdiction			
Principle Arterial	I-10 (SR8)	Escambia County Line to Okaloosa County Line	N
Major Arterial	US 98 (SR30)	Gulf Breeze City Limits to Okaloosa County Line	Y
Major Arterial	US 90 (SR10)	Escambia County Line to Okaloosa County Line	Y
Major Arterial	SR 87S	US 98 to US 90	Y
Major Arterial	SR 87N	Milton City Limits to Alabama State Line	Y

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<i>Functional Class</i>	<i>Road Number and Name</i>	<i>Segment Limits</i>	<i>County Turn Lane Analysis Required (Y or N)</i>
Major Arterial	SR 89	Milton City Limits to Alabama State Line	Y
Major Arterial	SR 281 (Avalon Boulevard)	US 98 to US 90	Y
Major Arterial	SR 4	Escambia County Line to Okaloosa County Line	Y
Major Collector	SR 399 (Gulf Boulevard)	Escambia County Line to SR 399 (Navarre Beach Causeway)	Y
Major Collector	SR 399 (Navarre Beach Causeway)	SR 399 (Gulf Boulevard) to US 98	Y
County Jurisdiction			
Arterials			
Major Arterial	CR 197A (Woodbine Road)	US 90 to CR 197 (Chumuckla Highway)	Y
Major Arterial	CR 184A (Berryhill Road)	CR 197 (Chumuckla Highway) to Milton City Limits	Y*
Major Arterial	CR 184 (Quintette Road)	CR 197 (Chumuckla Highway) to Escambia County Line	Y

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
Major Arterial	CR 197 (Chumuckla Highway)	US 90 to SR 89	Y
Minor Arterial	CR 191 (Willard Norris Road/Magnolia)	CR 197 (Chumuckla Highway) to Milton City Limits	Y*
Minor Arterial	CR 191 (Munson Highway)	Milton City Limits to Alabama State Line	Y*
Minor Arterial	CR 191 (Henry Street/Forsyth Street/Garcon Point Road)	Milton City Limits to SR 281 (Avalon Boulevard)	Y*
Minor Arterial	CR 399 (East Bay Boulevard)	US 98 to SR 87	Y
Collectors			
Major Collector	CR 178 (Highway 178)	CR 197 (Chumuckla Highway) to SR 87	Y
Major Collector	CR 399 (Gulf Boulevard)	Escambia County Line to SR 399 (Navarre Beach Causeway)	Y
Major Collector	CR 399 (Navarre Beach Causeway)	CR 399 (Gulf Boulevard) to US 98	Y
Major Collector	CR 182 (Highway 182/Central School Road/Allentown Road)	CR 197 (Chumuckla	Y

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
		Highway) to SR 87	
Major Collector	Allentown Road	SR 89 to CR 182 (Central School Road)	Y
Major Collector	Luther Fowler Road	CR 184A (Berryhill Road to CR 197 (Chumuckla Highway)	Y
Major Collector	East Spencer Field Road	US 90 to North Spencer Field Road	Y
Major Collector	CR197B (West Spencer Field Road)	US 90 to CR184A (Berryhill Road)	Y
Major Collector	Hamilton Bridge Road	East Spencer Field Road to Milton City Limits	Y*
Major Collector	CR 197 (Floridatown Road)	US 90 to Terminus	Y
Major Collector	CR 197A (Bell Lane)	US 90 to CR 191B (Sterling Way)	Y

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
Major Collector	CR191B (Sterling Way)	CR 197A (Bell Lane) to CR 281 (Mulat Road)	Y
Major Collector	CR 281B (Cyanamid Road)	CR 281 (Mulat Road to SR 281 (Avalon Boulevard)	Y
Major Collector	CR 281 (Mulat Road)	SR 281 (Avalon Boulevard) to Montecito Boulevard	Y
Major Collector	CR 281 (Montecito Boulevard)	Mulat Road to Del Monte Street	Y
Major Collector	CR 281 (Del Monte Street)	Montecito Boulevard to SR 281 (Avalon Boulevard)	Y
Major Collector	Anderson Lane	CR 184A (Berryhill Road to CR 191 (Willard Norris Road)	Y
Major Collector	Pine Blossom Road	CR 191 (Willard Norris Road) to SR 89	Y
Major Collector	Glover Lane	Milton City Limits to Hamilton Bridge Road	Y*

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<i>Functional Class</i>	<i>Road Number and Name</i>	<i>Segment Limits</i>	<i>County Turn Lane Analysis Required (Y or N)</i>
Major Collector	Northrop Road	Milton City Limits to CR 191 (Willard Norris Road)	Y*
Major Collector	CR 87A (Langley Street)	SR 87 to Whiting Field	Y
Major Collector	CR 87A (East Gate Road)	Whiting Field to CR 191 (Munson Highway)	Y
Major Collector	CR 191A (Old Bagdad Highway)	SR 281 (Avalon Boulevard) to CR 191 (Forsyth Street)	Y
Major Collector	Parkmore Plaza Drive	Milton City Limits to CR 191A (Old Bagdad Highway)	Y*
Major Collector	Galt City Road	CR 191A (Old Bagdad Highway) to Da Lisa Road	Y
Major Collector	Carroll Road	SR 281 (Avalon Boulevard) to Galt City Road	Y
Major Collector	Commerce Road	SR 281 (Avalon Boulevard) to Fairlands Road	Y

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
Major Collector	Fairlands Avenue	Galt City Road to Commerce Road	Y
Major Collector	Da Lisa Road	Galt City Road to CR 191 (Garcon Point Road)	Y
Major Collector	CR 89 (Ward Basin Road)	US 90 to Terminus	Y
Major Collector	CR 184 (Hickory Hammock Road/Nichols Lake Road)	CR 89 (Ward Basin Road) to Nichols Creek Road	Y
Major Collector	CR 191A (Oriole Beach Road)	US 98 to Bay Street	Y
Major Collector	CR 191B (Soundside Drive)	US 98 to Woodlawn Beach Road	Y
Major Collector	CR 191C (Nantahala Beach Road)	US 98 to CR 191B (Soundside Drive)	Y
Major Collector	Bergren Road	US 98 to CR 399 (East Bay Boulevard)	Y
Major Collector	Edgewood Drive	US 98 to CR 399 (East Bay Boulevard)	Y
Major Collector	Pea Ridge Collector Road	Hamilton Bridge Road to US Hwy. 90	Y

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
Minor Collector	CR 399 (Country Mill Road)	SR 4 to SR 87	Y
Minor Collector	CR 164 (Greenwood Road)	SR 89 to SR 4	N
Minor Collector	CR 87A (Market Road)	SR 4 to SR 87	N
Minor Collector	CR 197A (Spring Street)	CR 197 (Chumuckla Highway) to Jay Town Limits	Y*
Minor Collector	CR164 (Harvest Road)	CR 197 (Chumuckla Highway) to SR 89	Y
Minor Collector	Walling Road	CR 178 (Highway 178) to CR 164 (Greenwood Road)	N
Minor Collector	Penton Road	SR 89 to CR 178 (Highway 178)	N
Minor Collector	Giddens Road	CR 197 (Chumuckla Highway) to CR 197B (West Spencer Field Road)	Y
Minor Collector	Adams Road	CR 197 (Chumuckla Highway) to CR 197B	Y

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<i>Functional Class</i>	<i>Road Number and Name</i>	<i>Segment Limits</i>	<i>County Turn Lane Analysis Required (Y or N)</i>
		(West Spencer Field Road)	
Minor Collector	CR 197B (Norris Road)	CR 197 (Chumuckla Highway) to CR 197B (West Spencer Field Road)	Y
Minor Collector	Guernsey Road	CR 197A (Woodbine Road) to CR 197 (Chumuckla Highway)	Y
Minor Collector	Wallace Lake Road	Renfroe Road to CR 197 (Chumuckla Highway)	Y
Minor Collector	Renfroe Road	CR 184 (Quintette Road) to Wallace Lake Road	Y
Minor Collector	White Road	CR 197B (West Spencer Field Road) to East Spencer Field Road	Y
Minor Collector	Diamond Street	US 90 to Auckland Road	Y

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
Minor Collector	Pace Lane	US 90 to Landmark Lane	Y
Minor Collector	Mulat Road	CR 281 (Montecito Boulevard) to Bayside Boulevard	Y
Minor Collector	Windham Road	Hamilton Bridge Road to Pine Ridge Drive	Y
Minor Collector	Pine Ridge Drive	Windham Road to CR 187A (Berryhill Road)	N
Minor Collector	Mary Kitchens Road	SR 281 (Avalon Boulevard) to CR 191 (Garcon Point Road)	Y
Minor Collector	CR 191C (Robinson Point Road)	All	Y
Minor Collector	North Airport Road	US 90 to Old Stagecoach Road	N
Minor Collector	South Airport Road	CR 89 (Ward Basin Road) to US 90	Y
Minor Collector	Radio Road	CR 89 (Ward Basin Road) to South Airport Road	N

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Functional Class	Road Number and Name	Segment Limits	County Turn Lane Analysis Required (Y or N)
Minor Collector	Bay Street	Laurel Drive to Coronado Drive	N
Minor Collector	Laredo Street	Frontera Street to Ortega Street	N
Minor Collector	Granada Street	US 98 to Laredo Street	N
Minor Collector	Ortega Street	US 98 to Laredo Street	Y
Minor Collector	High School Boulevard	SR 87S to Panhandle Trail	N
Minor Collector	Panhandle Trail	High School Boulevard to US 98	N
Minor Collector	Audiss Road	Old Bagdad Highway to Da Lisa Road	N
Minor Collector	SA Jones Road	US Hwy 90 to Bodega Dr	Y
Minor Collector	Ten Mile Road	Chumuckla Hwy to Wallace Lake Road	N
Minor Collector	Tidwell Road	Chumuckla Hwy to Willard Norris Road	N

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3. Corner Clearance

a. New connections shall not be permitted within the functional area of an intersection or interchange. Where no other alternative accesses exist, such as joint use driveways or cross access, the Planning Director may allow construction of an access connection along the property line furthest from the intersection. In such cases, directional connections may be required. Site plans for developments which are located near intersections shall demonstrate the functional area of the intersection.

b. In addition to the required minimum lot size, all corner lots created after the effective date of this Section shall be of adequate size to provide for required front yard setbacks and corner clearance on street frontage.

4. Joint and Cross Access

a. Development which meets either condition below shall provide a system of joint use driveways, cross access easements and pedestrian pathways to allow circulation between sites. Commercial or multifamily development which is adjacent to vacant property shall make provision for cross access to the vacant property.

i. Development or subdivision of commercial or multifamily parcels; or

ii. Residential minor subdivisions when the frontage for the resultant lots or parcels is not large enough to meet the required connection spacing.

b. For development which is required to provide joint and cross access under this section the building site shall incorporate the following:

i. A system of joint use driveways or cross access drives to provide for the spacing and separation consistent with the access management system and standards. Cross access drives shall consist of a continuous service drive or cross access corridor extending the entire length of each parcel of the development. For commercial and multifamily development, the service drive shall have appropriate turn lanes with storage and visible areas for pedestrian access;

ii. A system of joint use driveways or cross access drives to provide for the spacing and separation consistent with the access management system and standards. Cross access drives shall consist of a continuous service drive or cross access corridor extending the entire length of each parcel of the development. For commercial and multifamily

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development, the service drive shall have appropriate turn lanes with storage and visible areas for pedestrian access;

iii. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied into the cross access or joint use drive. **In such cases the Planning and Zoning Director shall have discretion in determining the location interconnectivity.**

iv. A development may request a temporary allowance to block joint access points to the Planning Director. Factors for consideration are reasons for safety or security or other governing agency requirements for site design. If allowance is granted, the joint access points would be allowed to be gated, blocked with chain and bollard or other mechanisms of temporary nature. The temporary blockage of the joint access point will only be valid for the specified use as stated in the request. At no time shall a granted temporary blockage be extended to a different use for the property.

c. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible. Shared parking shall be in accordance with Section 4.06.02.C.7.

d. Pursuant to this section, property owners shall:

i. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

~~ii. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.~~

iii. ii. Record a non-access easement along the access management roadway.

e. Joint and cross-access easements and service drives as required under this section are not intended to be publicly maintained.

5. ~~Reserved Bicycle and Pedestrian Access:~~ ~~Pathways shall be required to provide a safe and convenient system of facilities for bicycle and pedestrian travel. Commercial and multifamily development shall be designed to support bicycle and pedestrian mobility in accordance with the following:~~

~~a. Circulation pathways shall be provided both internally and between abutting commercial properties through the use of sidewalks, walkways or similar pedestrian-oriented facilities, bike lanes or multi-use pathways.~~

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~~b. Internal connections shall include facilities to inter-link all parking areas, building entrances, planned outparcels, abutting commercial properties and existing streets.~~

~~c. Facilities may be incorporated into a required landscape buffer.~~

~~d. Pedestrian facilities shall be separated from vehicle driveways and clearly identified by curbs, pavement markings, planting areas, fences or similar features designed to promote pedestrian safety.~~

~~e. If an existing street contains a sidewalk that is on the adjacent opposite side of the roadway, a crosswalk must be installed to connect the sidewalk systems.~~

~~f. Sidewalks are to be constructed along any front or side street of a development unless the existing roadway has a planned expansion under development for which a sidewalk system is planned by an outside agency.~~

~~g. All sidewalks shall be constructed in accordance with Section 4.03.06.H I. Open drainage ditches in the right-of-way shall be piped or relocated at developer expense where necessary to provide sidewalks in the right-of-way.~~

~~h. Existing sidewalks and bikeways damaged during the development of a property shall be repaired or replaced by the owner of such property.~~

~~i. Development within the Rural Protection Zone is exempt from this section.~~

6. Interchange Areas will be subject to special access management requirements to protect the safety and operational efficiency of the limited access facility. The distance to the first connection shall be at least 660 feet where the posted speed limit is greater than 45 mph or 440 feet where the posted speed limit is 45 mph or less. The minimum distance to the first median opening shall be at least 1320 feet. This distance shall be measured from the end of the taper for that quadrant of the interchange.

7. Site Plan Information: A site plan for all properties within designated access management corridors shall supply the following information in addition to all other requirements:

a. Location of all existing and proposed driveways, curb cuts and median openings within the minimum connection distance specified for the roadway's access management classification, to be measured from any property corner which is located along the right-of-way for any designated access management corridor.

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- b. The following distances shall be noted: Distance between driveways, corner clearance and median opening spacing.
- c. The posted speed limit for all roadway segments which abut the development parcel(s).

8. Non-Conforming Access Features. Permitted access connections, which exist as of the date of adoptions of this ordinance that do not conform with the standards herein shall be designated as non-conforming features and shall be brought into compliance with applicable standards under any of the following conditions:

- a. When new access connection permits are requested;
- b. When the cumulative square footage of all enlargements or improvements are at least 50% of the existing floor area or impervious surface area;
- c. When a change in use, addition of square footage or remodel will result in a 25% increase in trip generation.
- d. As roadway improvements allow.

9. Intergovernmental Coordination

Any application that involves access to the State Highway System shall be reviewed by the Florida Department of Transportation (FDOT) for conformance with state access management standards. A Notice of Intent to Permit an access connection is not a final connection permit and does not constitute approval from Santa Rosa County, in coordination with FDOT, may require modifications to property access during development review in accordance with County policies and regulations governing land development and inter-parcel circulation.

10. Variance Standards

Variances to these standards may be granted by the Zoning Board where the effect would be to enhance the safety or operation of the roadway. Examples include, but are not limited to, a pair of one-way driveways in lieu of a two-way driveway, or alignment with a median opening(s).

C. Access Internal Circulation and Off-Street Parking for Projects requiring a Development Order

- 1. In determining whether the criteria of this Section are met, the County Planner shall consult with the Florida Department of Transportation, the County Public Works Director, the County Engineer, and any other relevant County Departments or state and federal agencies as deemed necessary. Driveways and areas for the parking and internal circulation of vehicles shall be located, designed and controlled so as to provide for safe and convenient access to and from adjoining public and private streets and right of ways. The applicant for site plan approval shall provide vehicular access in accordance with Florida's Department of Transportation Standards and Santa Rosa County standards.

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In addition to the requirements of this Section, the requirements of Section 4.06.02 shall be applied for off-street parking and loading. Among factors to be considered shall be the number and location of access drives connecting to adjacent streets, the location and width of driveways and access aisles to parking spaces, the arrangement of parking areas, turning lanes at appropriate locations and means of access to buildings for fire-fighting apparatus and other emergency vehicles.

2. Parking areas and driveways shall be clearly identified and separated from principal pedestrian routes by curbs, pavement markings, planting areas, fences or similar features designed to promote pedestrian safety.

Parking lot aisle widths shall be a minimum of 16 feet for a one-way aisle and a minimum of 24 feet for a two-way aisle. The Planning Director may determine that another width is more conducive to public safety.

Principal pedestrian routes within a parking lot shall be identified using pavement markings, signage, or special pavers.

The turning radii on all landscape islands shall be at least 4.0 feet, and the turning radii of all internal drives shall be no less than 10 feet. Parking islands may be delineated with landscape timbers without consideration for the required radius in ~~Impact Fee Area 1 (Rural)~~ **North of Hwy 182.**

Stop signs, painted pavement messages, directional arrows and/or other pavement markings shall be used to control circulation and the direction of travel within a parking lot. Such pavement markings related to the circulation shall be made using thermoplastic paint.

3. Corner lots shall provide vehicular access to adjoining lesser classified roadways when the following conditions are met:

- a.** granting the access point will improve safety or traffic circulation along the higher classified road for vehicles, pedestrians, and/or bicycles; and,
- b.** the access point will not create a safety hazard or significantly impact vehicles, pedestrians, and/or bicycles utilizing the lesser classified street; and
- c.** the access point will not direct traffic onto a primarily residential portion of the lesser classified road.

When access is granted pursuant to these conditions, improvements to the lesser classified road shall be required in accordance with the impact of the proposed development. These improvements can include, but are not limited to, pavement enhancement and reinforcement, signal retiming and turn lane additions and/or extensions. For the purpose of this section, classification shall follow the following hierarchy from highest to lowest; arterial roads (major and minor), collector roads (major and minor), and local roads.

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4. Turn Lanes – Development proposals shall provide turning lanes as required according to County specifications and shall be coordinated with the Florida Department of Transportation, as appropriate. Volume warrants for turn lanes shall be based on total peak hour trips generated by the development's use as follows:

<i>Roadway</i>	<i>Right Turn</i>	<i>Left Turn</i>
County		
Projected AADT > 4000	50 <u>30</u> <u>any</u> peak hour trips	40 <u>30</u> <u>any</u> peak hour trips
Projected AADT < 4000	75 <u>30</u> <u>any</u> peak hour trips	40 <u>30</u> <u>any</u> peak hour trips

See LDC Table 4.05.01.A for specific roadways that will require turn lane analysis.

5. In order to reduce turning movements on roadways, that have not been designated as an access management corridor in Table 4.05.01.A, connection spacing to development sites shall be shown below

<i>Posted Speed Limit</i>	<i>Connection Spacing</i>
>45 MPH	300 Feet
35 – 45 MPH	185 Feet
<35 MPH	120 Feet

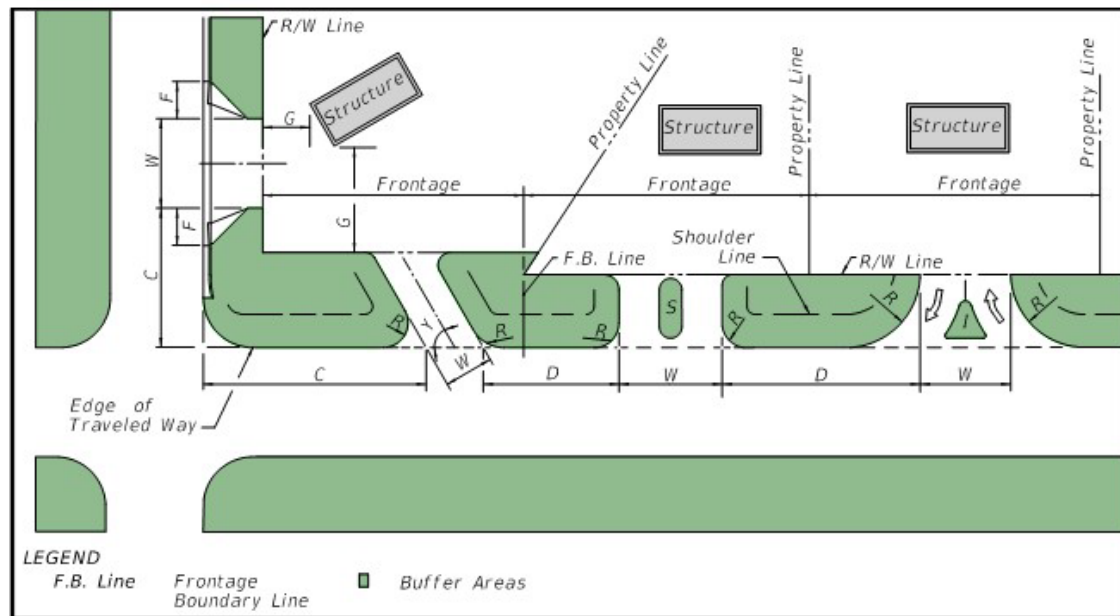
6. Driveway Standards – Driveway design features shall be considered as shown in the graphic below

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214.1.1 Driveway Terminology

Figure 214.1.1 provides a schematic of typical driveway types and the associated terminology. The terms shown in this section are standard terms or variables used within this chapter.

Figure 214.1.1 Driveway Terminology



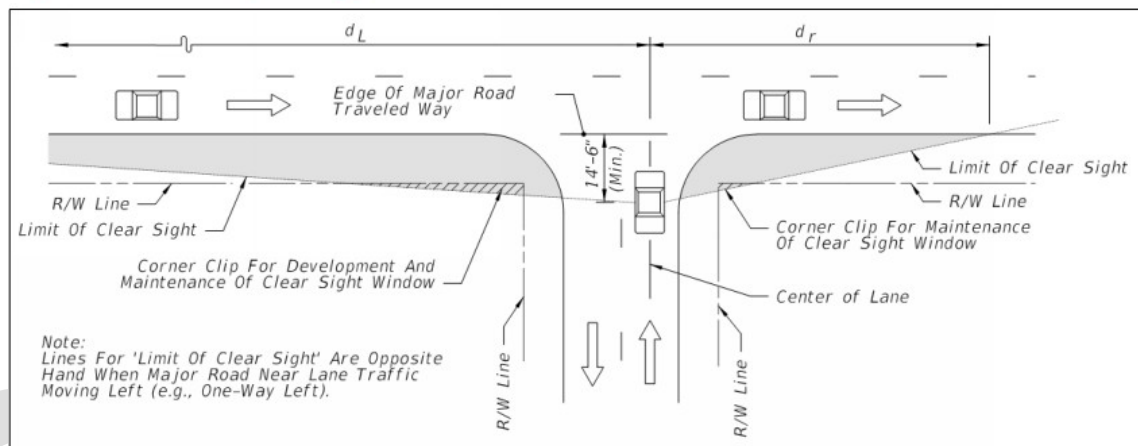
Source: Adopted from FDOT Driveway Handbook, November 2019

- a. All commercial and multi-family uses that require submittal of a site plan shall provide a paved driveway apron extending from the edge of the existing roadway to the right-of-way line. The paving may be composed of asphalt and/or concrete and be in accordance with structural/geometric standards on file in the office of the County Engineer. Non-conforming accesses shall be subject to the provisions of Section 4.05.01.B.8.
- b. If the driveway is a one way in or one way out drive, then the driveway shall have a minimum width of 14 feet and maximum width of 16 feet. All one-way driveways shall have appropriate signage designating the driveway as a one-way connection.
- c. For an unsignalized two-way connection to a public thoroughfare, each lane shall have a width of 12 feet and a maximum of four lanes shall be allowed. Whenever more than two lanes are proposed, entrance and exit lanes shall be divided by a median. The median shall have a minimum area of 75 square feet and shall be a minimum of 4 feet wide.

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- d. Driveways that enter the public thoroughfare at traffic signals must have at least two outbound lanes (one for each turning direction) of at least 12 feet in width, and one inbound lane with a 12 foot width.
- e. Driveway grades shall conform to the requirements of FDOT Standard Index #515, Roadways and Traffic Design Standards Indices, latest edition.
- f. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. In order to provide a clear view of intersecting streets to the motorist, there shall be a visibility triangle formed by two (2) intersecting streets, or the intersection of a driveway and a street, as shown in the graphic below. Nothing shall be erected, placed, parked, planted or allowed to grow in such a manner as to materially impede vision for a height of three (3) feet above the grade within the sight visibility triangle.

Figure 53 – Clear Sight Triangles



Source: FDM 212 - Intersections (Figure 212.11.1)

Source: FDOT Design Manual 212 November 2019

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g. Sight distance from a driveway intersection shall be protected, as illustrated in the graphic above. The length of the sight distance shall be determined by the posted speed limit for the roadway as shown in the table below:

<i>Speed</i>	<i>Sight Distance (feet) at Intersection Passenger Vehicle</i>	<i>Sight Distance (feet) at Intersection Common Delivery Truck</i>
30	395	540
35	460	630
40	525	720
45	590	810
50	655	900
55	720	990
60	850	1080
65	850	1170

The sight distance requirements on roadways under State jurisdiction shall comply with the requirements developed by the Florida Department of Transportation (FDOT).

h. Driveways should not interfere with acceleration or deceleration lands and tapers.

i. Parking areas should not interfere with the functional area of the driveway.

j. Driveway radius, width, flare and angle shall be adequate to serve the volume of traffic and provide for rapid movement of vehicles off of the public thoroughfare, but shall not be so excessive as to pose safety hazards for pedestrians, bicycles or other vehicles.

k. Ingress/egress driveways shall follow the standards shown in the table below, unless the Planning Director deems a variation is necessary to enhance public safety. Channelizing medians shall be required for two-way driveways with a radius greater than 35 feet and/or with a width of 36 feet or greater. For the purposes of this Section, “urban” shall mean curb and gutter roadway design and “rural” shall mean flush shoulder roadway design.

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<i>Design Feature</i>		<i>1-5 (1-20)</i>	<i>Trips per Hour - 6-60 (21-600)</i>	<i>(Trips Per Day) 61-400 (601 - 4,000)</i>
Flare (Drop Curb)		10' min (Urban only)	10' min (Urban only)	
Return (Radius)	Urban	N/A	10' – 35'	25' min, 50' std, 75' max
	Rural	15' min, 25' std, 50' max	25' min, 50' std, 75' max	25' min, 50' std, (or 3 curves)
Angle of Drive			60° – 90°	60° – 90°
Island/Traffic Separator			4' to 22' feet wide; 75 square feet minimum	4' to 22' feet wide; 75 square feet minimum

I. Driveway Throat Length shall be designed in accordance with the standards listed below. The intent of these standards is to prevent vehicles from backing to the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. The measures provided in the table below are to be applied to the principle access to a property and are not intended for minor driveways.

<i>SIGNALIZED DRIVEWAYS</i>		<i>UNSIGNALIZED DRIVEWAYS</i>	
<i>Size of Development</i>	<i>Throat Length</i>	<i>Size of Development</i>	<i>Throat Length</i>
Greater than 250,000 square feet	250 feet	Greater than 50,000 square feet	65 feet
200,000 to 249,000 square feet	200 feet	25,000 to 49,999 square feet	45 feet
150,000 to 199,999 square feet	150 feet	Less than 25,000 square feet <i>FDOT Access Management Guide November 2019</i>	30 feet
100,000 to 149,999 square feet	100 feet		
Less than 100,000 square feet	75 feet		

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m. Driveways with directional restrictions, such as right in/right out driveways shall have raised ~~channellizing~~ **channelizing** islands and appropriate internal directional signage. These channelizing islands shall have a minimum area of 75 square feet and shall be a minimum of 4 feet wide.

n. New driveways on undivided roadways shall be aligned with existing and planned driveways across the roadway if physically possible. If alignment is not physically possible, then the new driveway shall be offset to the maximum extent possible. Minimum offset distances are provided below and should be adhered to unless lot layout along the road frontage makes such distances impossible to meet. In such cases the Planning Director, in consultation with the Engineering Department and the Florida Department of Transportation, if applicable, shall make a determination as to how the driveways shall be configured to optimize safety.

<i>Functional Class</i>	<i>Minimum Offset</i>
Major Arterial	600 feet ^a /300 feet ^b
Minor Arterial	220 feet
Major Collector	200 feet
Minor Collector	150 feet

^aspeed limit > 45

^bspeed limit < 45

o. New driveways on divided roadways shall align with existing median openings when feasible.

p. Corner clearance shall be one hundred **twenty** (120) feet unless it is not physically possible, then the new driveway shall be placed at the maximum extent possible away from the intersection.

q. All exit driveways shall have traffic control devices including stop signs, stop bars, and double yellow divider lines on the centerline of the driveways as appropriate. All pavement markings shall be made using thermoplastic paint.

7. Emergency Access – In addition to minimum side, front, and rear yard setback and building requirements specified in this code, all buildings and other development activities such as landscaping shall be arranged on site so as to provide safe and convenient access for emergency vehicles.

8. All development including single family residential construction and driveway construction, connecting to county roads shall obtain a permit from Santa Rosa County prior to construction of a driveway connection.

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Failure to obtain a driveway permit prior to construction of any driveway connection or failure to construct a driveway connection in compliance with said permit shall constitute a violation of this ordinance.

Nothing in this section shall be deemed to deny access to any private property.

9. At the direction of the County Engineer, a traffic study or signal warrant study following FDOT criteria may be required for any commercial or multifamily development with implementation of recommended improvements.

4.06.00 OFF-STREET PARKING AND LOADING

4.06.01 Generally

The design of off-street parking spaces shall ensure that no part of the vehicle shall overhang any pedestrian or bicycle way or path, public easement, public road or public right-of-way. Required parking shall not be used for storage, seasonal sales, promotional sales or other retail or wholesale activities. Required parking shall be used for parking purposes only. Parking areas shall be designed to discourage right-of-way parking.

4.06.02 Off-Street Parking and Loading Requirements

A. Minimum Criteria for Parking Lots and Other Vehicular Use Areas – Trees are not to be minimized in either height or quantity. Signs designating entrances and exits, are to be of tasteful design and subject to permitting requirement of Section 4.10.00. Trash and refuse containers and all mechanical/utility equipment, including satellite and microwave dishes must be shielded from view from all public right-of-ways.

1. All areas used for the display or parking of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use, herein described as "other vehicular uses", including but not limited to activities of a drive-in nature such as filling stations, grocery and dairy stores, banks, restaurants, and the like, shall conform to the minimum landscaping requirements herein provided. Planter areas within parking areas are to be devoted to living landscaping, which includes grass, ground cover, plants, shrubs and trees.

B. Off street parking and loading requirements - When the parking standards in this Section are not sufficient in determining the required spaces for a specific land use, the most recent publication of the American Planning Association's "Off-Street Parking Requirements" may be used.

1. Intent – Parking shall be provided in all districts at the time any building or structure is erected or enlarged or increased in capacity by a change of use or the addition of dwelling units, floor area, seats, or other

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factors determinative of parking demand as stated in this Section.

2. Parking Space Required by Use

<i>Use</i>	<i>Parking Requirement</i>
Bowling Alley	4 parking spaces for each alley
Business and Professional Office – including Banks	1 parking space for each 300 square feet of gross floor area
<u>Childcare and Pre-School Facilities</u>	<u>1 parking space per classroom and 1 space per employee</u>
Church or Place of Worship	1 parking space for every 5 persons in the main auditorium or 1 parking space for each classroom whichever is greater
Commercial Strip Center consisting of two (2) or more tenant spaces	1 parking space for each 200 square feet of gross floor area
Community Center, Library or Museum	10 parking space plus 1 additional space for each 100 square feet of gross floor area in excess of 2,000 square feet
Dormitory, Fraternity or Sorority	1 parking space for each 300 square feet of sleeping forms or 1 space for every 10 members whichever is greater
Drive Up Windows – Waiting Spaces	6 waiting spaces per drive up window including the receiving or service window. <u>12 waiting spaces for drive-thru only uses. Some uses may require additional spaces based on the Director's discretion.</u> The space shall be 18 feet in length and the minimum pavement width shall be 10 feet
Elementary School	1 parking space for each 10 seats in the main auditorium or assembly room or 1 space for each classroom whichever is greater
Exhibition or Assembly Hall Without Fixed Seats	1 parking space for each 100 square feet of gross floor area

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Furniture or Appliance Store, Hardware Store, Wholesale Establishment, Machinery and Equipment Sales and Service, Clothing or Shoe Repairing or Similar Businesses, Trades or Services	1 parking space for each 400 square feet of gross floor area; or 1 parking space for each employee, plus 1 space for each vehicle owned or used by the establishment, whichever is greater
Golf Club or Country Club	1 parking space for each 5 members
High School or College	1 parking space for each 8 seats in the main auditorium or 3 spaces for each classroom, whichever is greater
Hospital, Rehabilitation Center, Convalescent Home, Assisted Living Facility	1 parking space for each 1 ½ beds
Hotel, Motel, Guest House or Transient Quarters	1 parking space for each sleeping room or suite
Indoor Commercial Recreation (Cross-fit, Martial Arts, Batting Cages, etc.)	1 parking space per 250 square feet of gross floor area
<u>Itinerant Vendors with seating</u>	<u>6 parking spaces plus 1 per employee</u>
Manufacturing or Industrial Establishment Research and Testing Laboratory, Creamery, Bottling Plant, Warehouse or Similar Establishment, Excluding Direct Sales to the Public	1 parking space for each 2,000 square feet of gross floor area for Warehouse type uses and 1 parking space for each 1,000 square feet of gross floor area for Manufacturing type uses.
Marina	1 parking space for each 3 dry dock stalls, or wet slips or moorings, plus 1 parking space for each employee, plus 1 additional space for each vehicle owned or used by the establishment
Medical Office or Clinic	1 parking space for each 200 square feet of gross floor area
Mini-Warehousing, Self-storage facility	1 parking space for each 300 square feet of gross floor area of office space plus 2 parking spaces for each 100 indoor storage units
Mortuary or Funeral Home	1 parking space for each 50 square feet of gross assembly area including foyer, plus 1 space per employee, plus 1 space for each vehicle owned or used by the establishment

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Office/Warehouse for Trades or Services and similar uses	1 parking space for each 300 square feet of gross floor area of office space plus 1 parking space for each 600 1200 square feet of gross floor area of indoor storage
One Bedroom Duplex or Apartment Including Efficiencies	1 ½ parking spaces per unit
Plant Nurseries	1 parking space for each 300 square feet of gross floor area of the office plus 1 space for each vehicle owned or used by the establishment
Private Airport Uses – Conventional Hangars (restricted solely to storage of aircraft, and expressly excluding any employment generating activity such as offices; maintenance and repair; sales, charter, or rental activity; or any other commercial use whatsoever)	1 parking space per 1,000 square feet or fraction thereof for the first 10,000 square feet and thereafter 1 space per 2,000 square feet
Private Airport Uses – T Hangars (restricted solely to storage of aircraft and expressly excluding any employment generating activity such as offices; maintenance and repair; sales, charter, or rental activity; or any other commercial use whatsoever)	1 parking space per 5 aircraft bays
Private Airport Uses – Tie Downs for Aircraft	1 parking space per 5 aircraft tie downs or fraction thereof
Private Club	1 parking space per 100 square feet of gross floor area or 1 parking spacer for every 10 members whichever is greater
Restaurant or Bar/Pub	1 parking space for each 100 square feet of gross floor area
Retail Store and Personal Service Establishment	1 parking space per 250 square feet of gross floor area
Single Family Home	1 parking space per dwelling unit
Theater, Auditorium (except school), Stadium or Gymnasium	1 parking space for each 5 seats
Two or more Bedroom duplex or Apartment	2 parking spaces per unit

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C. Computation of Parking Spaces - In computing the number of required parking spaces, the following rules shall govern:

1. Floor area means the gross floor area of a particular use.
2. Where fractional spaces result, the number of spaces required shall be construed to be the next whole number.
3. The parking requirements for any use not specified shall be the same as that required for a use of a similar nature as recognized herein or where not recognized herein, shall be based on criteria published by the American Society of Planning Officials and approved by the County Planning Director.
4. In the case of mixed uses not to include strip centers, the parking shall be equal to the sum of the several uses computed separately.
5. Whenever a building or use is enlarged in floor area, number of employees, number of dwelling units, seating capacity or in any other manner so as to create a need for a greater number of parking spaces than that existing, such spaces shall be provided in accordance with this Section. Any parking deficiency shall be brought into conformity concurrently with the enlargement or change of use.
6. All parking spaces required herein shall be located on the same lot with the building or use served, or not to exceed three hundred (300) feet from a building served, measured along lines of public access. However, a parking area designated for "employee parking only" may be located not more than one thousand (1,000) feet from any building served, measured along lines of public access. Such parking area situated more than three hundred feet (300) from a building must be approved by the County Zoning Board.
7. Shared parking areas shall be permitted in multi-use projects. A reduction in required parking spaces may be allowed if peak demand periods for proposed land uses do not occur at the same time periods. An established Shared Parking model may be proposed to the Planning Director; and if approved, will form the basis for parking requirements for a specific project. The Planning Director may require an Overflow Parking Agreement to be recorded prior to issuing a Development Order for a project requesting a Shared Parking reduction.

D. Parking in Yard and Landscaping - Unenclosed parking spaces may be located within a required yard, except as provided in this Section under open space/landscaping. All parking areas other than for single family homes and duplexes shall conform to the landscape requirements of the respective zoning district.

E. Design and Specifications for Parking and Loading Areas

1. Stalls, Aisles and Driveways – Parking stalls shall be nine (9) feet wide by eighteen (18) long for angle parking; and shall be nine (9) feet

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wide by twenty-three (23) feet long for parallel parking stalls. Aisle dimensions shall be in accordance with standard specifications on file in the Planning and Zoning Department and the County Engineer's office. Angle shall be restricted to angles of ninety (90) degrees, sixty (60) degrees, or forty-five (45) degrees. Handicap parking stalls/spaces shall conform to the current design standards of the Americans with Disabilities Act. The following criteria applicable to all parking spaces, except single family homes and duplexes:

- a. No parking shall be allowed in the county right-of-way.
 - b. Parking lot islands must be utilized every twelve (12) parking spaces.
 - c. Each parking stall shall be accessible from an aisle or driveway and designed so that no automobile shall back into a public street in order to exit a parking stall. The internal design of the parking lot shall be designed to facilitate vehicular circulation and avoid conflict between pedestrian and vehicular movements.
 - d. No door or pedestrian entrance at ground level shall open directly upon any driveway or access aisle unless the doorway or pedestrian entrance is at least three (3) feet from said driveway or access aisle.
 - e. All parking spaces in paved lots shall have lines between spaces to indicate individual stalls. Wheel stops for stalls adjacent to landscaped strips, structures or sidewalks with no raised curb shall be located two and one half (2-1/2) feet from the front end of the stall and prevent encroachment into required landscaped areas. The front two (2) feet of the stall may be kept as a maintained vegetative ground cover area although no credit will be extended toward the open space or landscape requirements of the respective district.
 - f. Parking lots with twenty (20) or more spaces may be comprised of a maximum of fifteen percent (15%) compact car parking stalls but only if approved by the County Planning Director or ~~their~~ his/her designee. Such compact car stalls shall be eight feet wide by sixteen (16) feet long and marked for use by small vehicles. All marking shall be on the pavement surface where possible. These spaces shall be evenly distributed throughout the parking area and not grouped together.
2. Loading Spaces – Every building or part thereof erected or occupied for commercial and industrial uses, shall provide and maintain loading spaces in accordance with the following formula:
- a. One loading space for each ten thousand (10,000) square feet or fraction thereof floor area.

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- b. Each loading space shall not be less than twelve (12) feet in width, thirty-five (35) feet in depth and fourteen (14) feet in height.
- c. Loading spaces shall not impede normal vehicular circulation for the parking lot.
- d. For establishments which primarily use small delivery trucks (non-semi) for delivery services, an overflow parking (parking not required by this code) area may be utilized to satisfy the loading zone requirements if approved by the Planning Director or their his/her designee.
- e. In no case shall loading/unloading of any vehicular type be allowed from any public right-of-way.

- 3. Modifications –The Planning Director may approve modifications to the design specifications upon demonstrated need by the applicant.

4.06.03 Off-Street Parking on Navarre Beach

Off-street parking shall be required in all districts. Temporary parking may be permitted in street right of way; however, such parking shall be in addition to the minimum requirements of this section. When the parking standards in this section are not sufficient in determining the required spaces for a specific land use the most recent publication of the American Planning Association's "Off-Street Parking Requirements" may be used.

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<i>Use</i>	<i>Parking Space Requirement</i>
NB-SF	2 spaces per dwelling unit
NB-MHD	1.5 spaces per unit for one bedroom 2 spaces per unit for two bedrooms 2.5 spaces per unit for three bedrooms or over
NB-MD	1.5 spaces per unit for one bedroom 2 spaces per unit for two bedrooms 2.5 spaces per unit for three bedrooms or over
NB-HD	1.5 spaces per unit for one bedroom 2 spaces per unit for two bedrooms 2.5 spaces per unit for three bedrooms or over
NB-C	1.5 spaces per unit for one bedroom 2 spaces per unit for two bedrooms 2.5 spaces per unit for three bedrooms or over
NB-PMUD	1.5 spaces per unit for one bedroom 2 spaces per unit for two bedrooms 2.5 spaces per unit for three bedrooms or over

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<i>Use</i>	<i>Parking Space Requirement</i>
Office Building	1 space per 200 square feet of gross floor area in the building
Medical or Dental Clinics and Offices	4 spaces for each doctor engaged at the clinic or office, plus 1 space for each 2 employees
Schools – Elementary and middle	1 space for each 2 employees, plus 1 space for each classroom
Schools – High Schools and Colleges	1 space for each 10 students based on design capacity of the school, plus 1 space for each 2 employees
Private Clubs, Fraternities, Sororities and Lodges	1 space for each 200 square feet of gross floor area
Libraries, Community Centers and other Public Buildings	1 space for each 500 square feet of gross floor area in the building, plus 1 space for each 2 employees
Retail and Commercial	1 space for each 200 square feet of gross floor area in the building, plus 1 space for each 2 employees
Churches, Theaters and Restaurants	1 space for each 4 seats based on total seating capacity
Hotels and Motels	1 parking space for each guestroom, plus 1 parking space for each 3 employees
Any use not specified by these regulations	1 parking space for each 300 square feet of gross floor area in the building.

Where the use is mixed, total requirements for off street parking shall be the sum of the requirements for the various uses computed separately.

Off street loading and unloading for establishments receiving and distributing goods by motor vehicle shall provide such facilities on the premises.

No motor vehicle shall be allowed to extend onto a public street right of way, sidewalk or alley while loading or unloading.

- A.** Construction projects for commercial, hotel, and high density residential shall make provisions for adequate onsite and offsite parking for all construction related and construction worker vehicles. Such parking may not be on a public right of way. This requirement shall apply to all future projects and all projects in existence as of the date of adoption of the section.

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4.07.00 LANDSCAPING AND BUFFERING REQUIREMENTS

4.07.01 Generally

A. Purpose

The purpose of these regulations is to:

1. Protect the quality of water resources;
2. Provide shade;
3. Reduce heat and glare;
4. Abate noise pollution;
5. Provide habitat;
6. Enhance aesthetics; and
7. Buffer incompatible uses.

B. Applicability

The requirements of this section 4.07.00 shall apply to all new development, redevelopment and additions to off street parking lots and vehicular use areas. Land clearing shall be permitted only upon an approved Land Clearing Permit or Building Permit.

Any use established or changed to, and any buildings, structures or tracts of land developed, constructed or used for any permitted or permissible principal or accessory use shall comply with all the performance standards herein set forth for the district involved.

If any existing use or building or other structure is extended, enlarged, moved, structurally altered or reconstructed; or any existing use of land is enlarged or moved, the performance standards for the district involved shall apply with respect to such extended, enlarged, moved, structurally altered or reconstructed building or other structure or portion thereof to the greatest extent possible.

After the effective date of this regulation, all new uses, buildings or other structures shall comply with the performance standards herein set forth for the district involved.

C. Except as otherwise provided herein, all uses in all zoning districts shall conform to the standards of performance described within this Section and shall be so constructed, maintained and operated so as not to be injurious or offensive to the occupations or residents of adjacent premises.

D. Landscaping General – The purpose of this Section is to protect the quality of water resources from future degradation by maintaining vegetative cover and controlling disturbances to vegetation, to encourage the selection of native plant species for vegetation, to reduce the impact of urban and suburban development on remaining stands of vegetation, to provide shade thereby reducing energy costs by reducing heat, to reduce glare and to abate noise

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pollution, to provide habitat for living things, and to buffer incompatible land uses. This purpose is accomplished with perimeter landscaping adjacent to public rights-of-way, parking area interior landscaping, landscaped buffers, and tree protection as detailed in section 4.07.00.

E. Exemptions - Lots or parcels of land on which single family residential homes are constructed and used as residences shall be exempt from the provisions of these landscaping regulations. ~~with exception of the Heritage tree protection regulations. The property owner of a residential property verifies compliance with FS 163.045 by obtaining documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property.~~ This exemption shall not be construed to apply to residential subdivisions or other residential developments that require site plan approval.

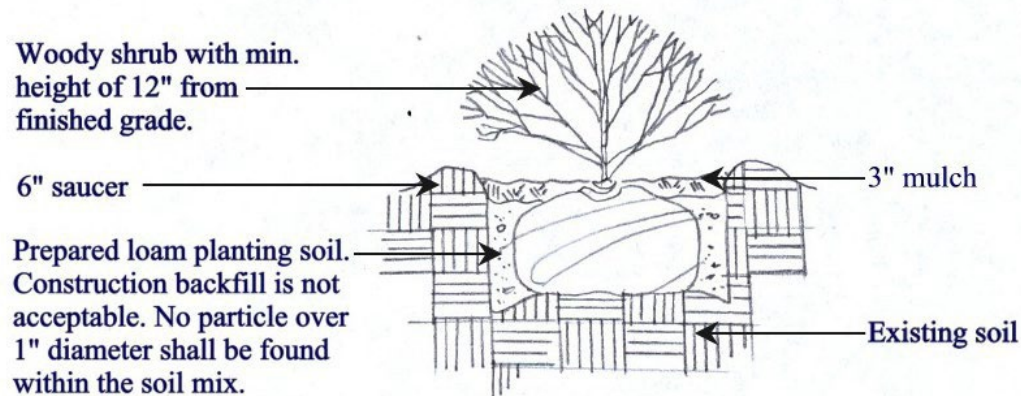
1. For development at Peter Prince Airport and NAS Whiting Aviation Park, existing trees are not required to be protected and new trees are not required to be planted.

F. Landscape Plan Required - The landscaping plan shall be included as part of the project site plan or subdivision plat submittal and shall include the following for living plant materials:

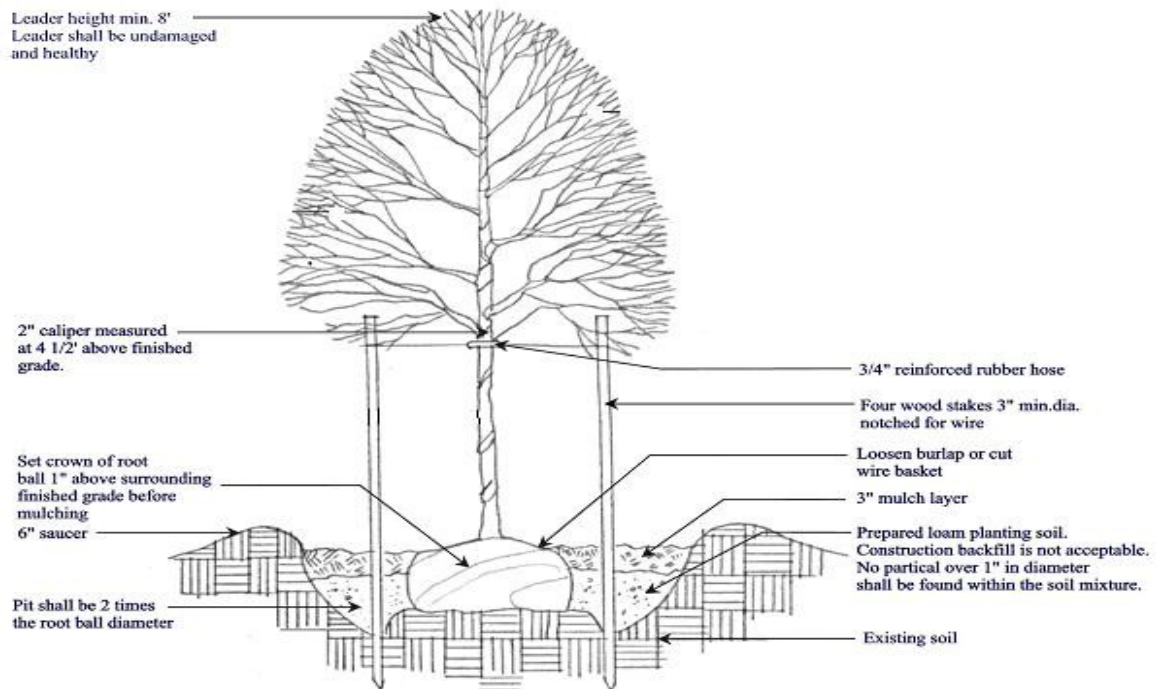
1. Locations of required planting areas containing grass, shrubs, and/or trees;
2. Calculations for required landscaping;
3. Required landscape buffer boundaries graphically shown on the landscape plan;
4. Species of all plant material;
5. Height, diameter, and spacing of shrubs and trees proposed to be planted.
6. Locations of all proposed planting to be used shown on the landscape plan;
7. Landscape material used to satisfy a requirement of this code must identify what requirement they are satisfying;
8. Planting details including all necessary soil amendments, mulching and staking. The following planting details shall be included in all landscape plans;

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a. Shrub Detail



b. Tree Detail



9. Locations of existing vegetation to be protected **A tree survey indicating the locations of existing protected trees and all healthy trees to be counted as credit as detailed in section 4.07.05.I;**

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10. Protected and preserved tree inventory: all protected, preserved, heritage and champion trees shall be identified on the site plan or other development plan submitted as part of the application for development approval. The plan shall include all such trees that are to remain on site and all such trees that are proposed to be removed. At a minimum, the plan shall identify the following:

- a. Location
- b. Species, and
- c. Diameter (DBH) at 4.5 feet above grade.

11. Protection plans for existing tree preservation during and after construction including but not limited to fencing, root pruning and irrigation system installation in planting islands where existing trees are to be preserved and are surrounded by impervious surfaces.

12. Location of irrigation system or other means of watering plans.

G. Landscape Materials - Diversity of plantings should be strived for in all required landscape plantings, and in no case should one species constitute more than fifty percent (50%) of total planting on site. Landscaping shall utilize native species as recommended by the Florida Friendly Landscaping (FFL) program and the University of Florida. Landscaping shall not utilize any exotic vegetation which is likely to out-compete or otherwise displace native vegetation as identified in the Florida Exotic Pest Plant Council Invasive Plant Lists .

- 1.** Installation – All landscaping shall be installed in a sound workmanship manner and according to accepted good planting procedures consistent with the details of the approved site plan or plat. Adequate wind and water erosion control measure shall be put into effect prior to commencing site alteration on each increment of a project.
- 2.** Plants whose physical characteristics may be injurious to the public shall not be specified in areas such as parking lots, along walkways, etc.
- 3.** Canopy tree species shall be a minimum of eight feet overall height immediately after planting with at least a two inch diameter measured at 4.5 feet above grade (DBH). To determine the DBH of multi-trunk trees, the DBH measurements for each trunk will be added together. Trees having average, eventual mature crown spread of less than fifteen feet may be substituted by grouping the same so as to create the equivalent of a fifteen foot crown spread. A grouping of three large growing palms will be the equivalent to one required canopy tree. All trees shall be located no closer than three feet from the edge of any designated planting area.
- 4.** Understory tree species shall be a minimum of four feet overall height immediately after planting with at least a one inch diameter measured at 4.5 feet above grade (DBH). To determine the (DBH) of multi-trunk trees, the DBH measurements for each trunk will be added together.

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5. Shrubs shall be a minimum of twelve (12) inches in height when measured immediately after planting.

6. Grass areas shall be planted in species normally grown as permanent lawns in Santa Rosa County, Florida. Grass may be sodded, sprigged, plugged or seeded except that solid sod shall be used in swales or other areas subject to erosion. When grass areas are to be seeded, sprigged or plugged, specifications must be submitted. One hundred percent coverage must be achieved within one hundred and eighty (180) days. Nurse grass shall be sown for immediate effects and protection until coverage is otherwise achieved.

H. Prohibited Plants - Plants shall not be installed as a landscape material as if identified in the Florida Exotic Pest Plant Council Invasive Plant Lists.

I. Irrigation - All required planting areas shall be provided with an irrigation system or other means of watering plants. A system known as a drip system to conserve water is strongly encouraged where deemed practical. Irrigation is not required for xeriscape landscape plans designed by a landscape architect.

J. Maintenance - The owner, lessor, or party responsible for a building or grounds maintenance or the respective agent of each, if any, shall be jointly and severally responsible for the maintenance of all landscape plant materials and all irrigation equipment. Landscaping shall be maintained in a healthy, orderly appearance at least equal to the original installation and shall be kept free of refuse and debris. Any dead vegetation and landscape material shall be promptly replaced with healthy living material consistent with the Land Development Code.

K. Vehicular Encroachment - Planted areas on private property shall require protection from vehicular encroachment. No type of parked or moving vehicle, boat, mobile home, travel trailer, or heavy equipment shall encroach on any planted or landscaped area. Encroachment shall be prevented through the use of curbs, wheel stops, or other acceptable means located so as to prevent damage to any trees, fences, shrubs, or other landscaping.

L. Corner-Visibility Required - When an access way intersects a public right-of-way or when subject property abuts the intersection of two or more public rights-of-way, all landscaping within the triangular areas described below shall provide unobstructed corner-visibility at a level not to exceed three feet. The triangular areas referred to are:

1. The areas of property on both sides of an access way formed by the intersection of each side of the access way with the public right-of-way with two sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the two other sides.

2. The area of property located at a corner formed by the intersection of two or more public rights-of-way with two sides of the triangular area being twenty-five feet in length along the abutting public rights-of-way

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lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two lines.

M. Landscaping Of Existing Developed Or Redeveloped Properties - Whenever an existing site or structure is altered in any way that exceeds minor change approval as described in Section 4.06.00, landscaping, if not in accordance with present criteria requirements, shall be upgraded to meet those requirements, unless in the opinion of the Planning Director such upgrading is impractical or would have an adverse impact on the applicant's or adjacent property. A voluntary change in landscaping that result in an improvement of the appearance of the property is allowed without approval as long as the approved landscaping requirements are still met.

N. Final Inspection Required - The Planning Director or ~~their~~ **his/her** designee shall inspect all required landscaping; and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein set forth or unless the owner, developer, landscaper, or their designated agent submits a letter of intent to complete the required landscaping. Such letter must include estimated completion date.

O. Landscaping Definitions can be found in Section 1.07.02

P. Alterations - Any existing development may make changes to their existing landscaping provided that it complies with the current Land Development code without the requirement to apply for a permit or submit a new or revised site plan.

Q. Incentives - Development Order review fees **for projects less than 10,000 square feet** can be reduced by 20% if a licensed landscape architect is part of the project design team as demonstrated on the site plan by a signature and seal. All development projects of 10,000 square feet or greater must utilize a licensed landscape architect as demonstrated on the site plan by a signature and seal.

R. Landscaped Open Space— All commercial or multifamily (5 units or more) properties shall devote at least ~~twenty (20)~~ **fifteen (15)** percent of the parcel to landscaped open space. Landscaped open space includes a ten (10) foot wide front perimeter strip, landscaped islands in parking lots, drainage areas, preserved wetlands, and side and rear buffers. Improved parking and driveways are not considered landscaped open space. Landscaping compatible with the location shall be required, including xeriscape treatments.

S. Screening Adjacent to Residential Districts - Where commercial and industrial districts abuts the side or rear lot line of any residential district, any open storage of equipment, materials or commodities shall be screened from the residential lot line. The screen may be in the form of walls, fences or landscaping and shall be at least six (6) feet in height and shall be at least fifty (50) percent opaque as viewed from any point along the residential lot line. When landscaping is used as screening, the height and opacity requirements shall be attained within eighteen (18) months after open storage uses are established.

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4.07.02 Required Perimeter Landscaping Adjacent to Public Rights-of-Way

On the site of a building or open lot use along any abutting right-of-way commercial or multi-family development uses there shall be provided landscaping between such area and such right-of-way as follows:

- A. A strip of land at least ten feet in depth located adjacent to the abutting right-of-way shall be landscaped with grass, ground cover, or other landscape treatment.
- B. ~~Understory~~ Trees are required on the development site based upon the amount of right-of-way frontage. The required number of trees planted shall be equal to one (1) tree every forty (40) linear feet of right of way frontage, or fraction thereof and must consist of species from the Florida Friendly Landscape list. These trees should be planted within the ten-foot strip unless either parts C or D of this section apply. This section is not intended to require trees to be equally spaced along the right-of-way, but rather creative design and spacing is encouraged.
- C. Canopy Trees should not be planted within twenty feet (20') of overhead utility lines. Understory trees should not be planted within ten (10) feet of an overhead utility line. When overhead utility lines are present, canopy trees may be substituted using a mixture of understory trees and shrubs. Understory trees may be substituted for trees at a ratio of two (2) to one (1), and shrubs may be substituted for trees at a ratio of four (4) to one (1). Substituted understory trees must maintain a minimum clearance of ten (10) feet from any overhead utility. In no case shall the substituted understory trees be a species that can reach a mature height to exceed fifteen (15) feet.
- D. When, as determined by the Planning Director, or ~~their~~ his/her designee required perimeter landscaping would limit the visibility of a business, shrubs may be substituted for trees at a ratio of four (4) to one (1).
- E. All necessary access ways from the public right-of-way through all such landscaping shall be permitted to service the parking for other vehicular use areas. Such access ways will be subtracted from the linear dimension used to determine the number of trees required.
- F. Trees in the landscape strip do not count as credit towards the parking or buffer tree requirements.
- G. Development within the Rural Protection Zone is exempt from this section.

4.07.03 Required Parking Area Interior Landscaping

Paved parking lots shall be landscaped with trees, shrubs, grass, groundcover or other landscaped treatment located so as to best relieve the expanse of paving.

- A. The minimum number of canopy trees required to be planted within or adjacent to paved parking areas shall be one (1) tree for every twelve (12) parking spaces or fraction thereof. One (1) tree shall be required for those parking areas having fewer than twelve (12) spaces. These trees may be

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planted within the islands or adjacent to paved parking areas; creative design and spacing is encouraged to accomplish the intent to relieve the expanse of paving.

B. When standard parking lot islands are required, the minimum size of a planter island must be eight feet wide by the length of the parking space. When planting strips are used within or adjacent to paved parking areas, the planting area shall be no less than eight (8) feet wide. All planter islands and other interior landscape areas must be effectively protected to prevent vehicular encroachment.

C. Trees in the planter islands do not count as credit towards the required perimeter or buffer trees.

D. In an industrial project, the overall number of interior landscape areas may be reduced when necessary to avoid conflicts with truck traffic. This reduction would apply only to the interior requirements. Landscaped buffer minimums are not subject to modifications or reductions.

E. When as determined by the Director of Planning and Zoning, required parking area trees would limit the visibility of a business, and alternative locations are not feasible, shrubs may be substituted for trees at a ratio of four (4) to one (1).

4.07.04 Landscape Buffers

A. Purpose and Intent - This section requires landscaped buffers to be provided and maintained when certain land uses are adjacent to each other in order to protect uses from the traffic, noise, glare, trash, vibration and odor likely to be associated with a more intensive land use. For purposes of this section, adjacent uses include uses directly across a local road right-of-way of 40 feet or less. Landscape buffers are also required to conserve the values of land and buildings and to provide adequate light and air. The width of the buffer and the required plantings within the buffer vary depending upon the relative intensities of the abutting or adjacent uses. The buffer requirements are intended to be flexible; the developer may choose among a number of combinations of buffer widths and buffer plantings to satisfy the requirement.

B. How to Determine Landscape Buffer Requirements - Landscape buffers shall be located at the perimeter of the development for any given use and shall not be located in any portion of a public right-of-way unless so desired by the state of Florida or the County. The following procedure shall be followed to determine the type of landscape buffer required:

1. Identify the proposed use and identify the adjacent land uses by on site survey or the adjacent zoning districts if the adjacent property is vacant.
2. Identify whether the proposed and adjacent land uses or zoning districts for adjacent undeveloped property are high impact, medium impact, or low impact, Residential Class I or Residential Class II uses by

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referring to Section 4.07.04.E.

3. Determine the landscape buffer required on each development boundary (or portion thereof) by referring to Section 4.07.04.F

4. Select the desired landscape buffer option from those set forth in Section 4.07.04.G. Any of the listed options shall satisfy the requirement of buffering between adjacent land uses.

5. The lesser classified use category is not required to provide a buffer from the higher classified use. The intent of this section is to require a higher classified use to provide a buffer from the lesser classified use category.

C. Landscape Buffer Design and Materials

1. Existing Native Plant Materials – The use of existing native species of plant material is required in landscape buffers when possible. Such existing natural vegetation must be of sufficient height and thickness or must be augmented so as to reach the required number of plantings in order to reach a sufficient height and opacity to provide an effective visual and acoustical buffer giving consideration to the existing and proposed uses. If native plant materials are unavailable or not feasible, then non-invasive non-native varieties must be utilized. Existing natural ground cover should be retained where possible by avoiding scraping, grading and sodding within the landscape buffer. Where the planting requirements of Section 4.07.04.G require additional trees or shrubs to be installed in an existing natural area utilized as a buffer, it should be done in a manner which minimizes disturbances to native species.

2. Where the planting requirements of Section 4.07.04.G require additional plantings to be installed in the landscaped buffer, required canopy plantings may be selected from of Florida Friendly Landscape List at the option of the developer.

3. Mixed Use Development – Where a building site is used for a single mixed use development, landscaped buffers shall not be required between the various constituent uses. Landscaped buffers required at the perimeter of the development shall be based upon the individual uses on each portion of the property.

D. Use of Landscaped Buffers

1. Open Space - Landscaped buffers may be counted towards satisfying open space or impervious surface requirements and may be used for passive recreation. They may contain pedestrian or bike trails, provided that the total width of the buffer yard is maintained. In no event, however, shall the following uses be permitted in landscaped buffers: playfields, stables, swimming pools, tennis courts, parking lots and vehicular use areas, dumpsters, equipment storage and other open storage, buildings or overhangs.

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2. Stormwater Retention/Detention Facilities - Stormwater retention/detention facilities may encroach into landscaped buffers a maximum of 40% of buffer width, when all planting requirements of this section are met and the visual screen provided by the landscaped buffer will be fully achieved.

E. Classification of Uses for Determining Buffer Requirements

1. Non-residential Uses: For the purposes of determining landscaped buffer requirements, non-residential land uses are classified as either high, medium, or low impact uses as follows:

a. High Impact Uses - High impact uses are particular uses of land that, because of their operational and physical characteristics are expected to have a strong effect on adjacent uses. High impact uses include but are not limited to the following examples:

- i.** Industrial uses as defined as Permitted, Conditional uses or Special Exceptions within the following zoning categories CT, M-1, M-2 and PID.
- ii.** Excavation/mining activities, borrow pits, and disposal facilities as Permitted in PIT – 1 and PIT – 2.
- iii.** Water and wastewater treatment plants; and,
- iv.** Commercial outdoor amusements as defined as a Conditional Use in HCD.
- v.** feedlots and;
- vi.** All accessory uses associated with the above uses.

b. Medium Impact Uses - Medium impact uses are particular uses of land that, because of their operational and physical characteristics are expected to have a moderate effect on adjoining or adjacent uses. Medium impact uses include but are not limited to the following examples:

- i.** General commercial uses, as defined as Permitted or Conditional Uses in HCD except for professional office uses and neighborhood commercial uses such as those found in the Neighborhood Commercial (NC) district;
- ii.** Public and private utility and facility uses, except for water and wastewater treatment plants; and
- iii.** All accessory uses associated with the above uses.

c. Low Impact Uses - Low impact uses are particular uses of land that, because of their operational and physical characteristics are expected to have a limited effect on abutting or adjacent uses. Low impact uses include but are not limited to the following examples:

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- i. Institutional uses;
 - ii. Outdoor recreation uses as defined as Permitted uses in P-1 and P-2 , excluding commercial outdoor amusements as described as a Conditional Use in HCD;
 - iii. Professional service and office uses, as Permitted uses in NC and HCD
 - iv. Neighborhood commercial uses as defined as Permitted and Conditional Uses in NC
 - v. Public and private utility and facility uses, except for public utility rights-of-way;
 - vi. Low intensity agricultural uses as defined as Permitted, Special Exceptions, and Conditional Uses in AG-2, AG-1, and AG-RR.
 - vii. Silvicultural uses, and
 - viii. Billboards
 - ix. All accessory uses associated with the above uses.
- 2. Residential Uses** – For the purposes of determining landscaped buffer requirements residential uses are classified as follows:
- a. Residential Class I
 - i. All single family and duplex residential uses on a single lot; and,
 - ii. All accessory uses associated with the above uses.
 - b. Residential Class II
 - i. All multi-family development; and
 - ii. All accessory uses associated with the above uses.

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F. Table of Landscaped Buffer Requirements

<i>Abutting or Adjacent Use</i>					
<u>Proposed Use</u>	<u>High Impact</u>	<u>Medium Impact</u>	<u>Low Impact</u>	<u>Residential Class I</u>	<u>Residential Class II</u>
High Impact	None	None	B	D or E	D or E
Medium Impact	None	None	None	C or E	C or E
Low Impact	B	None	None	C or E	B or E
Residential Class I	D or E	C or E	C or E	None	A or E
Residential Class II	D or E	C or E	B or E	A or E	None

G. Landscaped Buffer Options

1. Use these specifications to select the desired landscaped buffer option for the building site. These buffer requirements are stated in terms of the width of the buffer yard in linear feet. To determine the total number of plants required, the length of each side of property requiring a buffer shall be divided by one hundred (100) and multiplied by the number of plants described below and the following illustration.

a. Landscaped Buffer Options Standard A Planting Requirements per 100'

	<i>Width 20'</i>	<i>Width 15'</i>	<i>Width 10'</i>
Canopy	1.2	1.8	2.4
Understory	.4	.6	.8
Shrubs	4	6	8

b. Landscaped Buffer Options Standard B Planting Requirements per 100'

	<i>Width 25'</i>	<i>Width 20'</i>	<i>Width 15'</i>	<i>Width 10'</i>
Canopy	3.5	4	4.5	5
Understory	1.4	1.6	1.8	2
Shrubs	14	16	18	20

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c. Landscaped Buffer Options Standard C Planting Requirements per 100'

	<i>Width 35'</i>	<i>Width 30'</i>	<i>Width 25'</i>	<i>Width 20'</i>
Canopy	4.8	5.4	6	6.6
Understory	2.4	2.7	3	3.3
Shrubs	19	22	24	28

d. Landscaped Buffer Options Standard D Planting Requirements per 100'

	<i>Width 60'</i>	<i>Width 50'</i>	<i>Width 40'</i>	<i>Width 30'</i>
Canopy	6	9	10	12
Understory	4	4.5	5	6
Shrubs	24	27	30	36

e. Landscaped Buffer Options Standard E Planting Requirements per 100'

On the site of a building a buffer may be installed in the form of screening consisting of a wall six feet in height and constructed of concrete block, brick, stone, cement or another similar material and specifically excluding chain link, metal, or wood. Shrubs must be installed between the wall and the adjacent lesser classified use property; or, a soil berm four feet in height accompanied by shrubs which will reach a combined minimum height of six feet. The soil berm option may only be utilized in cases where the installation of such berm would not be in conflict with the stormwater management requirements found elsewhere in this Code.

	<i>Width 10' With Wall</i>	<i>Planted Berm</i>
Canopy	1.8	4
Understory	0.6	1.6
Shrubs	6	16

2. The buffer is normally calculated as parallel to the property line. However, design variations, especially when used to incorporate native vegetation into the buffer area, are allowed. The edges of the landscaped buffer may meander provided that:

4. Design and Development Standards

- a. The total area of the buffer is equal to or greater than the total area of the required landscaped buffer; and
 - b. The landscaped buffer measures at least five feet in width at all points along the perimeter of the property line of the site requiring buffer.
3. When the requirements of this section result in a fractional number of plantings, the fraction shall be counted as one plant unit.
4. These diagrams shall serve as a legend for the following diagrams of landscaped buffer options.



5. A 6-foot privacy fence or masonry wall may be substituted for shrubs within all landscape buffer options except for option E.

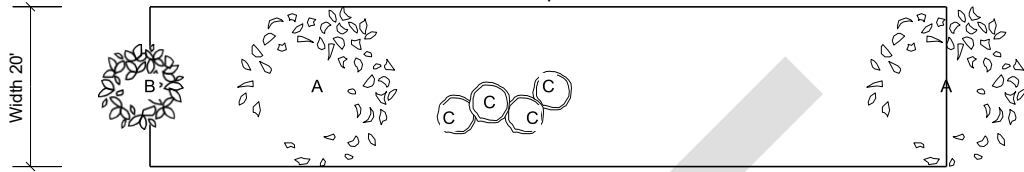
H. Maintenance of Landscaped Buffers - The maintenance of all landscaped buffers and the provision of healthy effective plantings shall be the responsibility of the property owner. Failure to maintain and keep thriving such landscaped buffers in an attractive and healthy state shall be considered a violation of this Section subject to enforcement.

4. Design and Development Standards

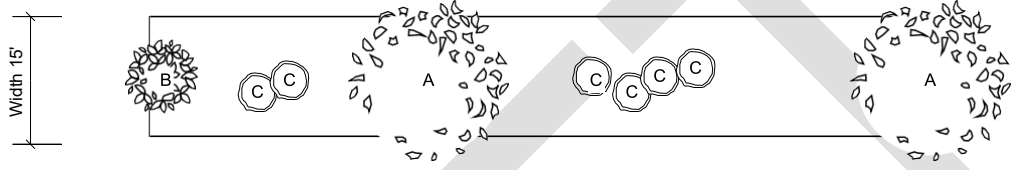
LANDCAPED BUFFER OPTIONS STANDARD A

Plant Material per 100'

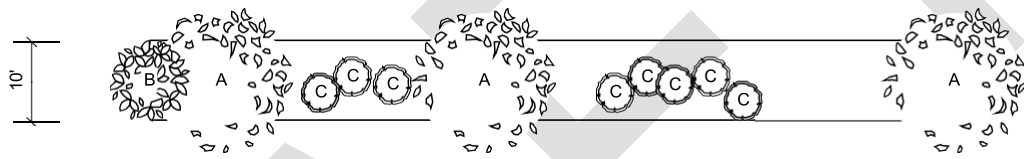
1.2 Canopy
.4 Understory
4 Shrubs



1.8 Canopy
.6 Understory
6 Shrubs



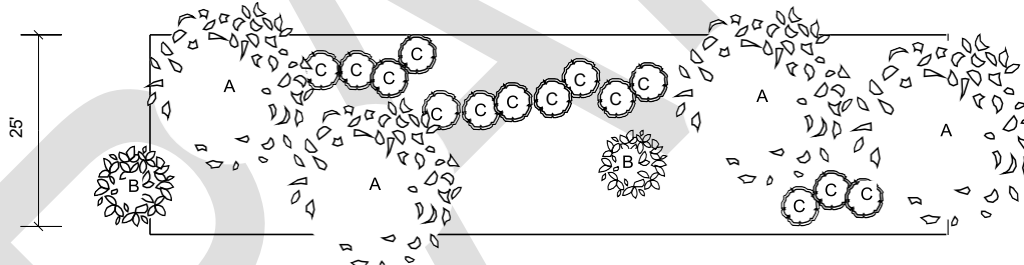
2.4 Canopy
.8 Understory
8 Shrubs



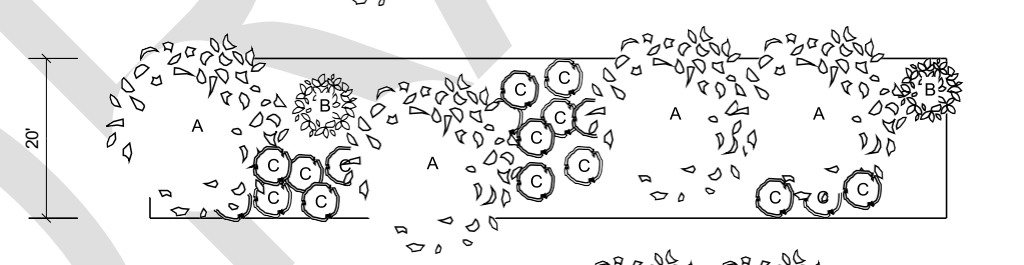
LANDCAPED BUFFER OPTIONS STANDARD B

Plant Material per 100'

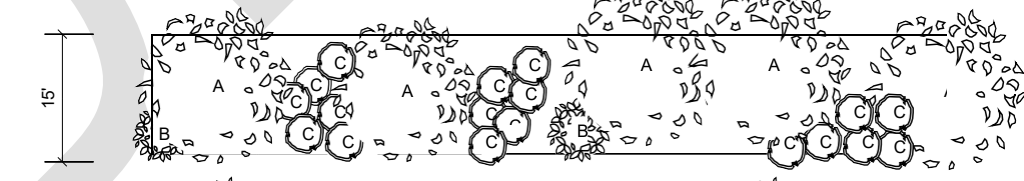
3.5 Canopy
1.4 Understory
14 Shrubs



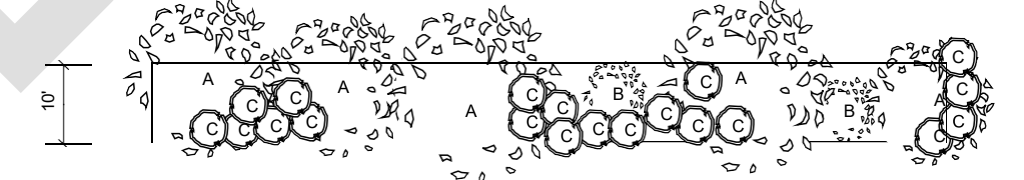
4 Canopy
1.6 Understory
16 Shrubs



4.5 Canopy
1.8 Understory
18 Shrubs



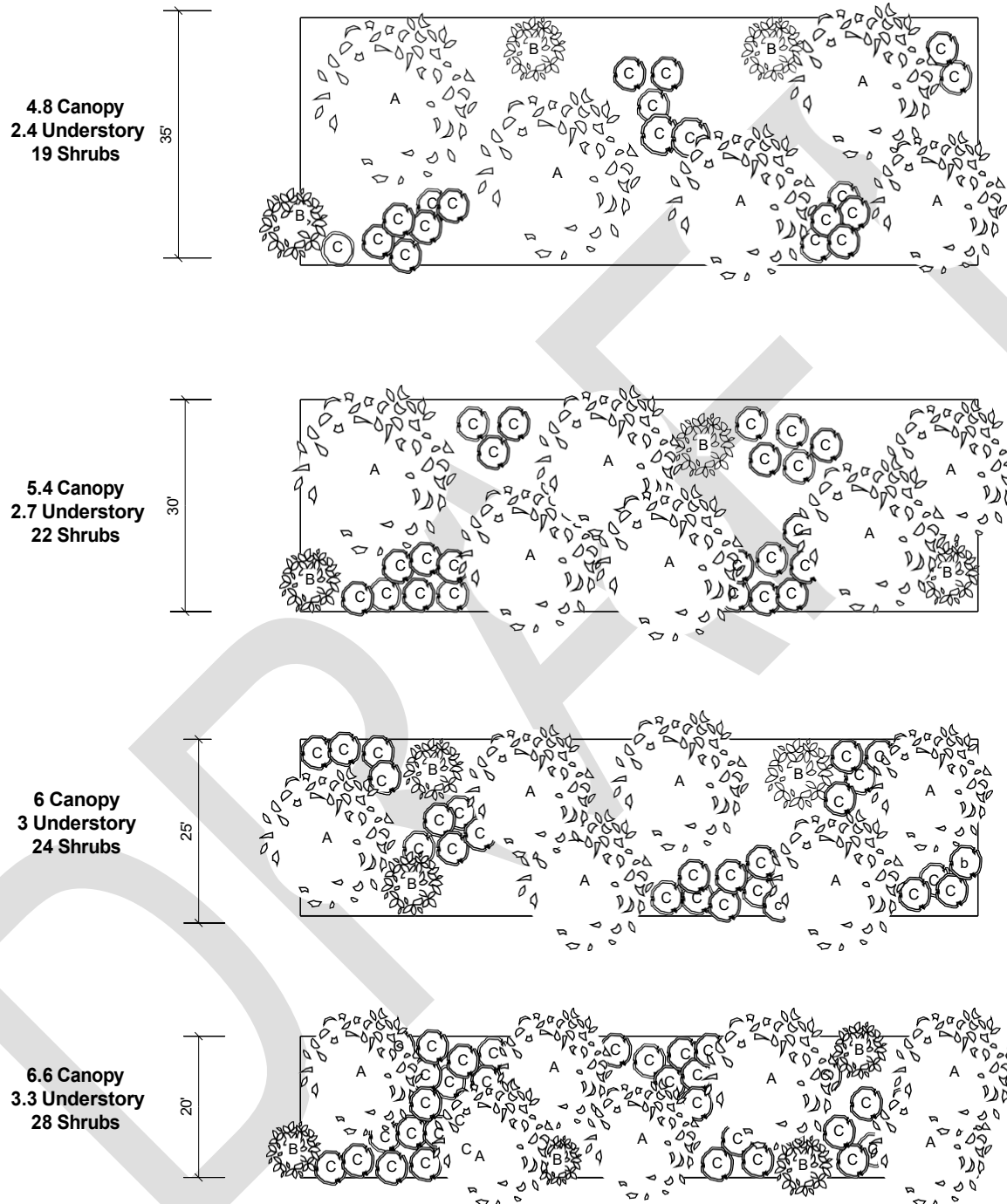
5 Canopy
2 Understory
20 Shrubs



4. Design and Development Standards

LANDSCAPED BUFFER OPTIONS STANDARD C

Plant Material per 100'

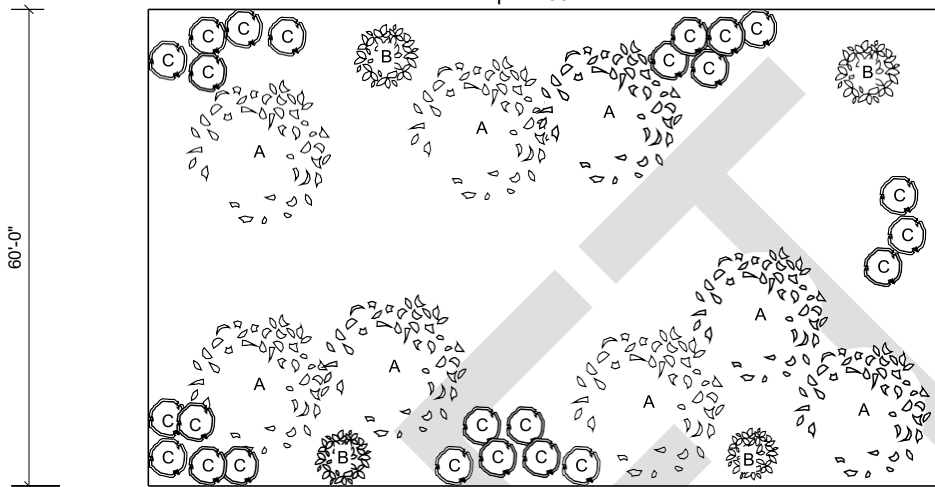


4. Design and Development Standards

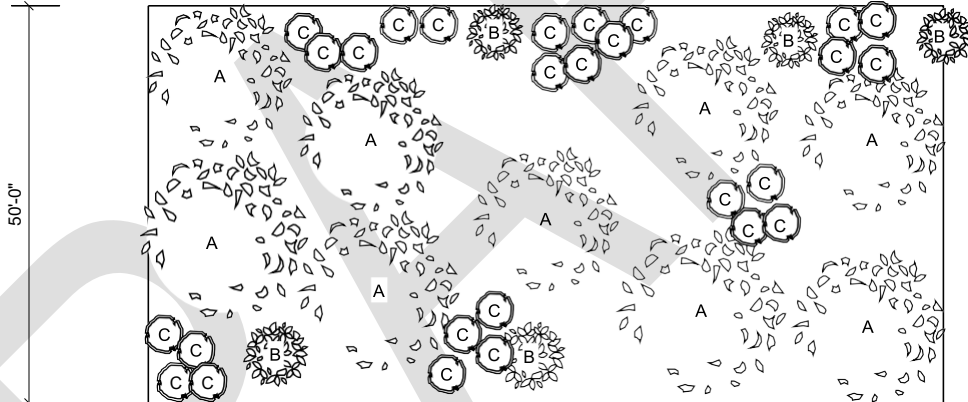
LANDSCAPED BUFFER OPTIONS STANDARD D

Plant Material per 100'

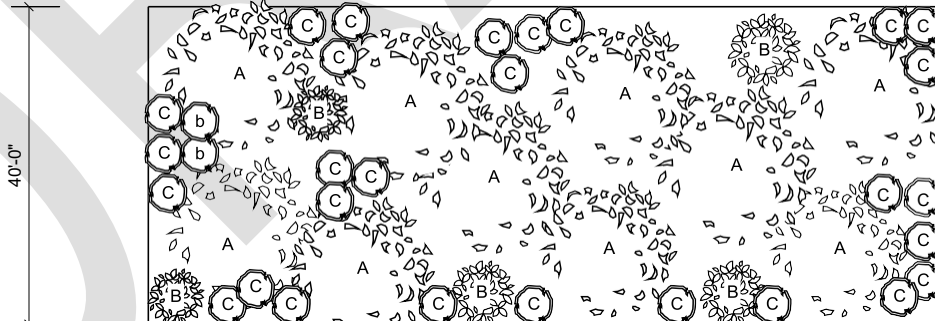
8 Canopy
4 Understory
24 Shrubs



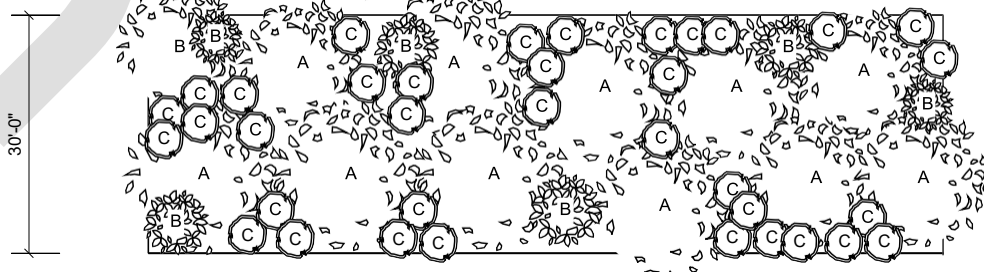
9 Canopy
4.5 Understory
27 Shrubs



10 Canopy
5 Understory
30 Shrubs



12 Canopy
6 Understory
36 Shrubs

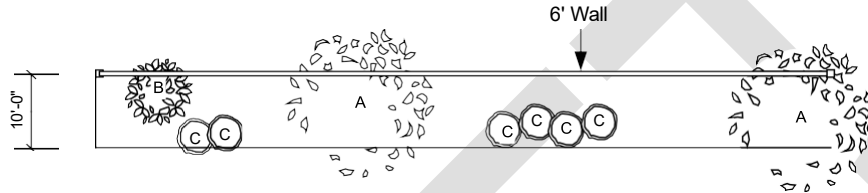


4. Design and Development Standards

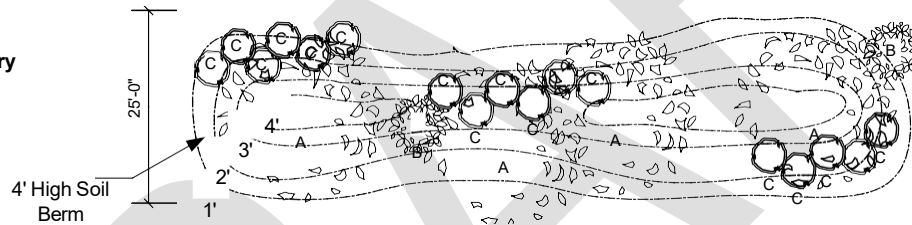
LANDSCAPED BUFFER OPTIONS STANDARD E

Plant Material per 100'

1.8 Canopy
.6 Understory
6 Shrubs



4 Canopy
1.6 Understory
16 Shrubs



4.07.05 Tree Protection

A. Existing Single Family Residential – Santa Rosa County will not require a tree removal permit for the removal of a tree on a parcel that has an existing single family residential structure located onsite.

~~Santa Rosa County chooses not to require residential tree removal permits for existing single family residential structures based on FS 163.045 with the exception of item “C” below.~~

B. This section shall not apply to agriculturally zoned property or silviculture activity in an agriculture zoning district or silviculture activity that has a Florida Division of Forestry Management Plan.

C. Within the Bagdad Historic Overlay Districts, any tree with a DBH of four (4) inches or more (measured 3 feet above grade) shall also require a Certificate of Appropriateness ~~from the Bagdad Architectural Advisory Board.~~

D. Permit Required – Protected or preserved trees shall not be removed or damaged without first obtaining a tree removal permit from the County. The Planning Director or ~~their~~ **his/her** designee, shall review all plans for conformance with the tree protection and landscape requirements of this

Ordinance. Non-protected trees may be removed upon approval of a major land clearing permit per Section 4.08.01 or a minor land clearing permit per Section 4.08.00.

1. Residential tree protection requirements are limited to the following:

a. Heritage Trees 48 inches in diameter or greater at four and one half (4 ½) feet above grade (DBH) in areas of Santa Rosa County north of Yellow River including the Garcon Point Peninsula.

b. Heritage Trees 24 inches in diameter or greater at four and one half (4 ½) feet above grade (DBH) in areas of Santa Rosa County south of Yellow River.

c. Champion Trees defined by the University of Florida and the Division of Forestry, Florida Department of Agriculture and Consumer Services

E. For all Residential Subdivision Plats and Multifamily/Commercial Site Plans Development

In considering the applications for the removal of protected trees, the Planning Director or ~~their~~ **his/her** designee, may exempt or approve such requests based upon the following standards:

1. The property owner obtains documentation from an arborist certified by the International Society of ~~Arboriculture~~ **Arboriculture** or a Florida licensed landscape architect that the tree presents a danger to

persons or property.

2. The applicant demonstrates that reconfiguration of the proposed development is impractical or infeasible based upon characteristics of the site, including site dimensions and topography, or

3. The location of the tree will constitute a hazard upon completion of development (i.e. traffic hazard, impair visibility at intersections or driveways, etc.); and the applicant demonstrates that such hazards cannot be avoided and such development is consistent with good engineering practices; or

4. The tree, if left on the site, will constitute a potential hazard to principal or accessory structures or adjoining structures or property as verified by a qualified specialist; or

5. The tree or its root system will interfere with or damage required infrastructure, including water and sewer lines and laterals and the applicant demonstrates that such impacts cannot be avoided and such development is consistent with good engineering practices; or

6. The tree is located in the area of the principal structure or would result in the loss of a buildable lot and the applicant demonstrates that such impact cannot be avoided and such development is consistent with good engineering practices. When designing the layout of a proposed development, all Heritage trees must be given special consideration over smaller protected trees and it must be specifically demonstrated and fully explained as to why the saving of a Heritage tree cannot be accomplished.

7. Champion trees shall not be removed unless specifically deemed to be a danger to the public by an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect.

F. Tree Protection Performance Standards Required – Trees shall be protected as follows:

1. During development activity, protected trees shall be safeguarded from activities which may injure or kill them. Tree protection fencing shall be installed prior to any land disturbing activities within fifty percent (50%) of the drip zone of the protected tree, or one hundred percent (100%) of a Heritage tree, unless otherwise approved by Planning and Zoning Department. At no time shall materials, equipment, or construction offices be stored within this area.

2. When a protected tree must be removed or relocated, indigenous canopy trees shall replace it according to the mitigation table in this section. Trees shall be a minimum of eight feet overall height immediately after planting and be two (2) inches in DBH measured at four and one half (4 ½) feet above grade. Replacement trees must be selected from the Santa Rosa County List of Recommended Florida Friendly Landscape Plants.

3. A minimum of fifty percent (50%) of the area within the drip line of protected trees or one hundred percent (100%) of a Heritage tree, shall be maintained in either vegetative landscape material. ~~grading, filling, and ditching cannot take place within fifty percent (50%) dripline of a Heritage tree, but may not encroach any further to the tree base.~~ **Grading, filling, and ditching can only take place within the protected dripline area of a protected tree with approval by Planning and Zoning Department.** This does not apply to single family residential lot.

4. ~~Unless otherwise approved by the Planning Director, or their designee, grading filling and ditching cannot take place within the fifty percent (50%) dripline the protected tree, or one hundred percent (100%) of a Heritage tree. This does not apply to single family residential lot.~~

5. If approved by the Planning Director, or their **his/her** designee, pervious surface cover may be used within the drip line of protected trees but shall be limited to an area no closer than five (5) feet of the tree base. Pervious surface cover may be used up to the fifty percent (50%) dripline of a Heritage tree, but may not encroach any further to the tree base.

6. All pruning, limbing up or maintenance of any type of a Heritage tree within a multifamily, commercial or industrial development must be approved by Planning Director, or their **his/her** designee. The approval request will require an original signed letter from a certified arborist or certified by the International Society of Arboriculture or a Florida licensed landscape architect stating the need for the alteration and the manor for which the work should be accomplished to ensure the continued health of the tree.

G. The removal of protected trees that were previously required to remain per an approved site plan without first obtaining a permit from the County shall be considered a violation of this ordinance and the fee for the removal shall be \$500 per inch of mitigation required. This fee will be deposited into the County Tree Fund as found in Section 4.07.05.E.

H. Protected Trees – The following trees are protected and require a permit for removal.

1. Small Trees at a diameter of four (4) inches and greater at four and a half (4 ½) feet above grade:

<i>Common Name</i>	<i>Genus/Species</i>
Flowering Dogwood	Cornus Florida
Loblolly Bay	Gordonia lasianthus
Atlantic White Cedar	Chamaecyparis thyoides
Redbud	Cercis sp.

2. Large Trees at a diameter of eight (8) inches and greater at four and a half (4½) feet above grade:

<i>Common Name</i>	<i>Genus/Species</i>
Hickory	Carva sp.
American Beech	Fagus grandiflora
Holly	Ilex sp.
Southern Magnolia	Magnolia grandiflora
Black Tupelo Gum	Nyssa sylvatica ¹¹
Tupelo Gum (water gum)	Nyssa aquatica
White Oak	Quercus alba
Swamp Chestnut Oak	Quercus michauxii
Live Oak	Quercus virginiana
Bald Cypress	Taxodium distichum
Pond Cypress	Taxodium ascendens
Sand Live Oak	Quercus geminate

3. Heritage Tree – Any living tree with the exception of identified invasive species of special protected status **and Pine trees**, 48 inches in diameter ~~or greater at four and one half (4 1/2') feet above grade (DBH)~~ in areas of Santa Rosa County north of Yellow River including Garcon Point and 24 inches **or greater for sand live oaks or 36 inches or greater** in diameter in areas of Santa Rosa County south of Yellow River. **Diameter is measured at four and one half (4 ½') feet above grade (DBH).**

4. Champion Tree – A living tree measured to be the largest specimen of its species in the state as recorded in the champion tree registry of the University of Florida and the Division of Forestry, Florida Department of Agriculture and Consumer Services.

- I. Protected Tree Mitigation_- As noted in Section 4.07.04.B.2, when a protected tree is removed, indigenous canopy trees shall replace it. **Within the Bagdad Historic District when a protected tree is removed, Southern Live Oaks shall replace them.** The total diameter of such replacement trees shall be determined based on the following Mitigation and Credit Schedules:

Tree Mitigation Schedule

<i>Diameter of removed tree at 4 ½ feet above grade</i>	<i>Mitigation Requirements Measured at 4 ½ feet above grade</i>
4" – 12"	3" DBH
12.1" – 18"	4" DBH
18.1" – 24"	5" DBH
24.1" – 30"	6" DBH
30.1" – 36"	7" DBH

One additional inch of mitigation will be required for each additional 6" or fraction thereof of diameter beyond 36".

All healthy trees which are preserved shall received credit for the tree planting requirements according to the following schedule:

Tree Credit Schedule

<i>Diameter of preserved tree at 4 ½ feet above grade</i>	<i>Credit</i>
4" – 12"	2" DBH
12.1" – 18"	3" DBH
18.1" – 24"	4" DBH
24.1" – 30"	5" DBH
30.1" – 36"	6" DBH

One additional credit can be obtained for each additional 6" or fraction thereof, of diameter beyond 36". ~~Credits for the protection and preservation of native shrubs, hedges and ground cover can be established by the Planning Department.~~ **All trees to be counted as credit must be shown on the tree survey.**

To determine the total amount of tree inches to be planted for mitigation of protected tree removal, first determine the required mitigation inches using the Tree Mitigation Schedule. Next, determine the number of inches credits using the Tree Credit Schedule. Subtract the caliper credits from the required mitigation inches to determine the total inches in DBH of trees to be planted.

Mitigation can be achieved by planting multiple trees of varying diameter until the mitigation requirements are met. Mitigation trees must meet the minimum size requirements found in Section 4.07.04.D. **All trees being counted as credit may also be used to satisfy perimeter, parking and buffer requirements.**

J. Payment in lieu of Mitigation –The Tree Mitigation Fee shall be \$130.00 per inch of mitigation required.

Tree mitigation fees will be deposited into the County Tree Fund and may be used for the purposes of purchasing, planting and maintaining trees on public property. Funds may also be used for the creation of landscape plans involving the planting of trees on public property, and for any other tree conservation or planting activity approved by the Board of County Commissioners.

K. Incentives - The Planning and Zoning Department may grant limited administrative variances to the requirements of this Ordinance to accommodate the protection of existing trees. Examples of requirements that may be varied administratively include: number of required parking spaces, landscape requirements, and perimeter buffer width.

For single family residential subdivisions, the developer will have the option of *mitigation fees* in lieu of meeting the tree protection requirements.

L. Tree Surveys for Residential Subdivision Plats and Multifamily/Commercial Site Plans Development - All Heritage Trees must be identified. On development areas greater than five (5) acres all protected tree impacted areas must be surveyed using an approved scientific sampling method (e.g., Basal Area). Timber cruising methods (50'X50' sample areas or the prism method) of sampling is needed for large tracts; Example, 5-10 acres = min. 2 plots, 10-15 acres, min 3 plots, etc. The larger the site the more sample areas should be taken. The contents of each sample area shall be inventoried. All sampling areas shall be accurately depicted on the Tree Protection and Mitigation Plan.

All trees qualified to count as credit per Section 4.07.05.I must be on the tree survey to be applied to the credit count. To apply credit for large areas to be retained in its natural state, it is encouraged to apply the same sample plot methods to count existing trees for credit purposes.

On development sites (5) acres or less, all protected and Heritage trees must be individually inventoried. The tree inventory list and tree locations must be shown on the plans existing site conditions page with the proposed site layout overlain.

4.08.00 LAND CLEARING AND EXCEPTIONS

4.08.01 Land Clearing of an Undeveloped Lot is prohibited except:

To the extent reasonably necessary to accomplish the improvement or development of land authorized by a valid Building Permit or Development Order

A. Minor Land Clearing: The Planning Director or their his/her designee shall issue a minor land clearing permit for undeveloped properties, prior to the approval of a site plan or subdivision plat, for the purpose of minor land clearing under the following conditions:

- 1.** The applicant shall submit a non-engineered site plan or sketch showing the following:
 - a.** The property boundary, with dimensions, and location of existing improvements;
 - b.** The general location of any protected trees and the graphical indication of the area to be cleared and areas to remain undisturbed. No minor land clearing will be allowed within twenty (20) feet of an incompatible land use;
 - c.** Size of the property, shown in square feet and/or acres; and
 - d.** The type and location of erosion control measures. Erosion control measures are required and must be maintained until such time that the lot is developed, or a healthy, vegetative cover is in place to prevent ANY surface erosion.
- 2.** A minor land clearing permit is not required for the following:
 - a.** Agriculture or silviculture activity in an agriculture zoning district that have obtained an Agriculture Silviculture designation from the Property Appraiser or silviculture activity that has a Florida Division of Forestry Management Plan;
 - b.** Lots or parcels of land for the construction of one single family or duplex structure provided a building permit has been issued;
 - c.** Property maintenance activity such as bush hogging, mowing or tree trimming.
 - d.** Property with a single family residence or duplex in existence.
 - e.** For any minor land clearing located within any of the Agriculture zoning districts.
- 3.** A minor land clearing permit does not authorize major land clearing, or soil disturbing as defined herein.
- 4.** A minor land clearing permit is required for canal front properties and waterfront properties.

5. No clearing, grading, excavating, filling, or other disturbance of the natural terrain shall occur until County-approved erosion and sedimentation control measures have been installed, except those operations needed to implement these measures. All erosion and sedimentation control measures shall be maintained throughout the length of construction activity.

B. Major Land Clearing – The Planning Director or ~~their~~ his/her designee shall issue a major land clearing permit for a residential lot prior to a valid residential building permit being issued, and prior to the approval of a subdivision plat construction documents, for the purpose of major land clearing under the following conditions:

1. For all residential sites up to five (acres) in size, the applicant shall submit site plan or sketch showing the following:

- a.** The property boundary, with dimensions, and location of existing improvements;
- b.** The general location of any protected Heritage trees and the graphical indication of the area to be cleared and areas to remain undisturbed. A valid reasoning as outlined in section 4.07.05. A must be provided for all Heritage trees that are proposed to be removed;
- c.** All vegetation must remain within the minimum buffer requirements of a common boundary of an incompatible land use;
- d.** All wetland and/or floodplain areas must be identified;
- e.** Size of the property, shown in square feet and/or acres; and
- f.** The type and location of erosion control measures. No clearing, grading, excavating, filling, or other disturbance of the natural terrain shall occur until County-approved erosion and sedimentation control measures have been installed, except those operations needed to implement these measures. All erosion and sedimentation control measures shall be maintained throughout the length of construction activity. For lots exceeding one (1) acre in size a SWPPP permit must accompany the application.

2. For all sites greater than five (5) acres in size, the permit shall also include:

- a.** A sediment basin of 3,600 CF of storage area per acre is required along with other appropriate sediment retention measures mentioned above. These will be sited on their survey/aerial. Where conditions dictate, smaller basins totaling the required storage may be situated on the site appropriately.
- b.** This permit will not relieve the applicant for applicable state and federal permit requirements.

3. A major land clearing permit is not required for the following:
 - a. Agriculture silviculture activity in an agriculture zoning district or silviculture activity that has a Florida Division of Forestry Management Plan not required to obtain a NPDES (National Pollution Discharge Elimination System) Permit for the activity being done.
 - b. Property maintenance activity such as bush hogging, mowing or tree trimming.
 - c. All parcels for which a single family residence has been built, or for which a permit has been obtained, and is active.
 - d. All parcels for which an approved development order has been obtained.
 - e. For subdivisions going through the platting process a wetland delineation line would be required when submitting construction plans.
 - f. For any major land clearing activity located within any Agriculture zoning district.
4. All major land clearing activity for commercial or multi-family developments are not eligible for a major land clearing permit and must obtain an approved site plan development order for any major land clearing activity.

C. Land Clearing Requirements for which a Development Order or Land Clearing permit has been given

1. The developer shall limit all land clearing activities to the area approved within the development order
2. Clearing activity one (1) acre or greater requires an NPDES permit and a SWPPP. See requirements listed in Section 3.04.05 Erosion and Sediment Control
3. Before site disturbance occurs, perimeter controls, sediment traps, basins, and diversions should be in place to control runoff and capture sediments. Prioritize disturbed areas in the vicinity of waterbodies, wetlands, steep grades, long slopes, etc., for effective stabilization within seven days of disturbance. Graded areas that will not be worked on should be seeded and mulched as required by NPDES permit, rather than waiting until all project grading is done. A well-planned and well-maintained construction entrance with stabilized construction roads can prevent offsite sedimentation, keep sediments off roads, minimize complaints from neighbors, and reduce future expenses and aggravation.
4. Protected trees shall be marked and protected during clearing activities.

5. Contractor shall control odor, dust and noise during construction.

4.09.00 ALCOHOL SALES REGULATIONS

4.09.01 Standards Regulating Vendors Selling Liquor, Beer or Wine for On-Premises Consumption

A. Permit Required - No vendor shall sell liquor, beer or wine for on-premises consumption in the unincorporated areas of the County without first obtaining a Certificate of Zoning Compliance from the Planning Department.

1. No Certificate of Zoning Compliance shall be granted to a vendor for the sale of liquor, beer or wine for on-premises consumption in any area of Santa Rosa County, lying without the limits of incorporated cities or towns, when said place of business is within 2,500 feet of an established church or school. However, this section shall not apply to licenses defined in s. 563.02(1)(a) and s. 564.02(1)(a), F.S., or any restaurant equipped to serve at least thirty-five (35) persons full-course meals at tables at one time, and deriving at least 51% of its gross revenues from food and non-alcoholic beverages.

2. A Certificate of Zoning Compliance shall not be denied to the transferee of the license holder if the transferee operates the business at the same location and applies for the Certificate of Zoning Compliance within sixty (60) days of the last day of business of the transferor at said location.

B. Distance Measurements - The distance as set forth in subpart A above shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the main entrance of the church or, in the case of a school, to the nearest point of the school grounds in use as part of the school facilities.

C. Establishment of New Churches or Schools - Whenever a licensee has procured a license permitting the sale of liquor, beer or wine and thereafter a church or school is established within a distance otherwise prohibited by this Ordinance, of the place of business of the licensee, the establishment of such church or school shall not be cause for the revocation of such licensee and shall not prevent the subsequent renewal of such license. However, no existing license may be transferred to within the distance from churches or schools prohibited by this Ordinance. An existing licensee that is within 2500 feet of a church or school may relocate its certificate of zoning to a location within said 2500 feet if the distance from the relevant church or school is increased and said relocation does not bring the business within 2500 feet of another church or school. **The 2,500 feet distance shall not apply along the US 98 corridor. Alcohol serving establishments shall not be located adjacent or contiguous to a church or school.**

D. Application Fee - Any application for a Certificate of Zoning Compliance under this section shall be accompanied by a fee.

4.10.00 SIGN REGULATIONS

4.10.01 Generally

The sign regulations set forth in this Section shall apply to all signs erected within the Santa Rosa County or Navarre Beach Planning Areas. The purpose of reasonable, content-neutral, non-discriminatory sign regulation through time, place, and manner of use. It is the intent of these standards to protect and enhance the economic vitality and physical appearance of the county as a place to live, vacation and conduct business, more specifically, this section is intended to:

- A.** Enable the proper scale quantity, period, and placement of signs to effectively promote commerce to identify places of residence and business, and to orient, to direct, and inform the public.
- B.** Require that signs be adequately designed and constructed, and be removed when unauthorized or inadequately maintained, to protect the public from conditions of blight and the dangers of unsafe signs.
- C.** Lessen visual confusion and hazards caused by improper height, placement, illumination, or animation of signs, and assure that signs do not obstruct the view of vehicles and pedestrians traveling public streets or create nuisance conditions.
- D.** Protect the interests of sign owners in continuing to use lawfully established and maintained signs while providing the community with a gradual remedy for existing undesirable conditions resulting from non-conforming signs.
- E.** Sign and sign face defined – Any device attached or freestanding structure, or any combination of device or structure, made of any material, with or without a written message, figure, painting, drawing, logo symbol or other form, designed, placed, intended, or used to inform or attract attention. Including but not limited to all flags, banners, streamers, excluding flags and insignia of any government, state, county, city or agency thereof. Any surface which displays such elements is a sign face.
- F.** Permits required – Unless specifically authorized in this section by an exemption from permitting, no person shall place, post, display, construct, alter, or relocate any sign without having first obtained all necessary permits. Regardless of any exemption from county permitting, all signs remain subject to article standards of design, construction, placement, and maintenance.
- G.** Non-conforming signs – Any sign which does not comply with the regulations of this Ordinance, or subsequent amendments. Modification or replacement of any non-conforming sign must follow the following:
 - 1.** Lawfully established and maintained signs that no longer comply with one or more current requirements of the LDC may continue as non-conforming signs in use, but the expansion of any non-conformance is prohibited. An existing non-conforming sign shall not be structurally altered so as to prolong the life of the sign, or so as to change the shape,

size, type or design of the sign.

2. If a non-conforming sign is relocated for any reason, the sign shall be brought fully into compliance with the standards of this section, regardless of any estimated cost to replace the sign at its former location

3. An existing non-conforming sign shall not be repaired after being damaged if the repair of the sign would cost more than fifty percent (50%) of the cost of the sign.

4. If a non-conforming sign is removed or destroyed, it may be replaced only by a sign that is in conformance with this Ordinance. Except that if insufficient space is available to comply with the setback regulations, the replacement sign may vary from said regulations to the minimum extent necessary to allow its placement.

5. An existing non-conforming on premises sign may be changed by modifying the words or symbols used, the message displayed or any other change to the advertising display area. However, in the case of more than one non-conforming on-premise sign per business only one (1) on-premise sign shall be allowed to be facially changed. This sign shall be the one most conforming, excessive square footage and/or height being a greater non-conformity than inadequate set-backs.

An existing non-conforming wall sign may be changed by modifying the words or symbols used, the message displayed or any other change to the advertising display area (with the exception of those listed in Section 4.10.01.G). In the case where two (2) or more wall signs exist, only one (1) wall sign shall be allowed to be facially changed. This sign shall be the one most conforming.

H. Sign Types – For the purposes of this section, signs are defined and identified as follows and may be further characterized within the standards of the article:

1. Freestanding signs – A freestanding sign is any sign that stands on its own, not attached to a building.

a. Pole signs. A pole or pylon sign is any freestanding sign that is elevated above the adjacent grade and mounted on one or more poles, pylons, or similar vertical supports from the ground.

b. Monument signs. A monument or ground sign is any freestanding sign with its entire base placed directly on the ground.

c. Portable signs. A portable sign is any freestanding sign that is not permanently attached to the ground or a permanent structure, or a sign that is designed to be transported.

d. Vehicle and trailer signs. A vehicle or trailer sign is any sign that is made portable by permanent or temporary attached to or placement in any manner on a registered, operable, and lawfully

parked motor vehicle or trailer.

2. Wall signs – A wall sign is any sign that is attached to or painted on the exterior wall of a building in such a manner that the wall is the supporting structure for the sign or forms the background surface of the sign. For the allocation of sign area and other purposes of this section, wall signs include awning, canopy, fascia, marquee, and murals.

a. Awning, canopy, fascia, and marquee signs – An awning, canopy, fascia, or marquee sign is any sign that is mounted or painted on, or attached to an awning, canopy, fascia, or marquee respectively, but not projecting above, below, or beyond the awning, canopy, fascia, or marquee.

b. Projecting signs. A projecting sign is any sign supported by a building wall and extending outward from the wall with the sign display surface perpendicular to the wall.

c. Murals. A mural is any sign that is an original, one-of-a-kind work of visual art tiled or painted by hand directly upon the facade of a building.

3. Changeable message signs – A changeable message sign is any sign that is designed to allow frequent changes in its displayed message. Messages may be changed through any of the following means, but a change in message does not constitute a different sign:

a. Manual. A periodic manual change on the sign face, typically by rearrangement of letters along horizontal tracks, by replacement of printed substrates, or by redrawing, all without otherwise altering the sign.

b. Mechanical. Different messages automatically displayed intermittently on the same sign face by mechanical means, as on the slatted face of a "tri-vision" sign that allows three different messages to revolve and appear at recurring intervals.

c. Electronic. An electronic message display made up of internally illuminated components (e.g., LEDs) of the sign face controlled by a programmable electronic device allowing remote or automatic display of multiple messages in various formats and at varying intervals.

d. Projection. A message display created by the projection of an image onto a building wall or other display surface from a distant device.

4. Electronic Reader Board (ERB) Signs – Electronic display and projected image signs shall comply with the following additional standards:

a. Movement. Only as authorized within this section may displays and projected images include dynamic messages that

appear or disappear through dissolve, fade, travel, or scroll modes, or similar transitions and frame effects; or have text, animated graphics, or images that appear to move or change in size, or are revealed sequentially. None shall flash or pulsate.

b. Display times. Each message shall be displayed or projected a minimum of six consecutive seconds.

5. Temporary signs – A temporary sign is any sign that is not intended to be permanently located or anchored to a fixed location. Temporary signs include balloon, air-activated, banner, flags and other wind signs. Temporary signs may also include free standing signs such as portable or vehicle and trailer signs. All temporary signs, with exception of a vehicle sign, are required to be removed and stowed if a tropical storm or hurricane warning is issued for Santa Rosa County.

a. Air-activated signs. An air-activated sign is any temporary sign with one or more parts given form or animation by mechanically forced air

b. Balloon signs. A balloon sign is any temporary sign that is air or gas inflated.

c. Banners. A banner is any temporary sign that is made of lightweight, non-rigid, and typically non-durable material such as cloth, paper, or plastic, and that is designed to be secured to a structure along two or more sides or at all corners by cords or similar means, or to be supported by stakes in the ground. A banner is not a wind sign. No banners shall be attached to a fence.

d. Flags and other wind signs. A wind sign is any sign that is designed and fashioned to move when subjected to winds, including wind socks, wind spinners, whirligigs, and flags. A flag is any wind sign made of a continuous sheet of fabric or other flexible material, designed to be supported along one edge and typically flown from a pole or staff.

e. **All temporary political signs installed in the county shall be removed within twenty-one (21) days of the time a candidate is elected or eliminated from the race.**

6. On-premises sign – A sign, billboard, device or structure of any material, or portable (trailer) sign which directs attention to or has as its subject matter a business, commodity, service entertainment, or any other subject matter conducted, sold, or offered on the premises where the sign is located.

7. Off-premises sign – A sign, billboard, device or structure of any material, or portable (trailer) sign which directs attention to or has as its subject matter a business, commodity, service entertainment, or any other subject matter conducted, sold, or offered at a location other than on the

premises where the sign is located.

8. Exempt – An exempt sign is any sign that is relieved by the provisions of this section from the requirement to obtain a sign permit.

9. Roof signs – means any sign erected upon or above a roof or parapet wall of a building or placed above the apparent flat roof or eaves of a building.

I. Illumination – Where authorized, signs may be illuminated by internal or external artificial light sources that comply with the following standards:

1. Luminance. Illuminated signs, are not permitted in residential districts or the Neighborhood Commercial District. Sign luminance, the light emitted by a sign or reflected from its surface, shall not be greater than necessary to reasonably allow the sign to be viewed by its primary audience (e.g., passing vehicles).

2. Source and direction. Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into public right-of-way or residential premises.

3. Glare. Lighting shall not create excessive glare for pedestrians, motorists or adjacent uses, or obstruct the view of traffic control devices or signs.

J. Sign Placement

1. No signs other than those authorized by the Board of County Commissioners are allowed on or over public right-of-way; except as provided herein.

2. No signs shall project over public property except those signs authorized by the appropriate public agency.

3. No sign shall be located to restrict the view of drivers at an intersection, or while entering and leaving a public right-of-way.

K. Installation Requirements – All freestanding permanent signs shall be supported by uprights or braces in or upon the ground furnished by the installer of said sign. In no case will signs be supported by utility company poles, trees, or any other structure not furnished specifically for the particular sign.

L. Maintenance -- All signs shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign.

M. Owner responsibility – All property owners, and leaseholders of property on Navarre Beach, are responsible for the proper permitting, placement, construction, and maintenance of any signs on their property. The owner or leaseholder shall be equally responsible for conditions of the area in the vicinity of the sign, and shall be required to keep this area clean, free from overgrowth of vegetation, sanitary and free from noxious or offensive substances, rubbish, and flammable waste materials. Additional responsibilities include compliance with all applicable provisions of the LDC and the state building code, any required state department of transportation permitting for signs along state maintained roads, and the timely elimination of temporary or inadequately maintained signs.

N. Overlay Districts – In addition to the provisions of this article, signs shall comply with any prohibitions, limitations, or other sign standards of applicable overlay zoning districts.

O. Administration and Enforcement – The standards of this section shall be enforced by county code enforcement officers. Any party or parties in violation of these standards shall be subject to notices of violation, citations, and civil penalties.

1. All signs on public lands of any type, including public rights-of-way, in violation of the provisions of this section are subject to removal and disposal by code enforcement officers or other county-authorized personnel without notice or compensation. Such removal does not preclude citations or imposition of penalties for the violation.

2. If the condition of any authorized sign becomes unsafe in the opinion of those authorized to enforce the provisions of this section, the owner shall remove the sign or secure it in a manner complying with this section and applicable building codes within ten days after receiving written notice from the county. Where the danger is immediate, the condition shall be corrected without delay. If the unsafe condition is not corrected, the county shall be authorized to correct the condition at the owner's expense, including removal of the sign.

4.10.02 Sign Area Calculations

A. The sign face is the area of any regular continuous geometric shape which contains the entire surface area of a sign upon which copy may be placed. In the case of the freestanding or awning signs, the sign face consists of the entire surface area of the sign on which copy could be placed and does not include the supporting or bracing structure of the sign unless such structure or bracing is made a part of the sign message. Where a sign has two display faces back to back, the area of the largest face shall be calculated as the sign face area. Where a sign has more than one display face, all areas which can be viewed simultaneously shall be considered in the calculation of the sign face area.

B. V-type signs using a common support member with an angle between them of not more than ninety (90) degrees shall be considered one sign.

C. For signs other than freestanding or awning signs whose message is applied to a background which provides no border or frame, the sign face area shall be the smallest regular geometric shape which can encompass all words, letters, figures, emblems, and other elements of the sign message.

4.10.03 Prohibited Signs

It shall be unlawful to erect or maintain the following signs in any district:

A. Motion, light, and sound. Any sign that moves or changes, that contains mirrors or other reflective surfaces, that produces excessive glare, flashes or exhibits other noticeable changes in lighting intensity, or that emits visible vapors, particulates, sounds, or odors, except as specifically authorized in this section for changeable message signs.

B. Obscenity. Any sign displaying words, pictures, or messages that are obscene as defined by F.S. ch. 847, and in application of contemporary community standards of the county.

C. Obstruction and interference. Any sign constructed or maintained in any manner that endangers or obstructs any firefighting equipment or any fire escape, window, door, or other means of egress. Any sign that interferes with any opening required for ventilation, prevents free passage from one part of a roof to any other part, or blocks a public sidewalk or required pedestrian walkway. Any sign that obstructs intersection site lines.

D. Roof top signs. Any sign erected upon or above a roof or parapet wall of a building or placed above the apparent flat roof or eaves of a building.

E. Traffic hazards. Any sign that creates a traffic hazard or a detriment to pedestrian safety. Such hazards include any sign that projects into the line of sight of a traffic signal and disrupts the minimum required sight distance; any sign that obstructs vision between pedestrians and vehicles using public rights-of-way; and any sign that imitates, resembles, or interferes with the effectiveness of an official traffic sign, signal, or other traffic control device.

F. Unauthorized. Any sign not authorized by the provisions of this section, including handbills, posters, and notices attached to trees, utility poles, fence, park benches, or other objects and structures not designed or authorized for the attachment of signs to include signs mounted on a chassis not specifically designed for the sign. Product I.D. and/or public safety signs shall be permitted on fences to a maximum of two (2) square feet per sign per fence.

G. On Navarre Beach, unless specifically authorized by the BOCC: searchlights, balloons, air activated signs, wind signs, and similar devices or ornamentation designed for the purposes of attracting attention, promotion, or advertising; bare bulb illumination around a sign perimeter; back-lighted or plastic signs; projected image signs; signs on benches; banners; murals or other signs painted directly on rocks, fences, walls, or any exterior parts of a building;

portable signs, either free-standing or trailer mounted; and roof signs. Non-accessory signs attached to any craft or structure in or on a water body designed or used for the primary purpose of displaying advertisements.

Provided, however, that this section shall not apply to any craft or structure which displays advertisement or business notice of its owner, so long as such craft or structure is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisement.

4.10.04 Exempt Signs and Activities

Some sign types or activities will be allowed without a permit if they meet any of the following exemptions:

A. General sign exemption. Signs not visible from a public right-of-way or other public land are exempt from the requirement to obtain county sign permits. This general exemption does not apply to signs that are simply illegible. As further established in this section, additional exemptions are authorized specific to work done on signs, sign type, and parcel use. The following conditions apply to all authorized exemptions:

1. Exempt signs shall be designed, constructed, placed, and maintained in compliance with the provisions of this section, other applicable provisions of the LDC, and the state building code.
2. No sign exemption supersedes or cancels any prohibitions or restrictions on the display of signs established in this section, any restrictive covenants adopted for a development, or any executed lease agreements.
3. Exempt signage does not modify or limit the availability of non-exempt signage authorized in this section. Additionally, the allocations for exempt signs are separate from those for non-exempt signs, and neither shall be used to supplement the other in the authorization of an individual sign.

B. Sign face replacement exemption. The face of a conforming or non-conforming sign may be replaced without a permit if no other alterations are made to the sign, including modifications to the size or configuration of supporting cabinets or frames.

C. Sign repair and maintenance exemption. Repairs and maintenance performed as necessary to maintain conforming or non-conforming signs in good and safe condition as originally authorized is exempt from sign permits.

D. Sign-specific exemptions. In addition to the general exemptions established in this section, the following specific signs are exempt from county sign permits with the conditions noted:

1. Accessory device signs. Signs manufactured as standard, permanent, and integral parts of mass-produced devices accessory to authorized non-residential uses, including vending machines, fuel pumps, and similar devices customarily used outdoors.

2. Cemetery monuments. Permanent monuments placed within cemeteries.
3. Government or public signs. Signs placed or required to be placed by agencies of county, state, or federal government, including but not limited to: traffic control signs, street address numbers, building permits, flags, notices of any court or law enforcement officer, redevelopment area gateway signs, public monuments, hazard warnings, and public information signs. These signs may deviate from the type, quantity, duration, area, color, height, placement, illumination, or other standards of this article as necessary to comply with the law, rule, ordinance, or other governmental authorization by which the signs are placed.
4. Murals on walls of authorized non-residential buildings, excluding the walls of a building's main street front facade, and provided contains no text designed for advertisement purposes.
5. Recreational and playground signs. Signs accessory to and within outdoor recreational facilities, only if oriented for view from within the facilities. Such signs include scoreboards, sponsor signs attached to the field side of playing field fences, and concession stand signs.
6. Temporary decorations accessory to the authorized land use and customarily associated with a short-term event, such as a holiday, garage and yard sales, estate sales, school or church activities.
7. Vehicle signs on any motor vehicles or trailers actively in transit along public streets, and any of the following signs attached to or placed on registered, operable, and lawfully parked motor vehicles or trailers:
 - a. Parked. Signs on a vehicle at the residence of the principal driver of the vehicle, or on a vehicle or trailer at the residence of the individual to whom the unit is registered, or signs on a vehicle or trailer parked a maximum 24 hours at any site.
 - b. Signs on a vehicle or trailer in the service of a licensed or otherwise bonafide enterprise, and on the authorized site of that enterprise or on any site where the enterprise is actively providing its goods or services.
 - c. Signs on vehicles or trailers stored within parcel areas authorized for such outdoor storage, including parcels authorized for the sale, lease, or rental of vehicles or trailers.
8. Wall signs mounted for pedestrian view on the walls of authorized principal and accessory buildings, each sign a maximum three (3) square feet in area.
9. Wind signs accessory to the authorized land use of the parcel, and not otherwise exempt as temporary decorations.

a. Flags accessory to the authorized land use of the parcel mounted on fixed flagpoles. Flagpole heights are limited to the maximum height allowed within the zoning district for which the flagpole is located.

b. Other wind signs accessory to the authorized land use that are subjected to winds, including wind spinners and whirligigs limited to signs less than four (4) feet in area and four (4) feet in height. For commercial uses these types of signs shall be limited to display of goods for sale and shall not be placed in the required ten (10) foot landscape strip.

E. Parcel-specific exemptions. In addition to the general and sign-specific exemptions established in this section, a separate allocation of non-illuminated freestanding signage for each development parcel is exempt from sign permits. This parcel-specific exemption is established primarily to accommodate temporary signs of varying periods of display.

1. Residential parcels whose authorized principal use is single family or two family (duplex) residential, are allowed a maximum of two (2) signs per dwelling unit. Each sign will be allowed a maximum of six square (6) feet in area and six (6) feet in height allowance. In addition, temporary decorations customarily associated with a short-term event, such as a holiday, garage, yard, or estate sale will be allowed during the event.

2. Agriculture and group homes housing six (6) or fewer residents parcels whose authorized principal use is not single family or two family (duplex) residential, are allowed a maximum of two (2) signs per site. Each sign will have a maximum of sixteen square (16) feet in area and six (6) feet in height allowance.

3. Multifamily or subdivision project parcels whose authorized principal use is not single family or two family (duplex) residential, are allowed a maximum of one (1) sign per entrance site and model home/sales office site provided that the sites are located within the project parcel. Each sign will have a maximum of sixteen square (16) feet in area and six (6) feet in height allowance. ~~Each site will be allowed two (2) feather flags.~~

4. Commercial, industrial or other non-residential parcels whose authorized principal use is not single family or two family (duplex) residential, multifamily or subdivision parcels, are allowed a maximum of two (2) signs per street front. Lots abutting more than one public street may have sign(s) on each street front. Each sign will have a maximum of sixteen square (16) feet in area and six (6) feet in height allowance. ~~Each site is allowed one feather flag per fifty (50) feet of street frontage.~~

5. Feather Flags

a. Multifamily or subdivision project parcels whose authorized principal use is not single family or two family (duplex) residential are allowed two (2) feather flags.

b. Commercial, industrial or other non-residential parcels whose authorized principal use is not single family or two family (duplex) residential, multifamily or subdivision parcels, are allowed one (1) feather flag per fifty (50) feet of street frontage.

4.10.05 Temporary Signs by Permit

A. Temporary Signs – Temporary signs not otherwise prohibited or exempt may be authorized by permits under the conditions of this section. All temporary signs remain subject to the design, construction and maintenance standards of this section. Temporary signage by permit does not modify or limit the availability of permanent signage authorized in this section. The following temporary signs are subject to the permit conditions noted:

1. Balloon and air-activated signs – balloon signs and air-activated signs not eligible as exempt temporary decorations may be authorized for a single display period of no more than fifteen (15) days when accessory to the authorized land use. Such signs shall be limited to one (1) sign per business, strip or shopping center. Each sign is limited to a setback of no less than the height of the sign from all rights-of-way, parcel lines, and overhead utility lines. All signs shall be adequately secured to the ground to prevent horizontal movement. Relocation for use on a different parcel shall require a new temporary permit, regardless of any remaining period of the prior authorization.

2. Banners – Banners not eligible as exempt temporary decorations may be authorized for a single display period of no more than thirty (30) days when accessory to the authorized land use. Banners shall be limited to one (1) banner not to exceed thirty-two (32) square feet per business. For developments with two (2) or more tenant spaces, one (1) banner per one hundred (100) feet of street frontage will be permitted. No banner may be attached to a fence, no ground-mounted banner shall exceed four (4) feet in height, and no banner attached to a building shall be displayed above the roof line.

3. Portable, vehicle and trailer signs – One (1) portable, vehicle or trailer sign may be authorized when accessory to the authorized land use. Such signs shall be limited to one (1) sign per business. The sign is limited to a maximum of one hundred (100) square feet in area and ten (10) feet in height. Relocation for use on a different parcel shall require a new temporary permit, regardless of any remaining period of the prior authorization.

B. Offsite Subdivision Sign: The purpose of offsite subdivision signs is to direct the traffic related to new residential subdivisions in a manner that minimizes visual clutter, reduces unnecessary traffic through established neighborhoods, and provides an orderly, attractive, high quality image of the county. When originally placed, signs will require a sign permit as required by this title and their locations approved outside of the county's right of way. This section is not intended to supersede state regulations regarding signage on State right of way.

1. There may be one offsite subdivision sign per connection to adjacent roadways per residential subdivision not to exceed a total of three signs. Multiple phases do not increase the number of offsite signs per overall development.
2. Offsite subdivision signs shall not exceed thirty two (32) square feet in sign area, fifteen feet (15') in height, and eight feet (8') in width with signage at least thirty six inches (36") off the ground. Proposed offsite subdivision signs exceeding these dimensions require approval through the conditional use permit process.
3. No directional offsite subdivision signs may be located within five hundred feet (500') of another directional offsite subdivision sign except in the case of signs on different corners of an intersection, unless an unusual situation causes the need for a deviation as determined by the county.
4. All directional offsite subdivision signs placed on private property shall have the written consent of the property owner.
5. The review of a proposed directional offsite subdivision signs will include size, height, design, materials, and colors.
6. The directional offsite subdivision sign may only be located in a manner that does not obstruct the view of traffic or safety signs, encroach within the clear visibility area, or otherwise pose a traffic or safety hazard.
7. There shall be no additions, tag signs, streamers, balloons, flags, devices, display boards, or appurtenances added to the subdivision offsite subdivision signs as originally approved.
8. Offsite subdivision signs must be removed after a subdivision developer has completed the sale of all units in the development. Each developer shall be responsible for their removal.

4.10.06 Permanent On Premises Signs

A. Unless authorized in this section as temporary or exempt, permanent on premises signs placed in commercial, industrial and agriculture districts shall conform to the following standards:

1. Advertising Display Area
 - a. One freestanding or projecting sign not to exceed one hundred (100) square feet per street front. Lots abutting more than

one public street may have one sign on each street front. Such signs must be separated by a minimum distance of 100 feet between signs. Signs located within the Neighborhood Commercial District shall not exceed thirty-two (32) square feet.

b. Each single occupancy premises shall be entitled to wall sign(s) the sign face area of which, in the aggregate, shall not exceed 10 percent of the building's ~~main-street~~ front elevation. Allowance for wall signs can be divided for multiple sign locations and building elevations so long as the maximum allowable face area as calculated above is not exceeded. Each building elevation shall be limited to a sign area of ten (10) percent of the elevation's aggregate area.

2. Sign Height – The maximum height for freestanding signs shall be thirty (30) feet. No attached sign shall extend above the eave line of a building to which it is attached. Roof surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space. The maximum height for freestanding ground mounted signs located within the Neighborhood Commercial District shall be six (6) feet.

3. Set Back - Five (5) feet from any property line measured from the leading edge of the sign or supporting upright which ever protrudes farthest out towards the property line.

B. Shopping Center/Malls – Permanent on premises signs advertising a group of commercial establishments comprised of seven (7) or more stores which are planned, developed, owned or managed as a unit shall conform to the following requirements.

1. Advertising Display Area

a. One freestanding sign noting the name of the mall or center and/or its tenants as determined by the owner shall be one square foot of sign area per one linear foot of street frontage not to exceed three hundred (300) square feet per face of sign. Lots abutting more than one public street may have one sign on each street front. Such signs must be separated by a minimum distance of 100 feet between signs.

b. Each building shall be entitled to wall sign(s) the sign face area of which, in the aggregate, shall not exceed 10 percent of the building's ~~main-street~~ front elevation. Allowance for wall signs can be divided for multiple sign locations and building elevations so long as the maximum allowable face area as calculated above is not exceeded. Each building elevation shall be limited to a sign area of ten (10) percent of the elevation's aggregate area.

2. Sign Height - The maximum height for freestanding signs shall be thirty (30) feet. No attached sign shall extend above the eave line of a

building to which it is attached. However, roof surfaces constructed at an angle of 75 degrees or more from horizontal shall be regarded as wall space.

3. Set Back - Five (5) feet from any property line measured from the leading edge of the sign or supporting upright which ever protrudes farthest out toward the property line.

C. Strip Center/Project Parcel - Permanent on premises signs advertising a group of commercial establishments comprised of between two (2) and up to six (6) stores or businesses which are planned, developed, owned or managed as a unit shall conform to the following requirements.

1. Advertising Display Area – One freestanding sign noting the name of the center and/or its tenants as determined by owner shall be one square foot of sign area per on linear foot of primary street frontage not to exceed two hundred (200) square feet. Freestanding signs located within the Neighborhood Commercial District shall not exceed forty-six (46) square feet. Lots abutting more than one public street may have one sign on each street front. Such signs must be separated by a minimum distance of one hundred (100) feet between signs.

2. Each building shall be entitled to wall sign(s) the sign face area of which, in the aggregate, shall not exceed 10 percent of the building's street front elevation. Allowance for wall signs can be divided for multiple sign locations and building elevations so long as the maximum allowable face area as calculated above is not exceeded. Each building elevation shall be limited to a sign area of ten (10) percent of the elevation's aggregate area. Wall sign area for any individual tenant space within a multi-tenant building shall be in proportion to the exterior wall of that space's aggregate area. Unused sign area on one building or tenant wall is not available to any other building or tenant wall.

3. Sign Height - For freestanding signs not to exceed thirty (30) feet. Freestanding signs located within the Neighborhood Commercial District shall not exceed twelve (12) feet.

4. Setback - Five (5) feet from any property line measured from the leading edge of the sign or supporting up right which ever protrudes farthest out toward the property line.

D. Residential Zones – The following permanent on premises signs shall be permitted in residential zones.

1. One (1) sign per lot for uses commercial entities allowed in residential zoning categories serving as identification and/or bulletin boards, not to exceed thirty-two (32) square feet in area. A sign may be placed flat against the wall of the building or may be freestanding provided that it be no closer to any property lines than ten (10) feet and not to exceed six (6) feet in height.

2. Two signs per residential subdivision entrance, identifying said subdivision, of not more than thirty-two (32) square feet of advertising surface and shall not exceed six (6) feet in height, identifying the residential subdivision. Where two or more residential subdivisions share the same entrance to a major thoroughfare one sign for each subdivision will be permitted at this entrance not to exceed sixty-four (64) square feet combined. Subdivision entrance signs shall be allowed on the right-of-way when approval is obtained from the Planning and Zoning Department, Engineering and Road and Bridge Department.

3. One non-illuminated name plate per street frontage designating the owner or the occupant and address of the property. The name plate shall not be larger than two hundred (200) square inches and may be attached to the dwelling or be freestanding. No permit shall be required for such signs.

E. Manufacturing/Industrial Parks – (Applies to parks in one compound): Permanent Accessory sign advertising an Industrial Park shall meet the following requirements.

1. Advertising Display Area Per Firm

a. Inside park or compound Same as 4.10.06.A

b. Park Entrance Sign Noting the name of the park or compound

i. Same as 4.10.06.C without wall signs.

F. Navarre Beach – All signs constructed on Navarre Beach shall, in addition to other requirements in this Section shall conform to the requirements herein below:

1. The maximum allowable sign face shall be fifty (50) square feet.

2. The maximum allowable sign height shall be twenty (20) feet.

3. Earth tones shall be emphasized with primary colors being minimized and used only for accent.

G. Other Permanent Signs – Other signs permitted in conjunction with signs permitted in Sections 4.10.06 A through F include:

1. On-premise menu signs at restaurant ordering stations not in excess of forty five (45) square feet. A maximum of one (1) menu board per ordering station will be allowed. Vehicle clearance markers are allowed with the drive through lane, but no additional signs can be placed or attached their support structure.

2. Directional/information signs guiding traffic and parking on commercially developed property. Such signs that are located within twenty (20) feet of a public right-of-way shall not exceed four (4) square feet in size or three (3) feet in height. All other such signs located within the development will have no maximum square size but will have a

maximum height allowance of five (5) feet.

3. Signs on a commercial canopy. Each single canopy shall be entitled to a sign(s). The sign face area of which, in the aggregate, shall not exceed ten (10) percent of the canopy's combined elevations. Allowance for can be divided for multiple locations or canopy sides so long as the maximum allowable area as calculated above is not exceeded.

4.10.07 Permanent Off-Premise Signs

Permanent off-premise signs shall be permitted in the commercial zoning districts (excluding the Neighborhood Commercial District), industrial zoning districts and agriculture zoning districts ~~south of Willard Norris Road and~~ and shall conform to the requirements below. No off-premises signs shall be allowed on Navarre Beach or North of Hwy 182.

- A. No signs permitted along a State Highway without approval from FDOT or without meeting the criteria for exemption per FS 479.16.
- B. Advertising Display Area
 1. Along the Highway 98, 87, Avalon Boulevard Corridors and Highway 90. The advertising display area of a permanent off-premise sign shall not exceed four hundred (400) square feet per individual advertising surface.
 2. All other areas:
 - a. Four-Lane Thoroughfares – The advertising display area of a permanent off-premise sign in these areas shall not exceed four hundred (400) square feet per individual advertising surface.
 - b. Two-Lane Thoroughfares – The advertising display area of a permanent off-premise sign in these areas shall not exceed one hundred (100) square feet per individual advertising surface.
- C. Sign Height
 1. Along the Highway 98, 87, Avalon Boulevard Corridors and Highway 90. No permanent off-premises sign in these corridors shall exceed an overall height of fifty (50) feet measured from the crown of the road for which the sign permitted to the top of the sign.
 2. All other areas:
 - a. Four-Lane and Two-Lane Thoroughfares -- No permanent off-premises sign in these areas shall exceed an overall height of thirty-five (35) feet measured from the crown of the road for which the sign is permitted to the top of the sign.

D. Spacing

1. Along the Highway 98, Highway 87, Avalon Boulevard Corridors and Highway 90. No off-premise sign shall be placed within two thousand (2,000) feet of any other off-premises sign on the same side of the street right-of-way within a three hundred (300) foot radius of another off-premises sign.
2. All other areas:
 - a. Four-Lane and Two-Lane Thoroughfares -- No off-premise sign shall be placed within one thousand (1,000) feet of any other off-premise sign on the same side of the right-of-way within these areas, nor shall any off-premises sign be placed within a three hundred (300) foot radius of another off-premises sign. For off-premise signs located within the agriculture zoning districts the minimum spacing between any off-premise signs located on the same side of the right-of-way shall be one thousand three hundred and twenty (1,320) feet.
3. Proximity to residential. No billboard shall be located within one hundred (100) feet of an existing residence.

E. Setbacks

1. Four-Laned Thoroughfares – Twenty-five (25') feet from the nearest right-of-way line; measured from the leading edge of the sign or supporting up right whichever protrudes farthest out toward the right-of-way.
2. Two-Laned Thoroughfares – Fifteen (15) feet from the nearest right-of-way line measured from the leading edge of the sign or supporting up right whichever protrudes farthest out toward the right-of-way line.
3. Five feet (5) from any side property line measured from the leading edge of the sign or supporting up right whichever protrudes farthest out.

F. The maximum number of advertising surfaces per sign structure, facing in one direction, is one (1). Stacked, off-premises signs shall be prohibited.

G. The following areas are designated as scenic zones. Off-premise signs are prohibited in these zones.

1. Beginning at the west right-of-way line of Woodbine Road at the intersection of Highway 90 and Woodbine Road proceeding west on both the north and south sides of Highway 90 to the county line in the Escambia River.

2. On Avalon Boulevard beginning at the southerly right-of-way line of Coronado Street, proceeding south along Avalon Boulevard on both the east and west sides of the highway to the intersection of Garcon Point Road and Avalon Boulevard.

3. On Garcon Point Road and beginning at Jake's Bayou, proceeding south along Garcon Point Road on both east and west sides of the highway to the north end of the Garcon Point Bridge, on both the east and west to the south end of the bridge. Then from the south end of the bridge proceeding south, on both the east and west sides of the highway to the north right-of-way line of Highway 98.

4. Beginning five hundred (500) feet west of the Interstate 10 Bridge going over Blackwater River, on both the north and south sides of the Interstate and continuing over the bridges to a point five hundred (500) feet east of the bridge.

5. Pea Ridge Connector - Beginning on the northern right-of-way line of Highway 90 proceeding north to Hamilton Bridge Road.

H. For off premise signs located in areas of Santa Rosa County south of Yellow River there shall be a cap and replace provision.

I. Permanent Off-Premise Directional Signs – Permanent off-premise directional signs shall be permitted and shall conform to the following requirements.

1. No signs permitted along the State Highways (unless permitted by the State).

2. The advertising display area shall not exceed thirty-two (32) square feet.

3. Sign height shall not exceed fifteen (15) feet.

4. Signs shall not be placed within the road right-of-way and no closer than twenty (20) feet to the curb, edge of pavement or corner of an intersection.

5. Written and notarized permission from the property owner will be required.

6. Three off-premise directional signs will be permitted for any one entity.

7. No off-premise directional sign shall be placed within five hundred (500) feet of any other off-premise directional sign on the same side of the right-of-way.

J. Priority of Signs – Where the location of two or more permanent off-premises signs conflict under the requirements of this ordinance, the sign meeting the requirements of this ordinance, and having the earliest dated permit for its erection shall have priority over other sign in conflict therewith.

4.10.08 Special Zoning and Overlay District Sign Regulations

A. Bagdad Historic and Conservation Districts – Signs within these Districts must be consistent with the standards detailed in “Bagdad Historic and Conservation District Design Standards” (June 16, 2008) adopted herein by reference.

B. Navarre Beach – All signs constructed on Navarre Beach shall, in addition to other requirements in this Section shall conform to the requirements for wind load specifications per Florida Building Code.

Unless specifically authorized by the Navarre Beach Director: searchlights, balloons, air activated signs, wind signs, and similar devices or ornamentation designed for the purposes of attracting attention, promotion, or advertising; bare bulb illumination around a sign perimeter; back-lighted or plastic signs; projected image signs; signs on benches; banners; murals or other signs painted directly on fences, walls, or any exterior parts of a building; and roof signs.

4.10.09 Substitution of Non-Commercial Speech for Commercial Speech

Notwithstanding anything contained in this Section or Code to the contrary, any sign erected pursuant to the provisions of this Section or Code may, at the option of the owner, contain a non-commercial message in lieu of a commercial message and the non-commercial copy may be substituted at any time in place of the commercial copy. The non-commercial message (copy) may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to non-commercial messages, or from one non-commercial message to another non-commercial message, as frequently as desired by the owner of the sign, provided that the size, height, setback and other dimensional criteria contained in this Section and Code have been satisfied.

4.10.10 Content Neutrality as to Sign Message (Viewpoint)

Notwithstanding anything in this Section or Code to the contrary, no sign or sign structure shall be subject to any limitation based upon the content (viewpoint) of the message contained on such sign or displayed on such sign structure.

4.10.11 Severability

A. In general – If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Section is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Section.

B. Severability where less speech results – Without diminishing or limiting in any way the declaration of severability set forth above in section 4.10.11, or elsewhere in this Section, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Section is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, sentence, phrase, clause, term, or word of this Section, even if such severability would result in a situation where there would be less speech, whether by subsection previously exempt signs to permitting or otherwise.

C. Severability of provisions pertaining to prohibited signs – Without diminishing or limiting in any way the declaration of severability set forth above in Section 4.10.11, or elsewhere in this Section, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Section or any other law is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Section that pertains to prohibited signs.

5. Standards for Special Situations

Chapter 5. Standards for Special Situations

(Standards for Uses and Structures that are Accessory, Temporary or have Special Design Requirements are established in this Chapter)

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5.01.00 GENERALLY

Certain land uses have characteristics that require the imposition of development standards in addition to those otherwise required by this LDC. Such standards are provided for accessory uses and structures (Section 5.02.00), temporary uses and structures (5.03.00), communication towers (5.04.00) and other specific land uses (5.06.00). Certain other land uses have an even greater potential detriment and therefore cannot be permitted as a matter of right, but may be permitted if certain standards are met through the imposition of conditions tailored to the specified use, location and potential detriment. These are referred to here as Conditional Uses (5.07.00).

5.02.00 ACCESSORY USES AND STRUCTURES

5.02.01 Generally

- A.** It is the intent of this section to regulate the installation, configuration and use of accessory structures and the conduct of accessory uses. Regulation is necessary in order to ensure that accessory uses and structures are compatible with the surrounding neighborhood and are consistent with the character and

5. Standards for Special Situations

intent of the zoning districts in which the accessory uses and structures are located.

B. Accessory Uses and structures are not permissible on lots or parcels that do not contain a principal use or structure or on a lot or parcel where the construction of the principal use or structure has been commenced unless the following conditions are met:

1. On metes and bounds lots two (2) acres or greater in size located within an Agriculture zoning district, accessory structures shall be permitted prior to the commencement of construction of a main building, until the construction permit for a main building has been issued.
2. Buildings used solely for agriculture purposes (such as for livestock or for storage of farm equipment) on those parcels located in Agriculture zoning districts, regardless of parcel size, shall be allowed to be constructed before the construction of the main dwelling.
3. **Docks, piers, seawalls and non-opaque fences on vacant residential lots are a permitted use. Building permits, zoning review and state permits are still required.**

C. Accessory Uses are identified in Table 2.03.02 a – c. Design standards for these accessory uses are provided in section 5.02.02.

D. Accessory Structures may be allowed in any zoning district, provided that they comply with the standards of the zoning district and that the following general standards are met, along with specific standards for the structure as provided in sections 5.02.03 through 5.02.09.

1. All accessory structures shall be located on the same lot as principal use.
2. All accessory structures shall be included in all calculations for parking space requirements, impervious surface ratio standards, stormwater runoff standards and lot coverage standards.
3. All accessory structures, other than fences and walls located in compliance with the requirements of section 5.02.03, shall be located in compliance with all site design requirements.
4. Encroachment of Yards in lots located in Recorded Subdivisions or lots less than one (1) acre in size - Accessory buildings or structures on lots in recorded subdivisions in residentially zoned districts or less than one (1) acre in size may be located within all yards and must observe the following conditions:

5. Standards for Special Situations

a. Any accessory structure closer than ten (10) feet to the main building shall be construed as part of the main building and shall observe all setbacks required for the main building.

b. Any accessory structure located over ten (10) feet from a main dwelling may be constructed no closer than five (5) feet of any interior side or rear lot line; provided, however, that such accessory buildings may not be located within the front setback. In addition, where the parcel is located on Navarre Beach or is located within the Shoreline Protection Zone. An accessory building used for living quarters (guest house or guest cottage) shall have a front setback of 60 feet from the front property line and shall maintain the same side and rear setbacks for the principle dwelling.

c. Whenever a lot line is also a street line, the required yard for accessory buildings shall be the same for main buildings.

5. Accessory buildings or structures on lots one (1) acre or greater in size and not located in a recorded subdivision in a residentially zoned district, may be located in any yard subject to the following conditions:

a. Accessory buildings or structures must observe the front yard requirements for the main building.

b. Accessory buildings or structures may be located no closer than five (5) feet of any interior side or rear lot line. Where the parcel is a corner lot, is located on Navarre Beach or is within the Shoreline Protection zone, those setbacks shall prevail.

6. Placement of an accessory structure on a lot contiguous to a lot with a principal dwelling unit shall be allowed as long as the lots are under the same ownership and shall use the same principle dwelling front, side and rear building setbacks on the contiguous lot.

7. Accessory structures located on lots less than two (2) acres in size shall be smaller in total floor area than the main dwelling unit.

8. Accessory structures are subject to height limit of the zoning district in which they are located.

9. Gazebos may be permitted in the front yard provided they meet the setback requirements for main structures.

10. All above ground storage tanks may not be located in any front yard and must meet the same rear and side setbacks as the principle building, except in Agriculture districts.

5. Standards for Special Situations

E. Accessory Structures on Navarre Beach – No accessory structure shall be constructed in any front or side yard **(with the exception of pools)** and shall not occupy more than 25% of the rear yard. Accessory structures shall not exceed fifteen (15) feet in height. No Accessory Structures will be used for stand alone business or by itinerant vendors.

5.02.02 Fences and Walls

A. The construction, erection and maintenance of walls and fences within Santa Rosa County shall be permitted in RR-1, R-1, R-1A, and R-1M zoning districts only as follows:

1. Walls and fences on rear and side property lines shall be permitted to a maximum height of eight (8) feet.
2. There shall be no fences, walls, plantings or other structures or obstructions erected or maintained within twenty (20) feet of any street intersection which may obstruct the view of the motorist or otherwise cause an obstruction to traffic flow;
3. Where a wall or fence is erected within the front setback of any lot, such wall or fence shall not be permitted in excess of four (4) feet in height, except chain link type fences, (minimum fourteen (14) gauge galvanized welded wire), and black metal fences with a minimum of three (3) inch picket spacing, which shall not be permitted in excess of five (5) feet in height.

B. Site design standards for fences in agriculture, multifamily, residential, commercial and industrial zoning districts

The construction, erection and maintenance of walls and fences within Santa Rosa County shall be permitted only as follows:

1. Walls and fences on rear and side property lines in residential zones shall be permitted to a maximum height of eight (8) feet; in commercial zones walls and fences on rear and side property lines shall be permitted to a maximum height of eight (8) feet. In all industrial areas (M-1 and M-2 districts) walls and fences shall be permitted to a height not to exceed ten (10) feet. Agriculture districts are exempt from this provision.
2. In all districts there shall be no fences, walls, plantings or other structures or obstructions erected or maintained within twenty (20) feet of any street intersection which may obstruct the view of the motorist or otherwise cause an obstruction to traffic flow.
3. In all residential subdivisions the use of any form of barbed wire in fences is prohibited. Agriculture districts are exempt from this provision.

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4. Where a wall or fence is erected within the front setback of any lot, such wall or fence shall not be permitted in excess of four (4') feet in height, except chain link type fences, (minimum fourteen (14) gauge galvanized welded wire), which shall not be permitted in excess of five (5) feet in height. Agriculture districts are exempt from this provision.

Where a wall or fence is erected within the front setback of a lot in an HCD zone such wall or fence shall not be permitted in excess of four (4) feet in height, except chain link type fences, (minimum fourteen (14) gauge galvanized welded wire), **and black metal fences with a minimum of three (3) inch picket spacing,** which shall not be permitted in excess of eight (8) feet in height. Where a wall or fence is erected within the front setback of a lot in M1 or M2 zones, such wall shall not exceed four (4) feet in height except chain link type fences, (minimum fourteen (14) gauge galvanized welded wire), which shall not be permitted in excess of ten (10) feet in height.

~~5. Walls and fences must have finished side facing out for all projects requiring site plan review.~~ **Intentionally left blank**

6. Fences and Walls erected to serve as a buffer between incompatible land uses shall provide continuous screening.

7. The swimming pool barrier requirements must meet the current Florida Building Code requirements.

8. Fences and walls within the Bagdad Historic Overlay Districts must be consistent with the standards detailed in "Bagdad Historic and Conservation District Design Standards: (June 16, 2008) adopted herein by reference.

9. **Retaining walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill, or retaining walls exceeding 24 inches in height that resist lateral loads in addition to soil, shall be designed in accordance with accepted engineering practice to ensure stability against overturning, sliding, and water uplift.**

5. Standards for Special Situations

C. Fences on Navarre Beach – Maximum heights for fences constructed or residential, hotel and commercial districts, excluding fences for solid waste receptacles shall be:

<i>Yards</i>	<i>Solid Fences</i>	<i>Open Wire Slat Fences</i>
Front Yard	4'	4'
Side Yard	4'	5'
Rear Yard	4'	5'

1. Existing fences/walls will be inventoried and grandfathered on the date the revised LDC is approved. From that date forward, if a fence or wall is built or rebuilt (due to the damage) on the beach, a flood plain development order will be required.
2. Walls less than 2 feet above the surrounding natural grade by the eye will not require permitting.
3. Walls/fences that are less than 1" thick with at least 40% of its area open will not require permit or engineering per FEMA guidance (NFIP Technical Bulletin 5/March 2020). Walls/Fences with less than 40% open area will be required to breakaway and necessitate an engineered design and a permit from the Santa Rosa County Building Department.
4. The maximum height of residential fences on Navarre Beach will be ~~6~~ 5 feet along the rear and side and 4 feet along the front. There shall be no maximum height for fences in Navarre Beach commercial districts. Chain link fences shall not be allowed unless approved by the Board of County Commissioners or their designee.

Solid waste receptacles, such as thirty (30) gallon trash cans, ninety (90) gallon carts, or dumpsters, shall have an enclosure to conceal the receptacles from the road; yet provide access to solid waste haulers. The enclosure (fence) may be over the maximum height stated above for the residential districts to successfully conceal said receptacle and shall be designed to compliment the building it services. The enclosure shall have dimensions and height to solely conceal the said receptacle.

There shall be no maximum height for fences in commercial districts or industrial.

Where a commercial district is adjacent to a residential district, a fence may be constructed to a maximum height of eight feet on the property line contiguous to a commercial district. Chain link fences shall not be allowed unless approved by the Board of County Commissioners.

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D. Screening Fences – Any fence to be used as a screen for enclosing outdoor storage areas must meet the following criteria:

1. The fence type chosen must be able to “effectively” screen the material in the storage area.
2. A six (6) foot wooden privacy fence or an eight (8) foot wooden privacy fence is the most effective screening fence style and shall be required for all new developments or new uses requiring screening when no previously existing fence is present.
3. When a previously existing chain link or other metal fence is present, screening fabric or slats may be utilized.

5.02.03 Dumpsters/Solid Waste Containers for Commercial/Multi-Family Developments

Dumpsters shall be screened as follows:

- A.** For all dumpsters or solid waste containers, all four (4) sides shall be screened.
- B.** Screening may be in the form of a mixture of evergreen trees and shrubs, a solid wooden or masonry fence, or the wall of an existing structure on the property.
- C.** Where screening is provided by landscaping, a minimum of one (1) evergreen tree per screening side and shrubs shall be planted to form a continuous hedge around the perimeter of the enclosure tall enough to conceal the receptacle and/or visible waste.
- D.** Dumpsters shall be setback a minimum of twenty-five (25) feet from any property zoned or used for residential purposes.
- E.** Dumpsters shall not be allowed within the setback for any right-of-way. In cases where dumpsters are located in areas highly visible from any public right-of-way, additional landscaping may be required to be planted.

5.02.04 Docks, Piers and Mooring Devices

- A.** Structures such as piers, docks, wharves, mooring devices, lifting and launching devices, the decking of which is no higher than five (5) feet above mean high water or five (5) feet if seagrasses are present per FDEP, are permitted as accessory structures.
- B.** Such structures shall not extend seaward from the property line for more than three hundred (300) feet or fifteen (15) percent of the open water span at the point of installation whichever is less, except as provided in Section 5.02.04.E.2. If FDEP approves a structure longer than three hundred (300) feet because of the presence of ~~seagrasses~~ seagrasses, the Planning Director can approve an administrative variance.

5. Standards for Special Situations

C. When structures are constructed on waterfront property and are to cross on or over areas of public access, this access may not be impeded or blocked by such structures. The owner of said structure must construct or provide public access. This provision shall apply only to ~~water front~~ **waterfront** property located on Escambia Bay south of Highway 90, Blackwater Bay south of Interstate 10, East Bay and Santa Rosa Sound.

D. FDEP requires twenty-five (25) foot side setbacks in riparian zones. Section 18-21.004(3)(d), Florida Administrative Code, provides exceptions to the setbacks which are: private residential single-family docks or piers associated with a parcel that has a shoreline frontage of less than 65 feet, where portions of such structures are located between riparian lines less than 65 feet apart, or where such structure is shared by two adjacent single-family parcels; utility lines; bulkheads, seawalls, riprap or similar shoreline protection structures located along the shoreline; structures and activities previously authorized by the Board of Trustees of the Internal Improvement Trust Fund; structures and activities built or occurring prior to any requirement for Board of Trustees of the Internal Improvement Trust Fund authorization; when a letter of concurrence is obtained from the affected adjacent upland riparian owner; or when the Board determines that locating any portion of the structure or activity within the setback area is necessary to avoid or minimize adverse impacts to natural resources.

E. All canal front construction must meet the following dimensions and setbacks.

1. Side and corner setbacks will be fifteen (15) feet or fifteen (15) percent of the water frontage width whichever is less. Side setbacks are measured from side lot lines that separate two lots. Corner setbacks are measured from the corners created by the intersection of two canals. The intent of corner and side setbacks is to enable access to the docks, piers, and boathouses for each lot and to accommodate turning movements at the intersection of canals.

2. All construction including dolphin poles can extend into the water a distance equal to twenty-five percent (25%) of the canal width except for Polynesian Isles Subdivision canal system and the terminal ends of any canals. The depth of such construction will be determined based upon the width of the canal as shown on the plat recorded as of (12-12-2013). The beginning point of such construction shall be the canal wall or the platted lot line whichever is further landward. The requirements for the Polynesian Isles Subdivision canal system and the terminal ends of any canals are as follows:

The terminal ends of the canals are considered special circumstances. In such cases the Planning and Zoning Department shall have discretion in determining the setbacks, configurations and distances into the canal for

5. Standards for Special Situations

docks/piers and boatlifts. The goal will be to allow a property owner the ability to moor a boat.

The Polynesian Isles Subdivision canal system shall consist of the following subdivisions: Polynesian Islands, Polynesian Islands First Addition, Bay Ridge Park Second Addition, Whisper Bay Seventh Addition, and Ebbtide Townhomes. A dock or pier may not extend more than five (5) feet into the canal past the platted or surveyed property line. The only thing that may be allowed to extend into the canal in addition to a dock/pier is a boat lift. A boat lift may extend an additional ten (10) feet past the platted or surveyed property line into the canal. The boat lift may be covered with a roof. There can be no walls extending down from the roof line enclosing any portion of the boat lift. No elements, members, catwalks, dock, or roof overhangs can extend into the canal more than a combined total of fifteen feet past the platted or surveyed property line.

3. Decking shall be no more than five (5) feet above mean high water.
4. Seawalls must be located on or behind the surveyed property line bordering the canal.
5. No waterfront construction, except for seawalls may begin until construction of the main building has commenced.
6. Building permits must be posted in accordance with the building code.
7. Boat shelters or storage structures shall be unwallled and shall not have roofs exceeding twenty-five (25) feet above mean high water.

E. Construction in Navarre Beach Canals

1. Docks or boardwalks shall be no higher than the seawall or protrude more than 4 feet over the water from the seawall. The width shall not encroach into the side setbacks.
2. Docking pilings may be set in the canal and shall be no further from the seawall than twenty-five (25) percent of the width of the canal. Docking pilings set in the canal shall not exceed eight (8) feet in height above the height of the seawall.
3. Any structure and boat combined shall not exceed the above stated boundaries (25% of the canal width).
4. No structure shall include sidewalls or roof as these may infringe on adjacent property owners water view.
5. When structures are constructed on waterfront property and are to cross on or over areas of public access, this access may not be impeded or blocked by such structures. The owner of said structure must construct

5. Standards for Special Situations

or provide public access.

5.02.05 Swimming Pools

A. Swimming pools shall:

1. Be located only in Side or Rear Yards.

- a. All swimming pools shall have the same front setback as the principle dwelling when measured from the pool's water edge to the property line and may be erected no closer than five (5) feet from the rear or side property line except if it is a corner side property line then the pool corner side setback shall be the established corner side setback for the dwelling; or in the case where the main dwelling's side setback is less than 5 feet, the pool setback may be reduced to 4 feet MORE than the main dwelling's side setback. The distance between the swimming pool and any structure shall be determined according to the current Building Code requirements. In addition, where the parcel is located on Navarre Beach or is located within the Shoreline Protection Zone, those setbacks shall prevail.

2. The swimming pool barrier requirements must meet the current Florida Building Code requirements.

- a. The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.

- b. Gates that provide access to swimming pools must open outward away from the pool and be self-closing and equipped with a self-latching locking device, the release mechanism of which must be located on the pool side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap.

- c. A wall of a dwelling may serve as part of the barrier if it does not contain any door or window that opens to provide access to the swimming pool.

- d. A barrier may not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing the barrier.

5. Standards for Special Situations

e. No person in control or possession of land within the county, either as owner, purchaser, lessee, tenant, or as a licensee, upon which a private swimming pool is situated, shall fail to provide and maintain such fence or other enclosure as specified by this article.

3. Swimming pool enclosures

a. All pool enclosures (enclosure constructed of metal, wood, or similar type material for framing and consisting of screen mesh or any similar material between framing members making up the roof and walls, and which specifically covers a swimming pool or spa), shall have the same front setback as the principle dwelling and may be erected no closer than five (5) feet from the rear or side property line except if it is a corner side property line then the main building corner side setback shall apply; however, if the main dwelling side setbacks are less than 5 feet, the pool enclosure may take the same side setbacks as the main dwelling. Where the parcel is located on Navarre Beach or is located within the Shoreline Protection Zone, those setbacks shall prevail. No enclosure shall be allowed on any easement. All detached pool houses, buildings, and other similar structures must abide by the same setbacks as accessory buildings. Additional performance standards for fences, walls, gates or use of other structures for pool enclosures are set forth in section 5.02.05.A.2.

4. Swimming pool lot grading plans

Inground swimming pools installed on lots 1 acre or less shall require a drainage/plot lot grading plan per Section 4.04.00. The Building Official in conjunction with the County Engineer may adjust as needed.

5.02.06 Guest Cottages

A. Guest Cottages – A guest cottage is allowed as an accessory activity within all residential zoning districts. The guest cottage shall not occupy more than 50% of the total floor area square footage of the main dwelling. The guest cottage shall have a front setback of 60 feet from the front property line or be behind the rear wall of the single family residence and shall maintain the same side and rear setbacks for the ~~principle~~ **principal** dwelling.

A guest cottage with kitchen facilities is allowed if the guest cottage and main dwelling together do not exceed the gross density requirement for the parcel. If the guest cottage and main dwelling together would exceed the gross density requirement for the parcel, the following conditions apply.

1. The site should be designed so as to maximize compatibility with adjacent land uses and minimize adverse impacts.

5. Standards for Special Situations

2. The parking requirements of 4.06.00 must be met. For purposes of calculating parking requirements, the guest cottage will be considered an additional single family unit on the parcel.
3. A Standard B or E landscaped buffer is required between the guest cottage and adjacent single family uses or districts consistent with Section 4.07.04, "Landscape Buffers."
4. Guest house or guest cottage must meet the requirements of the Florida Building Code in including the conversion of an accessory structure.

5.02.07 Home Occupations

A. Home Occupations accessory to a residential activity – Shall be carried on within a dwelling unit or accessory building by one or more residents of the dwelling unit. Accessory buildings shall be smaller in total floor area than the main dwelling unit. Home occupation shall not include the manufacture and repair of motor vehicles or transportation equipment. The following shall not be permitted:

1. Exterior displays, or a display of goods or chattels visible from the outside or exhibited on the premises by any method or device whatsoever, including signs which would indicate from the exterior that the dwelling unit or accessory building is being utilized in whole or in part as a home occupation;
2. Use, in connection with the home occupation, of any mechanical or electrical equipment, except that which generally would be used for purely domestic or household purposes;
3. Storage materials or goods or chattels, or any part or parts outside of principal or accessory building or other structure;
4. External structure alterations not customarily in residential buildings;
5. Offensive noise, vibration, dust, or other particulate matter, odorous matter, heat, glare or other objectionable effects;
6. Employment of more than two (2) non family members of the dwelling unit in the conduct of the home occupation.
7. The home occupation shall not generate more than four (4) customer vehicles per day.
8. Parking of heavy equipment such as backhoes, bulldozers, tractor trailer rigs, dual axle trucks, and front end loaders, etc., shall be prohibited in recorded subdivisions in residentially zoned districts except for equipment located at construction sites.

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9. Storage of more than one (1) motor vehicle used for the home occupation is prohibited.

5.02.08 Living Quarters in Barns in AG-RR, AG-1 and AG-2

- A. Living quarters are allowed in barns in AG-RR, AG-1 and AG-2 even if a single family residence does not exist on the parcel. This arrangement is common when ranchhands/workers live on the property to care for the grounds or animals. Guest cottage setbacks for the structure must be maintained.

5.03.00 TEMPORARY USES AND STRUCTURES

5.03.01 Generally

- A. Certain temporary uses and structures meeting the conditions of this chapter may be permitted to accommodate outdoor sales, festivals and entertainment, portable storage units and temporary structures during construction activities – but only to the extent authorized in this section. All other temporary uses and structures are prohibited.

- B. No temporary building or structure shall be erected on any lot in any district, provided however that this provision shall not be construed to prevent the erection of a temporary construction office or sales office such as normally used by contractors on or near the premises while a building or other project is under construction, provided such temporary building is removed no later than ninety (90) days from the date of issuance of a certificate of occupancy.

Tents and canopies, (a tent or canopy being a portable shelter of canvas, plastic, etc. stretched over a supporting framework of poles with ropes and pegs) used for commercial or promotional purposes may be permitted on a temporary basis as follows:

1. Tents used for such purposes shall be allowed in the zoning district permitting those uses.
2. Tents or canopies greater than four hundred (400) square feet must obtain Zoning and Building Department Permits. Tents or canopies four hundred (400) square feet or less must abide by the same regulations as tents and canopies requiring permits.

5.04.00 TELECOMMUNICATIONS TOWERS AND ANTENNAS

5.04.01 Generally

- A. It is the intent of the County to allow Telecommunications Towers and/or Antennas in compliance with State and Federal regulations. It is further the intent of the County to protect the public health, safety and welfare through regulating the placement and design of allowable Telecommunication Towers.

5. Standards for Special Situations

The regulations in this section are designed to meet the following purposes:

1. To protect residentially zoned areas and residential development from potential adverse impacts of telecommunications towers that are placed in inappropriate locations;
2. To minimize visual impacts of telecommunications towers through site design requirements, location requirements, and innovative camouflage techniques, in accordance with acceptable engineering and planning principles; and
3. To allow telecommunications towers that meet State, Federal, and local requirements for location, site design and appearance.
4. To promote and encourage shared use and collocation of communication towers and/or communication antennas as opposed to the construction of additional single use towers;
5. To avoid potential damage to property caused by communication towers and/or communication antennas by ~~insuring~~ **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 facilitate the provisions of wireless communication services to the residents and businesses of the County in an orderly fashion.

5.04.02 Findings

- A. The Federal Communications Act of 1934 as amended by the Telecommunications Act of 1995, (collectively the “Act”) grants the Federal Communication Commission (FCC) exclusive jurisdiction over:
 1. The regulation of the environmental effects of radio frequency emissions from communication towers and/or communication antennas facilities.
 2. The regulation of radio signal interference among users of the radio frequency spectrum.
- B. The County’s regulation of communication towers and/or communication antennas cannot have the effect of prohibiting any person from providing wireless telecommunications services.

5.04.03 Definitions see section 1.07.02

5.04.04 Applicability

- A. 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 Ordinance except as provided herein.

5. Standards for Special Situations

B. 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.

C. The provisions of this Section shall supersede all conflicting requirements of other ordinances of Santa Rosa County regarding the location and permitting of wireless communications facilities.

D. Towers and Telecommunications Facilities can be located only in Agricultural (AG-RR, AG-1, and AG-2), Highway Commercial Districts (HCD), Planned Business Districts (PBD) or Industrial Districts (M-1 and M-2).

5.04.05 Standards

A. Single use communication towers shall not exceed one hundred ~~fifty (150) feet~~ **three hundred feet (300)** in height as measured from grade.

B. Communication towers that have two (2) or more collocation abilities shall not exceed ~~one hundred eighty (180)~~ **three hundred feet (300)** feet in height as measured from grade.

C. Public Safety and Emergency Communication Towers shall not exceed ~~two hundred fifty feet (250)~~ **three hundred feet (300)** in height as measured from grade.

D. A communication tower shall be deemed to have collocation ability if its design is certified by the engineer as being appropriate for collocation and the applicant certifies that it is prepared to offer adequate space on the tower to others at commercially fair and, reasonable terms.

E. **Reserved** ~~All communication towers shall be separated from all residentially zoned lands by a minimum, of two hundred (200) feet. Tower separation distances for the purpose of compliance with this section shall be measured from the center of the base of the communication tower to the lot line. Residentially zoned lands means land zoned RR-1, R-1, R-1M, R-1A, R-2, R-2M, R-3, PUD, PBD with residential use, HR-1, HR-2, or C-2M.~~

F. Towers shall be setback at least 1.5 miles from the approach end of the runway including proposed approach ends and setback 1 mile from the downwind legs (sides) including proposed downwind legs (sides).

G. The communication tower shall have a setback from all property lines at least equal to the height of the tower.

H. Communication antennas attached to communication towers are exempt from the setback standards of this Section and from setbacks for the zone in which they are located. However, such communication antennas shall not extend more than ten (10) feet horizontally beyond the center of the communication tower.

5. Standards for Special Situations

I. Towers shall be lighted as required by the Federal Aviation Administration (FAA). Further, unless prohibited by the FAA, communication towers for which illumination is not otherwise required by the FAA shall have a beacon light placed on 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, are located within a distance of three-hundred percent (300%) of the height of the tower from a residential use or residential zoning district shall be erected with shields mounted underneath the lights or beacons in such a manner so as to obstruct the view of said lights or beacons from the ground for a distance from the communication tower of three hundred percent (300%) of the height of the tower

J. Communication towers not requiring FAA paintings/markings shall have either a galvanized finish or a painted non-contrasting blue, gray, or black finish as to minimize visual impact.

K. Prior to the approval of a communication tower, the applicant shall provide evidence that the communication tower is in compliance with all FAA regulations. Where a communication tower will not exceed the highest point of an existing structure upon which it is to be mounted, such evidence is not required.

L. Communication towers shall be designed and constructed to ensure the structural failure or collapse will not create a safety hazard to adjoining properties. All communication towers shall be constructed to the EIA/TIA 222-F Standards, as published by the Electronic Industries Association, which may be amended from time to time and all applicable County building codes. Further, any improvements and/or additions to any communication towers which exceed the design of the structure or which is not routine maintenance under this section shall require submission of plans in accordance with the provisions of this Section which demonstrate compliance with the EIA/TIA 222-F Standards in effect at the time of said improvements.

M. All proposed communication towers shall comply with current radio frequency emissions standards as established by the Federal Communications Commission (FCC).

N. The use of any portion of a communication tower and its accessory structures for signs or advertising purposes, including company name, shall be prohibited.

O. All accessory buildings or structures shall meet all applicable County building codes.

P. Mobile or immobile equipment to be used in direct support of a communication facility shall not be openly stored or parked on the site of the communication tower unless repairs to the facility are being made. Equipment is required to be stored in a permanent accessory building.

5. Standards for Special Situations

Q. A minimum six foot (6') fence as measured from the finished grade shall be provided around each tower site. In no case shall the fence exceed eight (8) feet in height. Access to the tower site shall be through a locked gate.

R. The visual impact of a communication tower shall be mitigated for nearby viewers through landscaping or other screening materials at the base of the tower and secondary structures. The following landscaping and buffering of communication towers shall be required around the perimeter of all tower sites. Landscaping shall be installed on the outside of fences. In instances where healthy plant material exists, existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute towards meeting landscaping requirements. All plant materials whether existing or planted must meet the requirements set forth in Section 4.07.00 Land Development Code, Santa Rosa County. The following requirements must be submitted on the site plan:

1. A ten (10) foot landscape buffer shall be required around the perimeter of a tower site.
2. A row of shade trees a minimum of eight (8) feet tall and two (2) inches in diameter measured four and a half (4 1/2) feet above grade shall be planted every forty (40) feet around the perimeter of a tower site.
3. All landscaping shall be properly maintained to ensure good health and viability.

S. The communication tower shall be located on a parcel of land large enough in size so that any collapse of the structure will be contained entirely on the subject property.

5.04.06 Deviation from Standards

A. The Zoning Board, as established by the County shall hear and decide requests for variances from the requirements of this section.

B. With respect to action upon applications for variances, the Zoning Board shall grant a variance only if it finds from a preponderance of evidence that the deviation meets the following standards and criteria under Section 9.04.00.

5.04.07 Communication Antennas Not Located on Communication Tower

A. Communication antennas shall not be artificially lighted except to assure human safety or as required by the Federal Aviation Administration (FAA).

B. Communication antennas not requiring FAA paintings/markings shall have either a galvanized finish or painted a non-contrasting blue, gray, or black finish to minimize its visual impact.

C. Prior to the approval of a communication antenna, the applicant shall provide evidence that the communication antenna is in compliance with all FAA

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regulations. Where a communication antenna will not exceed the highest point of an existing structure upon which it is to be mounted, such evidence is not required.

D. Communication antennas shall be designed and constructed to ensure that the failure or collapse of the antenna will not create a safety hazard to adjoining properties. All communication antennas shall be constructed to the EIA/TIA 222-F Standards, as published by the Electronic Industries Association, which may be amended from time to time and all applicable County building codes. Further, any improvements and/or additions to any communication antenna which exceeds the design of the structure or which is not routine maintenance under this section shall require submission of plans in accordance with the provisions of this Section which demonstrate compliance with the EIA/TIA 222-F Standards in effect at the time of said improvements or additions.

E. All proposed communication antennas shall comply with current radio frequency emissions standards established by the Federal Communications Commission (FCC).

F. The use of any portion of a communication antenna and its accessory structures for signs or advertising purposes, including company name, shall be prohibited.

G. Communication antennas may not extend more than twenty (20) feet above the highest point of the existing structure. Communication antennas may exceed twenty (20) feet above the highest point of an existing structure if public safety needs warrant additional height.

5.04.08 Maintenance

A. Owners shall at all times employ ordinary and reasonable care and shall install, maintain and use nothing less than commonly accepted industry methods and devices for preventing failures and accidents which are likely to cause damage, injuries, or nuisances to the public.

B. Owners shall install and maintain communication towers and/or communication antennas in substantial compliance with the requirement of National Electric Safety Code and all FCC, FAA, and state and local regulations.

C. All communication towers and/or communication antennas 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 or property of any person.

D. In the event the use of a communication tower and/or communication antenna is discontinued by the owner, or if the owner ceases to operate the tower and/or antenna, 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.

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5.04.09 Abandonment

In the event the use of any communication tower and/or communication antenna has been discontinued for a period of one-hundred eight (180) consecutive days, the tower and/or communication antenna shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Planning and Zoning Department, based upon documentation and/or affidavits from the communication tower and/or communication antenna owner/operator regarding the issue of tower usage. Upon such abandonment the owner/operator of the communication tower and/or communication antenna shall have an additional ninety (90) days within which to:

- A. Reactivate the use of the communication tower and/or communication antenna or transfer the tower to another owner/operator who makes actual use of the tower.
- B. Dismantle and remove the tower.

If such Tower or Telecommunication Facility is not removed within said ninety (90) days, the County may remove such tower or Telecommunication Facility at the Owners' 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.

5.04.10 Inspections

- A. The County and its agents shall have the authority to enter onto the property upon which a communication tower and/or communication antenna is located, between the inspections and certificates required above, to inspect the tower and/or antenna for purpose of determining whether it complies with all applicable laws and regulations.
- B. 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 borne by the owner.

5.05.00 SMALL WIND ENERGY SYSTEMS

5.05.01 Generally

This section of the LDC is to provide accommodations for small wind energy systems in appropriate locations while protecting the health, safety and welfare of the public, while at the same time not unreasonable interfering with the development of alternative energy systems in Santa Rosa County, Florida.

- A. To regulate the location of small wind energy system on lots in the County;
- B. To avoid potential damage to property by ~~insuring~~ **ensuring** that small wind energy system structures are sound and carefully designed, constructed, modified, maintained, and removed when no longer used or determined to be

5. Standards for Special Situations

structurally unsound;

C. To ensure that small wind energy systems are compatible with surrounding land uses,

D. To facilitate the provisions of small wind energy system electricity services to the residents and businesses of the County in an orderly fashion.

5.05.02 Findings

A. Section 163.04(1), F.S. limits local governments by prohibiting the adoption of an ordinance which “prohibits or that have the effect of prohibiting the installation of solar collectors, clotheslines, or other energy devices based on renewable resources.”

B. The American Wind Energy Association Describes Small Wind Energy Systems as electric generators that utilize wind energy to produce clean, emissions-free power for individual homes, farms, and small businesses.

C. Section 163.04(2), F.S. states that a local government may determine the specific location where a system may be installed and the orientation of a system if such determination does not impair the effective operation of the system.

5.05.03 Definitions see section 1.07.02

5.05.04 Applicability

A. Small wind energy systems 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 Ordinance except maintenance and interconnectivity with the utility provider.

B. The provisions of the ~~this~~ Section shall ~~supercede~~ **supersede** all conflicting requirements of other ordinances of Santa Rosa County regarding the location and permitting of small wind energy systems.

5.05.05 Standards

A. Setbacks – The small wind energy systems shall be located on a parcel of land large enough in size so that any collapse of the structure will be contained entirely on the subject property. Small Wind Energy Systems tower shall be set back a distance equal to the 100 percent of the system height as defined in section C from all property boundaries.

B. System height – Tower mounted Small Wind Energy Systems shall not exceed height limit of the zoning district in which they are located unless they are:

1. located in a public or military airport zone (including the MAZ's identified in the Eglin JLUS) in which case they are limited to the height limit identified in Table 8-1 or 8-3; or

5. Standards for Special Situations

2. they are otherwise limited by the required setbacks.

A structure mounted wind energy shall project no more than twenty (20) feet above the highest point of the roof excluding chimneys, antennae, and other similar protuberances and shall not exceed the height limit of the zoning district in which they are located.

C. Utility connection – No small wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owner generator. Off-grid systems shall be exempt from this requirement.

D. Access – The tower shall have either:

1. Tower climbing apparatus located no closer than 12 feet to the ground level at the base of the structure;
2. A locked anti-climb device installed on the tower; or
3. A minimum six foot (6') fence as measured from the finished grade around the small wind energy system site.

E. Ground clearance – The blade tip of any wind turbine shall, at its lowest point, have ground clearance of no less than fifteen (15) feet, as measured at the lowest point of the arc of the blades.

F. Lighting – Small Wind Energy Systems shall be lighted only if required by the Federal Aviation Administration.

G. Signs – The use of any portion of a small wind energy system and its accessory structures for signs or advertising purposes shall be prohibited.

5.05.06 Maintenance

A. Owners shall at all times employ ordinary and reasonable care and shall install, maintain and use nothing less than commonly accepted industry methods and devices for preventing failures and accidents which may cause damage, injuries, or nuisances to the public.

B. All small wind energy systems shall be at all times be kept and maintained in good condition, order and repair so that the same shall not menace or endanger the life or property of any person.

5.05.07 Abandonment

In the event the use of any small wind energy system has been discontinued for a period of one-hundred eighty (180) consecutive days, the small wind energy system shall be deemed to be abandoned. Upon such abandonment the owner/operator of the small wind energy system shall have an additional ninety (90) days within which to:

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- A. Reactivate the use of the small wind energy system, or
- B. Request an extension of up to one hundred eighty (180) days for the reactivation of the small wind energy system, or
- C. Dismantle and remove the tower and wind generator.

5.06.00 SPECIAL EXCEPTIONS

5.06.01 Generally

Special Exceptions are identified in Table 2.03.02 a – c as allowable if they meet the criteria below and are approved by the Zoning Board. These uses must comply with the criteria listed below and meet the standards applicable for the zoning district.

5.06.02 Special Exceptions

The Zoning Board is tasked to hear and decide special exceptions to the terms of this ordinance. The Board is hereby authorized to grant special exceptions in appropriate cases and with appropriate safeguards to authorize the use of a premises for a purpose not generally permitted within the district in which said premises is located or to interpret specific provisions of this ordinance expressed in this Section whenever it finds sufficient facts to demonstrate to its satisfaction that such exception if granted would be substantially in harmony with the general purpose and intent of this ordinance.

The authority to decide special exceptions is limited to the following cases:

- A. To permit the extension of a district where the boundary line of a district divides a lot held in single ownership at the time of passage of this ordinance, except in the case of unplatted subdivisions.
- B. To interpret the location of a district line where the street layout on the ground varies from the street layout as shown on the zoning district map or in the event of any other ambiguity, except in the case of unplatted subdivisions.
- C. To permit the reconstruction of a non-conforming building which has been destroyed or partially destroyed by fire or Act of God no more than two (2) years prior to applying for a special exception, where the Board shall find that the continuance of such non-conforming use is in harmony with the general welfare of the public.
- D. To permit the construction, extension, structural alteration or operation of the following uses, which are otherwise prohibited from certain districts, upon finding by the Board that proper safeguards and conditions have been provided to lessen congestion in the streets, to secure safety from fire, panic or other dangers, to promote health and general welfare, to provide adequate light and air and to prevent overcrowding of land. The Board may impose such additional reasonable conditions and safeguards as it shall deem appropriate to promote the general purposes of this Ordinance. The Board shall have the authority to

5. Standards for Special Situations

authorize the following uses in the districts specified; whenever it finds that the safeguards and conditions stipulated have been met.

- ~~1. Cemetery or mausoleum in any district, but provided that:
 - ~~a. No main or assembly building be located closer than fifty (50) feet to any lot line adjoining an "R" district.~~
 - ~~b. Direct access be provided to a collector or major thoroughfare street as differentiated from a local street which serves predominantly as access to residential property.~~
 - ~~c. No undertaking establishment or funeral home be operated as a part of such cemetery or mausoleum except in the district where such uses are permitted in this Ordinance.~~
 - ~~d. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~~~
 - ~~2. Off Street parking lot in R-2, R-2M, and R-3 "Multiple Family Districts" provided that at least one (1) boundary of such parking lot abuts a non-residential district and provided further that such parking lot is accessory to a permitted use located not more than (300) feet from the use served. In addition, site plan and landscaping requirements for all such off-street parking areas shall comply with Section 4.07.04 regarding required landscaping, except that neither a public hearing shall be required by the County Zoning Board, nor shall a review thereof be required by the County Commission.~~
 - ~~a. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~
- ~~E. To permit a limited range of commercial uses strictly in conjunction with residential uses in Agricultural districts only and located on the same lot and limited to the following provisions:~~
- ~~1. Maximum number of employees other than family members limited to four (4).~~
 - ~~2. The maximum sized structure allowed for commercial uses limited to 1,200 square feet of total gross floor area.~~
 - ~~3. Commercial activities limited to: woodworking, welding, professional services such as day care, modeling, dancing, and photography studios, hair care and similar services, plumbing and electrical contractors and similar services, and limited retail sales.~~

5. Standards for Special Situations

~~4. Insure~~ **Ensure** the health, safety and welfare of the surrounding community by imposing additional, reasonable safeguards as it shall deem appropriate.

~~5. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~

F. To permit the dividing of a parcel in the Highway Commercial Development District resulting in a parcel which does not possess the required road frontage, provided that:

1. Joint access is provided and established through a joint access agreement between property owners. ~~The joint access agreement must specify responsibility for access improvements necessitated by the development of either lot;~~

2. Except for road frontage, all other requirements of this Ordinance shall be adhered to; and

3. No more than one (1) non-conforming lot is created and that parcel is deed restricted such that it cannot be further subdivided unless all of the platting requirements are met; and

4. The parent parcel must conform to the road frontage requirements of this Ordinance and must abut a state or county approved roadway; and

~~5. The division of the parent parcel does not result in the creation of a flag lot; and~~

6. An access management plan for the minor subdivision must be approved by the County Engineer as provided in Section 4.05.00.

~~7. Provide a statement showing how the division of property without road frontage will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~

G. To allow the temporary use of a mobile home or recreational vehicle as a guest residence within any residential zoning district due to medical hardship if the following conditions are met:

1. The need for medical care must be certified in writing by a physician licensed in the State of Florida stating the medical hardship and specifying the extent of the need for in-house medical care and approximate length of time for the in-house medical need.

2. A mobile home or recreational vehicle for temporary use shall not exceed 1,300 square feet in size.

3. Both the primary residence and the mobile home or recreational vehicle must be located on a parcel with the same property identification number.

5. Standards for Special Situations

4. Either the caregiver and their immediate family, or the person in need of medical care may occupy the mobile home or recreational vehicle.
5. To avoid overcrowding on a parcel, the minimum lot size for the primary dwelling and mobile home shall be one-quarter acre in all zoning districts for those parcels utilizing public sewer, as long as lot coverage and setback requirements of the relevant zoning district are met. For those parcels utilizing septic tanks, the minimum lot size shall be one-half acre, as long as lot coverage and setback requirements of the relevant zoning district are met.
6. The mobile home or recreational vehicle must have available adequate water, sewer (septic tank), solid waste removal, and electric service. The building inspections department shall inspect the utility connections and shall verify that the mobile home or recreational vehicle complies with hurricane safety requirements.
7. A survey or site plan is required and must be drawn to scale and show the location of all existing structures, the proposed location of the mobile home, and all required setback distances.
8. The mobile home or recreational vehicle must be located behind the ~~principle~~ **principal** dwelling, be separated from the principle dwelling by at least 10 feet and shall observe all setback requirements for the main building.
9. Once the mobile home or recreational vehicle is placed upon the property, the wheels and axles shall not be removed, and no building permit shall be approved for additions to the mobile home, except for handicapped access ramps. RV's must be fully licensed and ready for highway use, which means the recreational vehicle or park model is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanent attachments such as additions, rooms, stairs, decks and porches unless required for disability access.
10. The ZB shall determine that the temporary use is the minimum necessary to afford relief due to a medical hardship which is defined as a condition of health whereby a person requires temporary in-house medical care and assistance by another but where circumstances make it difficult or impossible for the caregiver to reside in the same dwelling as the person in need of such care.
11. The ZB shall make a compatibility finding that the temporary use will not have an adverse impact on the use of surrounding properties.

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12. The temporary use of a mobile home or recreational vehicle as a guest residence due to medical hardship may be initially granted for a period of up to two years. One additional extension of up to two years may be granted by the ZB based on a physician's confirmation of the continuation of the hardship, and a finding of no changed circumstances, which would alter prior findings made by the ZB, filed prior to the two-year expiration date. The fee for notice, signage, and legal advertisement requirements shall apply to such extensions.

13. When the medical hardship ends, or an extension is denied, or upon expiration of the initial approval, or upon expiration of the additional two-year extension, the mobile home must be removed from the site within 60 days. Thereafter, code enforcement procedures will be instituted against the property owner to remove the mobile home. Only the ZB, based on competent and substantial evidence or just cause, may extend the 60-day period.

~~14. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~

H. To permit the dividing of a parent parcel in the RR-1, R-1, R-1M, and R-1A zoning districts, resulting in a parcel(s) which will not possess **adequate existing county-maintained or county-approved street frontage** the required road frontage. A parent parcel is defined as those lots of record as of October 22, 1998. A parent parcel may be subdivided with the following provisions:

1. A parent parcel may only be subdivided to create a maximum of three (3) new lots which do not meet minimum road frontage requirements. The three new lots will include the remainder of the parent parcel if road frontage requirements cannot be met;
2. No new County roads are created;
3. ~~An easement maintenance agreement between property owners or~~ an access easement (minimum width 20 feet) included in the deed is required;
4. Property being divided shall not be located within a recorded platted subdivision;
5. The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;
6. Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to; and
7. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity.

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- ~~8. Provide a statement showing how the division of property without road frontage will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~
- ~~I. To allow the temporary (seasonal) use of recreational vehicles (RVs) located in the Agriculture Rural Residential (AG-RR), Estate Residential-Agriculture (AG-1) or Agriculture-2 (AG-2) districts on parcels less than five (5) acres in size, subject to the following requirements:~~
 - ~~1. The property owner shall provide for the lawful disposal of all waste.~~
 - ~~2. Commercial use of recreational vehicles in Agriculture or Agriculture-2 districts is prohibited. RVs or RV space may not be leased.~~
 - ~~3. The recreational vehicle must adhere to the setback requirements for accessory building and structures found in Section 5.02.02.~~
 - ~~4. The placement of the RV shall not have any adverse impact upon adjoining or nearby properties.~~
 - ~~5. The Zoning Board may impose additional criteria or restrictions, including but not limited to time limits and number of units, based on site-specific circumstances and characteristics to assure compatibility with adjacent uses.~~
 - ~~6. Provide a statement showing how the use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~

5.07.00 CONDITIONAL USES

5.07.01 Generally

Specific Uses are identified in Tables 2.03.02 a – c, as allowable subject to conditional use approval because they have a greater potential detriment to other uses.

Conditional Uses are not of right, these uses must comply with the standards applicable to the zoning district as well as the standards contained in this section and the specific standards contained in the following sections as applicable. Because conditional uses may intrude on the right to enjoy adjacent properties, the Zoning Board and Board of County Commissioners, when reviewing Conditional Uses has the discretion to impose conditions it determines necessary to satisfy required approval findings. Where there is conflict between a standard applicable to the zoning district and the following conditional use standards, the stricter standard shall be required.

5.07.02 General Provisions Regulating Conditional Uses

A conditional use shall be reviewed by the Zoning Board and a recommendation for approval made to the Board of County Commissioners provided the Board finds that:

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- A. The proposed use is so designed, located and proposed to be operated so that the public health and welfare will be protected.
- B. The proposed use will not unduly adversely affect other property in the impacted area which it is located.
- C. The proposed use will not have an adverse effect on existing traffic patterns.
- D. The proposed use will not impair an adequate supply of light and air to adjacent properties.
- E. There will be no adverse effect on water, sewage and drainage in the surrounding area.
- F. The proposed use is consistent with the Goals, Objectives, and Policies of the Santa Rosa County Comprehensive Plan.
- G. The proposed use satisfies any applicable, specific criteria stipulated for such use described below.
- ~~H. The proposed use will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~

5.07.03 Criteria Regulating Conditional Uses

All approved conditional uses shall be developed and maintained as approved by the Board of County Commissioners as applicable. Failure to do so shall constitute a violation of this ordinance. In addition to the general provisions cited above, a conditional use shall be permitted by the Board of County Commissioners provided the Board finds that the proposed conditional use complies with the following requirements:

- A. Administrative Services, Business and Professional Offices and Medical Services
 - 1. Sites shall be located within the more highly accessible portions of the respective residential district and near commercial district boundaries, thereby serving as a logical transitional use between residentially and commercially developed areas in the impacted area; and generally should be located on a major thoroughfare as opposed to a local residential street; and where not located on a major thoroughfare, the site should not be adjacent to a single family residential district. Medical Services shall only be allowed as a conditional use within R-3 zoning districts and not within AG-RR and AG-1 zoning districts.
 - 2. The proposed use shall not unreasonably increase traffic on local residential streets in the impacted area.
 - 3. Interior displays generally should not be visible from the exterior of the building, but where visible, they shall be in harmony with the residential character of the impacted area.

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4. In an R-3 district, the use shall not include retail sales as a principal activity.

5. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion, or other potential nuisances or hazards to continuous residential properties.

6. In an R-3 district, medical office buildings may include as an accessory use an apothecary limited primarily to the preparation and sale of medicine and medical related goods, but, if the apothecary is developed as an accessory use to a medical office building, it shall not exceed five hundred (500) square feet or twenty-five percent (25%) of the gross floor area of any single story within the building.

B. Child Care Services

1. Site shall be located within the more highly accessible portions of residential districts near major thoroughfares so as to discourage traffic along local residential streets in the impacted area.

2. No such facility shall be permitted on a zone lot unless it contains a minimum of seven thousand five hundred (7,500) square feet.

3. One accessory off-street parking space shall be provided for each five (5) children accommodated in the childcare facility.

4. Special passenger loading and unloading facilities shall be provided on the same lot for vehicles to pick-up or deliver clientele. Such facilities shall include driveways that do not require any back-up movements by vehicles to enter or exit the premises.

5. All regulations of the State of Florida as amended hereafter that pertain to the use shall be satisfied.

6. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion, or other potential nuisances or hazards to contiguous residential properties.

C. Civic or Cultural Activities and Clubs

1. Sites shall be located within the more highly accessible portions of respective residential districts and near commercial district boundaries, thereby serving as a local transitional use between residentially and commercially developed area in the impacted area; and generally should be located on a major thoroughfare as opposed to a local residential street; and where not located on a major thoroughfare, the site should not be adjacent to a single family residential district.

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2. The proposed use shall not unreasonably increase traffic on local residential streets in the impacted area.
3. The scale, intensity, and operation of the use shall not generate unreasonable noise, traffic, congestion, or other potential nuisance or hazards to contiguous residential properties.
4. Off-street parking shall be provided based on one (1) space for each four (4) seats in an assembly area within the facility, or one (1) space for each five (5) members, or one (1) space for each seventy-five (75) square feet of gross floor area, whichever is the greater.

D. Private Educational Institutions

1. ~~High schools~~ **Sites** shall be located within the more highly accessible portions of residential districts near major thoroughfares so as to discourage traffic along local residential streets.
2. Depending on the type facility proposed, the minimal spatial requirements for the site shall be similar to standards utilized by the Santa Rosa County School Board and for the State of Florida.
3. No main or accessory building shall be located within twenty-five (25) feet of any side or rear lot line.
4. The applicant, ~~if other than the Santa Rosa County School Board or other public education agency,~~ shall demonstrate a program of systematic instruction and site development plan reasonably conforming with customary standards for respective forms of similar instruction.
5. The applicant shall submit a description of anticipated service areas and projected enrollment by stages if appropriate and relate the same to a development plan explaining:
 - a. area to be developed by construction phase;
 - b. adequacy of site to accommodate anticipated facilities, enrollment, recreation areas, off-street parking and pedestrian and vehicular circulation;
 - c. safety features of development plan; and
 - d. landscaped areas, especially treatment of property lines in close proximity to abutting residential properties.

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E. Golf Courses

1. Sites shall be located within the more highly accessible portions of residential districts near major thoroughfares so as to discourage traffic along residential streets in the impacted area.
2. The proposed use shall not unreasonably increase traffic on local residential streets in the impacted area.
3. Development features, including the principal and accessory building and structures, shall be so located and related as to minimize the possibility of any adverse effects upon adjacent properties.
4. The minimum number of off-street parking spaces to be provided shall be four (4) spaces per hole, plus one (1) space per employee, plus spaces as required under Section 4.06.02 for other activities developed on the premises.

F. Guest Houses, (or Boarding Houses) and Transient Quarters

1. Sites shall be located near major thoroughfares so as to discourage traffic along local residential streets. The minimum size lot required shall be fifteen thousand (15,000) square feet.
2. Interior displays visible from the exterior of the building shall be harmonious with the character of the impacted area.
3. The proposed facility shall comply with applicable regulations in the State Division of Hotels and Restaurants cited in the Florida Administrative Code.
4. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion, or other potential nuisances or hazards to contiguous residential properties.

G. Nursing Homes and group homes housing seven (7) or more residents

1. A description of the program of service shall be submitted with application and the applicant shall demonstrate that the method of operation and delivery of such health services and daily care shall be in compliance with all relevant state and federal standards for operation of nursing homes.
2. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties.
3. When located in the R-2, R-2M, or R-3 districts, sites shall be situated within the more highly accessible portions of the residential districts near major thoroughfares. When located in the R-2 districts, a nursing home site in addition to the above shall abut a less restrictive

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district. The intent is to minimize potential adverse impact on the established residential neighborhoods and assure that sites are accessible to major thoroughfares.

H. Places of Worship

1. Sites shall be located within more highly accessible portions of residential districts near major thoroughfares so as to discourage traffic along local residential streets of the impacted area.
2. The minimum site for places of worship in residential districts shall be fifteen thousand (15,000) square feet, except within R-1, R-1A, and R-1M zones the minimum size lot shall be one-half acre.
3. No main or accessory building shall be located within fifty (50) feet of any side or rear lot line.
4. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties.

I. Recreation and Park Areas **Passive Park:**

1. Recreation and park areas **Passive Park uses** limited to the following: ~~baseball fields, basketball courts, bathing beaches, benches, bicycle paths, boat dock, boat launching ramp, botanical garden, cooking grills,~~ **multi use paths**, ~~fishing pier, football field, horseshoe pitching courts, handball /racquetball courts, lawn bowling,~~ **parks and greenbelt areas, picnic areas**, picnic tables, **walking paths**, ~~softball fields, shuffleboard courts, soccer fields, swimming pool, tennis courts, track and field facilities.~~
2. Any public recreation or park site **passive park** proposed for public recreation shall comply with standards and policies contained in the County Comprehensive Land Use Plan.
3. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties.
4. Site plan approval is required by the Planning and Zoning Department pursuant to Section 4.02.00 et. Seq. Of this ordinance. Additionally, the site development plan for land use improvements shall provide for such an arrangement and location of uses and facilities on the land as to give the maximum possible separation from and protection to, contiguous and nearby residential property. Where the nature of the activities or facilities on the land present any potential hazard or detriment to contiguous residential properties arising from noise, glare, dust, vibration, flying objects, or traffic or parking, protection to such contiguous

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residential properties shall be provided in the form of open spaces, fences, walls, hedges, plantings, enclosures and/or other such means as may be appropriate and effective to prevent or minimize such hazards.

5. Yards:

a. No parking shall be located within twenty-five (25) feet of any residentially zoned property.

b. No structure, (except benches, tables, sitting areas, fountains, fences, or walls) as hereinafter provided, shall be provided, shall be located within twenty-five (25) feet of any property line.

6. Open space and landscaping is **are** permitted or required in accordance with the requirements set forth in Section ~~Seven~~ **4.07.00.**

7. Parking shall be required in accordance with the requirements set forth in Section 4.05 ~~6.02.~~

8. Fences and Walls:

a. Fences and walls are permitted or required in accordance with the requirements set forth in 5.02.00.

~~**b.** No fence or wall shall be erected within twenty-five (25) feet of any street line.~~

c. No fence or wall shall be situated within twenty-five (25) feet of any residentially zoned property line shall exceed six (6) feet in height.

9. Signage is permitted in accordance with the requirements set forth in Section 4.09 ~~10.00.~~

10. Facilities for refuse collections and removal of solid wastes shall be provided pursuant to Section 5.02 ~~3.00.~~

J. Public and Private Utilities and Public Facilities

1. The location of such facility shall be situated on a site providing the most effective service to such area. The applicant shall demonstrate that such proposed sites are located effectively relative to the service area and that the site proposed is at least equal to the effectiveness of other alternative sites.

2. The location of such facility shall not unreasonably increase traffic on streets in the impacted area.

3. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or

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hazards to contiguous residential properties.

4. General office facilities of a utility shall be located in commercial districts.
5. County facilities shall be allowed in any district.
6. There shall be no time limit placed upon the approval of the Zoning Board for public and private utilities.
7. No height variance is required for a conditional use approval for a water tower.
8. Facilities that are not accessed by the public may reduce internal drive widths to 16-foot wide, clear access ways with a 12-foot wide, stabilized access road. All driveway connections to county or state right-of-way must meet the standards as set forth in Section 4.05.02.C.6.
9. Specifications for Solar Electrical Generation Facilities not located within Agricultural zoning districts:
 - a. The minimum parcel size for a solar electrical generating facility shall be 10 acres.
 - b. A minimum twenty-five (25) foot natural vegetative buffer shall be provided between all upland activities and wetlands. However, impacts to the wetlands may be allowed to the extent permitted by the state, regional, and federal agencies, provided impacts are offset by mitigation consistent with said agencies.
 - c. 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 Chapter 44 of the Code of Federal Regulations as well as Santa Rosa County floodplain management regulations.
 - d. State or federally listed plant or animal species shall be protected pursuant to the requirements of the Florida Fish and Wildlife Conservation Commission or the United States Fish and Wildlife Service.
 - e. Except for security fencing, project signs and access paths, no solar electrical generating facility structure or equipment, shall be located within twenty five (25) feet of the property line. Buffers shall not be required between abutting solar facilities. Maintenance buildings and administrative offices shall not be located less than twenty-five (25) feet.

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- f.** Except for required landscaping abutting residential uses, solar electrical generation facilities shall be exempt from all other landscape requirements as described in Section 4.07.00.
- g.** Within the first ten (10) feet of the twenty five (25) feet setback to residential uses or residential zones, native grasses and shrubs shall be retained to provide a minimum six (6) foot high, fifty (50) percent 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 to ensure meeting of the fifty (50) percent opacity requirement at the time of installation.
- h.** Retention of existing vegetation and/or temporary fencing and screening may be required where appropriate to minimize impacts during construction.
- i.** The following maximum height provisions shall apply

 - 1)** Security fencing: Eight (8) feet
 - 2)** Project signs: Nine (9) feet
 - 3)** Solar Panels or modules: Fifteen (15) feet
 - 4)** Buildings: Twenty-five (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 one hundred (100) feet in height must be approved by the Aviation Advisory Committee.
- j.** The area of the solar panels and the transmission lines shall not be considered in the calculation of the Floor Area Ratio provided, however, that the area encumbered by supporting structures shall be considered in stormwater calculations and management plans.
- k.** Development order approval in accordance with Section 4.02.07 is required prior to the construction of a solar electrical generation facility. Building permits are not required for structures of facilities of electrical 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

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part of its review of the solar electrical generation facility under this Section.

- m. All proposed solar electrical generating facilities shall be reviewed by the United States Navy and United States Air Force for mission compatibility prior to a development order approval by Santa Rosa County.

K. Accessory parking lots

1. The off street parking area must serve, as an accessory use, a commercially zoned parcel of land on which a permitted principal commercial use is located and may not be used to meet the minimum requirements specified for the principal use being served.
2. When the frontage of any parcel to be utilized for accessory parking is opposite a single-family residential zone, then that frontage shall not be utilized for ingress and egress.
3. Accessory parking shall be limited to the free parking of vehicles by employees or patrons of the principal commercial use being served. The parking area shall not be used as a loading or unloading area, or as a location for a dumpster, repair work, dead storage, dismantling, display, sales, service of any kind, or for any other use except parking of vehicles. No building or structure of any kind, except fences and small directional signs without advertisement, shall be permitted in the off street parking.
4. The design of the off street parking area shall preserve a minimum of fifteen (15) percentage of the site for landscaped open space and additional open space, if required, for the surface water drainage pursuant to this code. The off street parking area shall not be a receiving ground for any water runoff from an abutting site of the principal commercial use being served by the parking area.
5. The applicant shall submit a site plan to the Planning and Zoning Department pursuant to Section ~~4.05.00~~ **4.02.07** of this Ordinance.
6. Removal of trees, commencement of construction or other activity shall not be undertaken before site plan approval has been granted by the Planning and Zoning Department. Tree removal permits shall be required within any area approved as an accessory parking area. Where any boundary for such off street parking directly abuts single family residentially zoned property or property zoned P 1 or P 2, a minimum twenty five (25) foot landscape strip shall be provided along the common property line between the single family residential or park zoned parcel. All street frontages shall provide a minimum ten (10) foot landscape strip.

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Plants shall be provided within this landscape strip to ensure that no parking or maneuvering area is visible from adjacent single family residential zones.

7. Canopy trees (approved by the Planning Director or their his/her designee) shall be installed within the required landscape strip and shall be spaced no greater than forty (40) feet on center.

8. A fence or wall shall be permitted provided the fence or wall is not within the required setback area.

9. In addition to the above requirements, Performance Standards relative to landscaping shall govern the plant materials and quality requirements.

10. All plant material shall be maintained at a minimum height of six (6) feet after a one (1) year growth period commencing from final approval by the County Planning and Zoning Department.

11. Variance to any of these requirements is prohibited.

L. Multiple Family Dwelling Structures

1. The scale, intensity and operation of such use shall not generate unreasonable noise, congestion or other potential nuisances to contiguous residential properties.

2. Land may be developed to a maximum density of ten (10) units per acre provided bulk regulations as outlined in this ordinance and the more restrictive open space is applied to the entire parcel. The minimum width of any parcel being developed for multiple family purposes shall be one hundred (100) feet.

3. Site plan criteria including but not limited to buffering, fences, etc. Should be designed as to maximize compatibility with adjacent land uses of lesser intensity and provide for a smooth transition where greater or varying intensity in Land Uses exists.

4. Sites should be located within more highly accessible portions of the district nearest major thoroughfares or minor collector streets as opposed to internal residential streets.

5. Appropriate public services and facilities including, but not limited to, sanitary sewers, water supply, roads, etc. must be available.

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M. Private Air Strips

1. No commercial hangars or commercial use of such hangars shall be permitted.
2. Hangars shall be accessory to the principal structure and permitted on the same lot as the principal structure without size limitations.
3. Sites must comply with all federal, state and local regulations, including licensing, and shall not interfere with governmental or public airport operations.
4. The Board may make additional recommendations for appropriate conditions and safeguards as agreed upon by the applicant. Violation of such agreements shall be deemed a violation of these zoning regulations.

N. Vehicular Paint and Body Shops

1. All paint and body work activities must be performed in a fully-enclosed building, including paint booths approved by the appropriate governmental agencies.
2. Sites must be located within the more highly accessible portions of commercial districts, with limited proximity to residential districts.
3. Where abutting residential districts, an eight (8)-foot privacy fence must be provided for screening, and a twenty-five (25)-foot buffer must be maintained between any structure including accessory buildings and the property line.
4. One (1) parking space must be provided for each 400 square feet of gross floor area.
5. The scale, intensity and operation of the use shall not generate unreasonable noise or potential hazard to contiguous residential or commercial property and should be compatible to surrounding commercial uses.

O. Marinas

1. Marinas to be used primarily for the docking, servicing, storage, sales and rental of watercraft. Major repairs, construction or reconstruction of watercraft is prohibited.
2. Use of watercraft for residential purposes is prohibited.
3. The use shall comply with the following provisions:
 - a. Marina activities as herein defined and including minor repair, servicing and routine maintenance of marine watercraft such as bottom cleaning and painting, and minor topside work only in an enclosed structure except where impractical. In addition, sale and

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rental of watercraft and accessories are permitted. Rental watercraft may be kept in wet storage. All marina activities must conform to the following provisions:

- i. There shall be no permanent docking within thirty (30) feet of fuel pumps or other fueling equipment.
- ii. Except as provided in this section (below), there shall be no dry land storage of watercraft or trailers, except under a permanent roof. No watercraft shall be stacked upon the other except under a permanent roof. Parking facilities shall be provided on the basis of one (1) space for each (3) watercraft storage slots and, in addition, all other parking requirements and design specifications in Section 4.06.00 of this Ordinance shall be satisfied.
- iii. All docks and structures erected over the water shall be on piers permitting the free flow of water unless designed as a floating pier; no bulkhead shall be permitted to extend in public water to such a distance as to interfere with navigation and commerce.
- iv. No on shore engine repair shall be allowed except in designated repair areas screened from the public view.
- v. No fish (except bait) shall be kept or sold.
- vi. Facilities such as restaurants and bait and tackle shops shall be situated on uplands, except where the location of such facilities over public lands is found to be clearly in the public interest.
- vii. Roofed dockage (which for emphasis does not include vertical walls) and wet storage of marine pleasure craft when roof does not exceed one half of the total dockage area. Roofs over all slips in any marina shall be of uniform height not to exceed thirty five (35) feet above mean high water line and shall only cover the end of the pier nearest shore.
- viii. Major repairs such as construction or rebuilding of watercraft, installation of new bottoms or substantial structural additions or alterations are prohibited as these are industrial in nature.
- ix. Storage of all motors not attached to watercraft shall be within buildings. Storage of watercraft on trailers, with or without outboard motors, shall be permitted only for sale or

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rental purposes without permanent roofing or screening. Trailers with or without watercraft thereon for sale, rental or repairs shall be located within a parking area screened from the public view by ornamental fence, wall or landscape enclosure not to exceed six (6) feet in height. Parking areas shall be approved through site plan approval process by the County Planning and Zoning Department.

P. Restaurants (Drive-Ins) within Bagdad Historic District

1. Shall be located in the more highly accessible areas of Bagdad near or on the major through streets.
2. The Architecture, design and character of such restaurants should be in harmony and compatible with surrounding architecture to the greatest extent practical.
3. Minimum parking requirements as described in Section 4.05-06.02.B must be provided on the same lot.

Q. Hotels, Motels

1. Site shall be located within more highly accessible portions of the district nearest major thoroughfares so as to discourage traffic along local residential streets in the impacted area.
2. The minimum width of any parcel developed for hotel/motel shall be 100 feet when measured at the road right-of-way.
3. Site plan criteria including but not limited to buffering and fences should be designed so as to maximize compatibility with adjacent land uses of lesser intensity. In HC-1 districts the architectural design should be compatible with surrounding architecture to the greatest extent practical.

R. Commercial Parking Lots

1. The design of the off-street parking area shall preserve a minimum of fifteen (15) percent of the site for landscaped open space plus additional space as required for surface water drainage pursuant to this code.
2. Where any boundary of such parking lot abuts single-family zoned property, a minimum of twenty-five (25) foot landscape strips shall be provided along the common property line. All street frontages shall provide a minimum ten (10) foot landscape strip.
3. Site plan review as outlined in Section 4.02.07 will be required.

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S. R-1 and R-2 Single Family Development

1. Platting requirements as outlined in Chapter Four (4) of this ordinance are required for all subdivisions.
2. Provisions as outlined in Tables 2.03.02.a, 2.04.02a and 2.05.02.a must be adhered to if platting for smaller lots if consistent with adjacent zoning for plat.
3. Sites should be located so as to maximize compatibility with adjacent land uses and minimize an adverse impact by screening and buffering from adjoining existing incompatible uses.

T. Restricted Sales and Services

1. Sites must be located within the more highly accessible portions of agricultural districts, in the vicinity of a major thoroughfare.
2. A twenty-five (25) foot setback must be maintained between any structure, including accessory buildings, and the property line.
3. One (1) parking space must be provided for each 250 square feet of gross floor area.
4. The scale, intensity and operation of the use shall not generate unreasonable noise or potential hazard to contiguous uses and should be compatible to surrounding commercial uses.
5. The maximum building size shall be 3,000 square feet.

U. Recreational Vehicles as living quarters during a construction project

1. For sites located in residential zones, the proposed use shall be used by the property owner during the construction of the primary residence.
2. For sites located in commercial and industrial zones, the use may be allowed for security purposes during a construction project.
3. A permit is required for the temporary use of the recreational vehicle.
4. Only one (1) recreational vehicle can be located and used as a temporary living quarter per lot of record or project parcel.
5. The recreational vehicle must be located on private property in such a way as to not interfere with the use or enjoyment of any adjacent public or private property,
6. All waste must be disposed of in a lawful manner.
7. All electrical or utility connections to the recreational vehicle must be properly permitted.

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8. Recreational vehicles used on properties located in flood zones must remain ready for immediate highway use.

9. The use of the recreational vehicle as a living quarter may in no case exceed 12 months and must cease with the issuance of the first certificate of occupancy.

V. Recreational Activities Active Park:

1. ~~Recreational activities~~ Active Park uses limited to the following: all uses allowed in the Passive Park Conditional Use, archery range, baseball, basketball courts and/or football fields, bicycle path, boat anchorage, boat dock, boat launching ramp, botanical gardens, cabanas, campground, cemetery, concession stands, equestrian events, excursion/ or charter boat dock, fishing pier, floral gardens, football fields, handball or racquetball courts, horseshoe pitching courts, indoor rifle and pistol range, lawn bowling, outdoor rifle and pistol range, ~~basketball courts~~, ~~boat anchorage~~, ~~boat launching ramp~~, ~~bridle trails~~, ~~lawn bowling~~, ~~cemeteries~~, ~~concession stands~~, ~~fishing pier~~, ~~horseshoe pitching courts~~, ~~public park~~, ~~indoor rifle and pistol range~~, pickle ball courts, recreational vehicle park, rodeos, shuffleboard courts, soccer fields, softball field, stadium and bleachers, ~~shuffleboard courts~~, ~~soccer fields~~, tennis courts, track and field facilities, volleyball courts, water oriented recreational uses (boating, diving, fishing swimming, surfing, wading, water skiing), wedding venues. However, and rifle, pistol ranges shall only be allowed as a conditional use in AG-RR, AG-1, and AG-2 districts.

Recreational activities Active Parks in NB-SF, NB-MD, NB-MHD, NB-HD, NB-C, NB-H, NB-PMUD, HCD, C-1M, C-2M, AG-RR, AG-1, and AG-2 may be private enterprise (private ownership for profit) or publicly held (state or county) activities.

The following ~~recreational activities~~ active park uses in all residential districts (RR-1, R-1, R-1A, R-1M, R-2, R-2M and R-3) must be public held (state or county) or non-profit activities and limited to: baseball, basketball courts, and/or football fields, bicycle path, ~~public boat dock~~, boat launching ramp, botanical gardens, cabanas, cemetery, football fields, handball or racquetball courts, ~~basketball court~~, ~~boat launching ramp~~, ~~lawn bowling~~, ~~fishing pier~~, floral gardens, ~~horseshoe pitching court~~, lawn bowling, pickleball courts, ~~public park~~, shuffleboard courts, soccer fields, softball field, ~~shuffleboard courts~~, ~~soccer fields~~, tennis courts, track and field facilities.

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2. Site plan approval is required by the Planning and Zoning Department pursuant to Section 4.02.00 et seq. of this ordinance. Additionally, the site development plan for land use improvements shall provide for such an arrangement and location of uses and facilities on the land as to give the maximum possible separation from and protection to, contiguous and nearby residential property. Where the nature of the activities or facilities on the land present any potential hazard or detriment to contiguous residential properties arising from noise, glare, dust, vibration, flying objects or traffic or parking, protection to such contiguous residential properties shall be provided in the form of open spaces, fences, walls, hedges, plantings, enclosures and/or by other such means as may be appropriate and effective to prevent or minimize such hazards.
3. Yards:
 - a. No parking area shall be located within twenty-five (25) feet of any residentially zoned property.
 - b. No structure, (except benches, tables, sitting areas, fountains, fences or walls) as hereinafter provided, shall be provided, shall be located within twenty-five (25) feet of any property line.
4. Open space and landscaping is are permitted or required in accordance with the requirements set forth in Section ~~Seven~~ 4.07.00.
5. Parking shall be required in accordance with the requirements set forth in Section 4.05-~~6~~.02.
6. Fences and Walls:
 - a. Fences and walls are permitted or required in accordance with the requirements set forth in Section 5.02.00.
 - ~~b. No fence or wall shall be erected within twenty-five (25) feet of any street line.~~
 - c. No fence or wall shall be situated within twenty-five (25) feet of any residentially zoned property line shall exceed six (6) feet in height.
7. Signage is permitted in accordance with the requirements set forth in Section 4.09.00.
8. Facilities for refuse collections and removal of solid wastes shall be provided pursuant to Section 5.02.02.

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W. Distillery

1. All activities shall be contained in a fully enclosed building.
2. If noise is associated with the operation, then the operation must be housed in a fully enclosed soundproof building.
3. Gross floor area of the distillery area shall not exceed five thousand (5,000) square feet. Storage area shall not exceed three thousand (3,000) square feet. Office and administrative areas shall not be restricted by square footage.
4. There shall be no adverse visual effects to adjoining properties.
5. It shall be buffered from adjoining properties at the discretion of the Planning and Zoning Department, in order to eliminate any adverse impact to the area.
6. Loading and unloading docks shall be to the rear of the building.
7. No outside storage of any kind.
8. There shall be no more shipping and receiving activities than normally expected with a general retail sales and service business.
9. The activity shall be free from danger of fire, explosions, toxic and noxious matter, radiation, dust, or other particulate matter, and other hazards from offensive noise, vibration, glare and other objectionable influences.
10. Building and facilities shall not be of design to be incompatible with other building designs.

X. Kennels

1. All activities shall be located within a fully enclosed soundproof building.
2. Exercise runs shall be completely screened by a an eight (8) foot privacy fence or wall.
3. The animals are to be kept inside the soundproof building except for occasional brief exercise periods in the runs.
4. There shall be no odors, noise, or visual effects detectable from the adjoining properties.

5. Standards for Special Situations

Y. Limited Manufacturing and assembly

1. All activities in manufacturing and assembly shall be limited to:
 - a. All activities shall be contained in a fully enclosed building.
 - b. If noise is associated with the operation, then the operation must be housed in a fully enclosed soundproof building.
 - c. Gross floor area of the manufacturing and assembly area shall not exceed five thousand (5,000) square feet. Storage area shall not exceed three thousand (3,000) square feet. Office and administrative areas shall not be restricted by square footage.
 - d. There shall be no adverse visual effects to adjoining properties.
 - e. It shall be buffered from adjoining properties at the discretion of the Planning and Zoning Department, in order to eliminate any adverse impact to the area.
 - f. Loading and unloading docks shall be to the rear of the building.
 - g. ~~No outside storage of any kind.~~ **Outside storage may be allowed per section 4.02.07.K**
 - h. There shall be no more shipping and receiving activities than normally expected with a general retail sales and service business.
 - i. The activity shall be free from danger of fire, explosions, toxic and noxious matter, radiation, dust, or other particulate matter, and other hazards from offensive noise, vibration, glare and other objectionable influences.
 - j. Truck or bus terminal facilities are prohibited.
 - k. Building and facilities shall not be of design to be incompatible with other building designs.

Z. Wholesale plant nurseries and landscape services

1. The scale, intensity and operation of such use shall not generate unreasonable noise, congestion, or other potential nuisances to contiguous residential properties.
2. Site plan criteria including, but not limited to buffering, fences, etc. should be designed so as to maximize compatibility with adjacent land uses of lesser intensity and provide for a smooth transition where greater or varying intensity of land uses exist.

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3. Sites should be located within more highly accessible portions of the district nearest major thoroughfares.
4. The Board may make additional recommendations for appropriate conditions and safeguards as agreed upon by the applicant. Violation of such agreements shall be deemed a violation of these zoning regulations.

AA. Trade Service and Repair

1. All trade service and repair activities must be performed in a fully-enclosed building.
2. Sites must be located within the more highly accessible portions of agricultural districts, with limited proximity to residential districts.
3. Where abutting residential districts, an eight (8) foot privacy fence must be provided for screening, and a twenty-five (25) foot buffer must be maintained between any structure including accessory buildings and the property line.
4. One (1) parking space must be provided for each 400 square feet of gross floor area.
5. The scale, intensity and operation of the use shall not generate unreasonable noise or potential hazard to contiguous residential or commercial property and should be compatible to surrounding commercial uses.

BB. Veterinary Medical Services

1. Site shall be located within the more highly accessible portions of the agricultural districts, and generally should be located on a major thoroughfare; and where not located on a major thoroughfare, the site should not be adjacent to a single-family residential district.
2. The proposed use shall not reasonably increase traffic on local residential streets in the impacted area.
3. Interior displays generally should not be visible from the exterior of the building, but where visible, they shall be in harmony with the residential character of the impacted area.
4. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion, or other potential nuisances or hazards to continuous residential properties.
5. All activities shall be located within a fully enclosed, soundproof building.

5. Standards for Special Situations

6. Exercise runs shall be completely screened by a an eight (8) foot privacy fence or wall.

7. The animals are to be kept inside the soundproof building except for occasional brief exercise periods in the runs.

CC. Towers and Telecommunications Facilities

1. Towers and Telecommunications Facilities must meet the standards in Section 5.04.00

DD. Public Fairgrounds

1. The scale, intensity, and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to surrounding residential properties.

2. Site plan approval is required by the Planning and Zoning Department pursuant to Section 4.02.00 et. Seq. of this ordinance. Additionally, the site development plan for land use improvements shall provide for such an arrangement and location of uses and facilities on the land as to give the maximum possible separation from a protection to, contiguous and nearby residential property. Where the nature of the activities or facilities on the land present any potential hazard or detriment to contiguous residential properties arising from noise, glare, dust, vibration, flying objects, or traffic or parking, protection to such contiguous residential properties shall be provided in the form of open spaces, fences, walls, hedges, planting, enclosures and/or other such means as may be appropriate and effective to prevent or minimize such hazards.

3. Yards:

a. No parking shall be located within twenty-five (25) feet of any residentially zoned property.

b. No structure, (except benches, tables, sitting areas, fountains, fences or walls) as hereinafter provided, shall be located within twenty-five (25) feet of any property line.

4. Open space and landscaping ~~is~~ are permitted or required in accordance with the requirements set forth in Section ~~Seven~~ 4.07.00.

5. Parking shall be required in accordance with the requirements set forth in Section ~~Seven~~ 4.06.02.

5. Standards for Special Situations

6. Fences and Walls:

a. Fences and walls are permitted or required in accordance with the requirements set forth in Section 5.02.00

~~b. No fence or wall shall be erected within twenty-five (25) feet of any street line.~~

c. Any fence or wall situated within twenty-five (25) feet of any residentially zoned property line shall not exceed six (6) feet in height.

7. Signage is permitted in accordance with the requirements set forth in Section 4.09 10.00

8. Facilities for refuse collections and removal of solid wastes shall be provided pursuant to Section ~~Seven~~ 5.02.03.

9. Roadways for ingress and egress shall be reviewed to determine if they are suitable for the vehicles and loads to be used and if there are any adverse impacts on County rights-of-way or roadways.

10. The approval for Conditional Use shall be for the operation of a public fair. If the applicant proposes additional uses for the property, those uses may be considered as part of the original conditional use application. However, each use shall be evaluated with the appropriate conditional use criteria.

EE. Commercial Outdoor Amusement Activities

1. Commercial outdoor amusement activities including but not limited to skateboard parks, for-profit carnivals or fairs, miniature golf facilities, and zoos.

2. The scale, intensity, and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to surrounding residential or commercial properties.

3. Sites should be located within more highly accessible portions of Commercial districts nearest major thoroughfares or minor collector streets as opposed to internal residential streets.

4. Site plan submitted with the conditional use application shall demonstrate that the site will be designed to maximize compatibility with adjacent land uses of lesser intensity and provide for a smooth transition where greater or varying intensity in land uses exist. When the site abuts residential districts, an eight (8) foot privacy fence must be provided for screening, and a twenty-five (25) foot vegetative buffer, according to Section 4.06.04, must be maintained between the activity and the property line.

5. Standards for Special Situations

5. If the site abuts or is within three hundred (300) feet of a residential zoning District, the following restrictions on lighting and noise shall apply:

a. The total cutoff light shall be at an angle of less than ninety (90) degrees and shall be located so that the bare light bulb, lamp, or light source is completely shielded from the district view of an observer five (5) feet above the ground where the cutoff angle intersects the ground and so that no light can be viewed for said residential districts.

b. Loudspeaker, announcement systems, music and other noises shall be located with respect to the zoning district boundaries that the level of sound, as measured in decibels, at the property line shall not exceed 40 db during the hours of 9 a.m. to 6 p.m. or 35 db during the time period from 6 a.m. to 10 p.m. when any commercial outdoor amusement activity so located shall close.

6. Setbacks for any commercial outdoor amusement activity, including uses and structures, shall be at least fifty (50) feet from all property lines. When such commercial amusement activity abuts residential zoning districts, the setback shall be at least two hundred (200) feet from those property lines.

FF. Development in Public Airport Environs Zones

Conditional Uses Located within Public Airport Environs Zones must meet the Conditional Use Criteria in Chapter 8.02.03.

GG. Development in Military Airport Environs Zones

Conditional Uses Located within Military Airport Environs Zones must meet the Conditional Use Criteria in Chapter 8.03.03.

HH. Family Homestead: To permit the dividing of a parcel in the AG zoning districts, resulting in a parcel(s) which will not possess adequate existing county-maintained or county-approved street frontage.

1. **No new County roads are created;**
2. **An access easement (minimum width 20 feet) included in the deed is required;**
3. **Property being divided shall not be located within a recorded platted subdivision;**
4. **The maximum allowable density of the parcel created shall not exceed the allowable density of the respective zone;**
5. **Except for street frontage and that which is herein contained, all other requirements of this ordinance shall be adhered to;**

5. Standards for Special Situations

6. The new parcel size, use and configuration must be consistent with existing residential uses in the vicinity;
7. Division of property to be used solely as a homestead by an owner-applicant who is the grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, niece, nephew, aunt, uncle or grandchild of the person who conveyed the parcel to such applicant. An affidavit of qualifying family relationship shall be filed with the application for this conditional use and shall be recorded in the Official Records of Santa Rosa County, Florida, at the expense of the applicant. This exception shall apply only once to any owner-applicant. The conditional use division will expire two years after approval unless execution of the division affidavit and property transfer has occurred.
8. A parcel of record shall not be allowed to be divided more than three (3) times as a family division.

6. Concurrency

Chapter 6. Concurrency Management and Infrastructure Improvements Requirements

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6.01.00 GENERALLY

6.01.01 Purpose and Intent

This chapter sets forth the requirements regarding the design of public facilities and requirements to ensure that public facilities are available when needed to provide service to development.

Prior to the issuance of a development order or land development certificate, the system shall ensure that the adopted level of service standards in this Ordinance for potable water, sanitary sewer, solid waste, drainage, recreation and open space will be maintained. The County Planning Director, County Engineer, or Navarre Beach Director, or their designees, shall be responsible for ensuring developer compliance with the Concurrency Management System. Periodic reports on such compliance shall be provided the ZB, BOCC as appropriate.

6. Concurrency

6.02.00 CONCURRENCY MANAGEMENT SYSTEM

6.02.01 General Requirements

A. Under any of the following criteria, ~~the burden of demonstrating concurrency compliance shall be upon the developer or applicant.~~ Such information shall be compiled and quantified prior to requesting a Subdivision or Site Plan Review described in Chapter Four of this ordinance:

1. The planned activity involves combined land and water area (to include submerged land leased area) exceeding three (3) acres unless the application is for the construction of a single family house or residential duplex;
2. The development is a residential project including ten (10) or more dwelling units;
3. Development involves more than one thousand five hundred (1,500) square feet of non-residential floor space;
4. When development in aggregate with other requests for a development order (permit) exceeds any of the above limits; or

B. Capacity Allocation

1. Capacity shall be allocated on a first come-first served basis, i.e. reservation of capacity goes to the developer that first obtains approval to perform construction on the site. The allocation of capacity, however, shall be subject to the following sunset provisions:
 - a. Capacity approved and assigned to development project, but not reserved by the payment of impact fees (i.e., water, sewer, tap fees), shall be withdrawn if the development order for the project has expired in accordance with the provision of Chapter 4 of this Code.
 - b. If a development order expires for reasons beyond the control of the developer, capacity assigned may be retained by the developer for a period not to exceed any time period extension of a development order as approved by the Zoning Board, in accordance with Chapter 4 of this Code.
2. In cases where construction is phased by the developer over a period of time exceeding one year, reserved capacity for any, or all phases, shall be retained by the developer so long as construction has proceeded in accordance with the schedule on which capacity allocation was originally based. If construction activity ceases, or if phased development falls behind scheduled phases by a period of one-year following the issuance of a final development order, capacity allocation for

6. Concurrency

succeeding phases, if any, shall be withdrawn and made available to other developers on a first come-first served basis.

3. In the event of withdrawal of capacity following the issuance of a final development order or a building permit, it shall be incumbent upon the developer to reapply for capacity allocation if a continuation of the project is desired.

C. The County Planning Director, Navarre Beach Director or County Engineer, or their designees, shall not require concurrency findings when the planned activity is less than the limits provided in subpart (A) above.

6.02.02 Maintaining Levels of Service

In no case shall any part of the planned activity such as lot/plat improvement or building foundation commence without a finding of concurrency which establishes that levels of service will not be degraded, unless degradation is allowed pursuant to a policy in the adopted Comprehensive Plan.

A. Exceptions – Notwithstanding the foregoing, the LOS may be degraded during the actual construction of new facilities if upon completion the prescribed standards will be met.

B. Phased Construction – The construction of any development project may be phased or staged so as to coincide with the phased or staged construction of infrastructure facilities so that the levels of service for such facilities are maintained upon completion of each phase or stage of the development project.

6.02.03 Minimum Requirements

As a minimum, at least one (1) of the following standards will be met prior to issuance of a development order or land development certificate:

A. The necessary facilities and services are in place at the time a building permit is issued; or

B. A building permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of development occur; or

C. The necessary facilities are under construction at the time a development order, land development certificate or building permit is issued.

D. The necessary facilities and services as they relate to parks and recreational facilities are the subject of a binding executed contract for the construction of the facilities or the provision of the services at the time that the development permit is issued.

1. Construction of the facilities and services shall commence within one (1) year of the issuance of the building permit.

6. Concurrency

E. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220 F.S. or an agreement or development order issued pursuant to Chapter 380 F.S. Any such agreement shall include provisions pursuant to subparts A, B, or C above.

6.03.00 QUANTITATIVE METHODS FOR SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, RECREATION AND OPEN SPACE

6.03.01 Generally

For purposes of these regulations, ensuring that minimum standards are maintained requires calculation of existing capacity and planned new capacity or facilities less demand imposed by the planned development.

6.03.02 Adding Capacity

- A.** Add total capacity of existing facilities (sanitary sewer, solid waste, drainage, potable water, recreation and open space).
- B.** Add to the above, total capacity of new facilities, or facility expansions that will result from planned activity. Capacity of new facilities shall be counted only under one or more of the following conditions:
 - 1.** Construction of the new facilities is underway at the time of the issuance of a final development order.
 - 2.** The new facilities are the subject of a binding contract for the Construction of the facilities or the provision of services at the time of issuance of the final development order.
- C.** If the development application is for the redevelopment of improved property, add to the above the capacity created by the change in demand created by the redevelopment activity. Capacity credit shall be given for reduction in demand on facilities.

6.03.03 Subtracting Capacity

- A.** The demand for the service or facility created by existing development as documented by the provider of such facility or in the foundation documents of the Comprehensive Plan plus the demand upon any new facility, expansions, or improvements anticipated as a result of the planned activity.
- B.** Demand shall be calculated using the following adopted LOSs (all are minimum standards):
 - 1.** Sanitary Sewer - 90 gallons per capita per day.
 - 2.** Solid Waste - 6 pounds per capita per day

6. Concurrency

3. Drainage - retain the first inch of run-off on site; post development runoff shall not exceed the pre-developed run-off rate for all storm events, up to and including an event with a 24-hour duration, 100 year return frequency; post development run-off in constrained basins shall not exceed the pre-development run-off rate for a 10-year storm event during all storm events, up to and including an event with a 24-hour duration, 100 year return frequency; and post development run-off in closed basins shall be retained on-site for all storm events, up to and including the 24 hour duration, 100 year return frequency storm event.
4. Potable Water - 100 gallons per capita per day (average).
5. Recreation and Open Space - 20 acres per 1000 population.

6.03.04 Deficient Capacity

Where capacity is shown to be deficient, the following methods may be used to maintain adopted levels of service.

- A. The developer may agree to provide necessary capacity improvements to maintain levels of service.
- B. The planned activity may be reduced in scope so that demand does not exceed capacity.
- C. The developer may petition the County or service provider to provide required infrastructure to maintain LOS. THIS IS TO PROVIDE ONLY AN OPTION FOR CONSIDERATION BY THE COUNTY COMMISSION AND SERVICE PROVIDERS AND THE DECISION TO APPROVE SUCH PETITION RESTS SOLELY WITH THE BOARD OF COUNTY COMMISSIONERS AND/OR THE OFFICERS OF ANY INFRASTRUCTURE PROVIDER. Such a request, if financed from the Santa Rosa County General Fund, can be granted only under the following conditions:
 1. Planned activity will result in multiple benefits for the community whether economic, cultural, recreational or social.
 2. If such expenditure is authorized, the resulting capacity improvement shall be available to any other developer who may have been previously denied a development order for an identical capacity deficiency (or deficiencies).

6.03.05 Determination of Concurrency

Determination of concurrency in all measurable categories by the County must occur prior to the issuance of a final development order or land development certificate unless otherwise specified by Section 6.02.03.

- A. Sanitary Sewer - 90 gallons/capita day.
- B. Solid Waste - 6.0 lbs./capita day.

6. Concurrency

C. Drainage - Retain the first one inch of run off on site; post development run-off shall not exceed the pre-development run-off rate for all storm events, up to and including an event with a 24-hour duration, 100 year return frequency; post development run-off in constrained basins shall not exceed the pre-development run-off rate for a 10-year storm event during all storm events, up to and including an event with a 24-hour duration, 100 year return frequency; and post development run-off in closed basins shall be retained on-site for all storm events, up to and including the 24 hour duration, 100 year return frequency storm event.

D. Potable Water - 100 gallons per capita per day (average).

E. Recreation and Open Space - 20 acres per 1,000 population.

6.04.00 STORMWATER MANAGEMENT

Stormwater management requirements are found in Section 3.05.00 of this LDC.

7. Special Overlay Districts

Chapter 7. Special Overlay Districts

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7.01.00 GENERALLY

It is the intent and purpose of this Chapter to establish and adopt zoning overlay districts to govern the use of land and water within such districts.

7.02.00 ESTABLISHMENT OF SPECIAL OVERLAY DISTRICTS

The following overlay districts are established. The uses allowable by the underlying zoning district shall apply, except as limited by the use requirements of the overlay district.

7.02.01 Special Overlay Districts

- A. Bagdad Historic Overlay District
- B. East Milton Wellfield Protection Zone
- C. Rural Protection Zone

7. Special Overlay Districts

- D. Garcon Point Protection Area
- E. Navarre Beach Commercial Core Area
- F. Rosemary Sound Overlay

7.03.00 BAGDAD HISTORIC OVERLAY DISTRICT

7.03.01 Generally

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of structures or sites of special character or special architectural, archeological, or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this Land Development Code section is to:

- a) Effect and accomplish the protection, enhancement and preservation of such improvements, sites and districts which represent or reflect elements of Bagdad's cultural, social, political and architectural history;
- b) Safeguard Bagdad's historic and cultural heritage, as embodied and reflected in such historic structures, sites and districts;
- c) Stabilize and improve property values, and enhance the visual and aesthetic character of Bagdad; and
- d) Protect and enhance Bagdad's attractions to residents, tourists and visitors, and serve as a support and stimulus to business and industry.

It is also recognized that some areas of Bagdad are more significant historically and architecturally than others. Consequently, two types of overlay districts are available. Overlay districts only regulate design issues and are separate from the underlying base zones, which regulate land use and densities.

7.03.02 Bagdad Historic Overlay District

The Historic Overlay District is intended for Bagdad's most historically and architecturally significant areas. Such areas have the highest percentage of significant and contributing resources, and the highest level of visual cohesiveness.

7.03.03 Bagdad Conservation Overlay District

The Conservation Overlay District is similar to the Historic Overlay District, except they have a lower percentage of significant and contributing resources, and a lower level of visual cohesiveness. The Conservation Overlay District emphasizes the overall preservation of structures and compatible new development and places less emphasis on architectural elements than does the Historic Overlay District.

7. Special Overlay Districts

7.03.04 ~~Bagdad Architectural Advisory Board~~ Certificate of Appropriateness Review Required:

All new development, demolitions, building relocations, building alterations and similar activities for properties located within Bagdad's designated Historic and Conservation Overlay Districts requires a Certificate of Appropriateness review and approval by the ~~Bagdad Architectural Advisory Board (BAAB)~~ as specified in ~~10.04.00~~.

7.03.05 Design Standards

All development within the Historic and Conservation Overlay Districts must be consistent with the standards detailed in "Bagdad Historic and Conservation District Design Standards" (June 16, 2008) adopted herein by reference.

7.03.06 Bagdad Certificate of Appropriateness Review Process

A. Actions requiring a Certificate of Appropriateness (COA) – Actions that shall require a COA are contingent upon the type district as follows:

1. Historic Overlay District

The following actions shall require a COA.

- a. Building alterations visible from a public street
- b. Building demolitions, including the demolition of any component of a building.
- c. Building relocations.
- d. Construction of new buildings.
- e. Significant site alterations that are visible from a public street as defined below:
- f. Development of new driveways/parking pads or expansion of existing driveways/parking pads
- g. Installation of any new fencing.
- h. Removal of any tree exceeding a 4 inch caliper in diameter measured at 3 feet above grade.
- i. Signs
- j. Removal of any Southern Live Oak (quercus virginiana) or Sand Live Oak (quercus geminata) exceeding 4 inches in diameter when measured at 3 feet above grade.

7. Special Overlay Districts

2. Conservation Overlay District

The following actions shall require a COA.

- a. Building alterations visible from a public street that result in the addition of new habitable building space. Habitable building space, for the purposes of this ordinance, is enclosed by solid walls on all sides and has a ceiling height at least seven (7) feet above the floor level. An example of increasing habitable building space
- b. Is the addition of a dormer window, while the addition of an unenclosed porch is not.
- c. Building demolitions, including the demolition of any component of a building (components shall not include architectural elements such as doors, windows, and other relatively small-scaled features).
- d. Building relocations.
- e. Construction of new structures.
- f. Removal of any Southern Live Oak (*quercus virginiana*) or Sand Live Oak (*quercus geminata*) exceeding 4 inches in diameter when measured at 3 feet above grade.

B. Actions Not Requiring a Certificate of Appropriateness (COA) – Within both the Historic and Conservation Overlay Districts, ordinary maintenance and repairs may be undertaken without a COA provided that all of the following apply:

1. The work involves repairs to existing features of a structure or site or the replacement of elements of a structure with pieces identical in appearance;
2. The work does not change the exterior appearance of the structure or site;
3. The work does not require the issuance of a building permit.

When a structure has been fully or partially destroyed by a natural disaster as described in Section 9.06.01, a Certificate of Appropriateness is not required.

C. Certificate of Appropriateness (COA) Application: Any of the reviewable actions within Bagdad's Historic and Conservation Overlay Districts shall require a Certificate of Appropriateness (COA) prior to such action commencing, including prior to the issuance of a building permit by the County for such actions requiring a building permit. The applicant to the BAAB shall obtain from the County a COA Application Form and complete it with the required information regarding the proposed action.

7. Special Overlay Districts

D. Effect of Design Standards: The design standards that serve as distinct and supplemental policies to this code, referenced in Section 7.03.00 shall have the same legal authority as this code. The standards are based, in part, upon the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. The design standards are contained in a separate document for the purpose of having a graphic format that more readily conveys the design issues addressed through the use of illustrations.

E. Non-Contributing Buildings: The design standards shall not be applied as stringently to those buildings identified in the existing historic sites survey, as being "non-contributing" relative to "contributing" buildings. Within this context, "contributing" refers to a building's level of contribution to the overall architectural and/or historic character and significance. While non-contributing buildings will not be held to the same level of standards as contributing buildings, no actions shall be approved that cause a non-contributing building to become even less compatible with its surrounding historic context. Expanding the size of a non-contributing building does not necessarily, in and of itself, make the building less compatible. However, applying architectural detailing, materials, stylistic elements and similar features that are incompatible with the surrounding historic context shall be avoided.

F. Building Relocations: The relocation of a building shall be considered an option of last resort, as the building's historic significance is derived, in part, by its surrounding context. Building relocations should only be considered as an alternative to demolition. When relocated, relocation sites within the subject district should be encouraged over sites elsewhere.

G. Building Demolitions : In general, the demolition of a "significant" or "contributing" building, as defined by the most recent official historic structures inventory, is prohibited in both Historic and Conservation Overlay Districts. Demolitions shall only be permitted when a substantial economic hardship can be clearly demonstrated or an imminent threat to public safety exists. Plans for the property shall be provided before demolition is approved.

1. Economic Hardship: Should an applicant see approval for demolition based upon economic grounds they must prove the following:

- a. The subject structure is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;
- b. The subject structure cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
- c. Diligent efforts to find a purchaser interested in acquiring the subject property and preserving it have failed;

7. Special Overlay Districts

2. In considering whether a substantial economic hardship exists to justify the approval for demolition, the following may be requested from the applicant:

- a. Amount paid for the property;
- b. Amount of money spent on physical improvements since its acquisition;
- c. Appraised value from a qualified real estate appraiser;
- d. Report on the building's physical condition by a qualified professional having expertise in historic buildings;
- e. Monthly and/or annual expenses of the property (taxes, insurance, maintenance, etc.) over the past two (2) years;
- f. Recent history of success in marketing the property for lease or sale;
- g. Other relevant information pertaining to the property, its condition and economic status.

3. Public Safety Threats: An approval for demolition shall be granted if a structure is determined by the County Building Official to pose an imminent threat to public safety and there are no options for physically securing the property or otherwise saving it.

H. Minimum Maintenance Standards: All owners of property within the Historic or Conservation Overlay District deemed "significant" or "contributing" by the most current historic structures inventory are responsible for physically maintaining their structures in a manner that avoids demolition by neglect. The owner of the subject property shall, upon written notice from the County, repair the exterior features or structural elements in question, including, but not limited to, any of the following conditions, processes or defects:

1. Damage to or decay of foundations, flooring, or floor supports that cause leaning, sagging, splitting, listing or buckling;
2. Damage to or decay of walls or other vertical supports that causes leaning, sagging, splitting, listing or buckling;
3. Damage to or decay of ceilings, roofs, and their support systems, or other horizontal members, that causes leaning, sagging, splitting, listing or buckling;
4. Damage to or decay of fireplaces or chimneys that causes leaning, sagging, splitting, listing or buckling;
5. Damage to, decay or crumbling of exterior stucco, wood, brick, mortar or any other exterior element that causes loss of unique architectural features or structural integrity;
6. Decay, damage or removal of windows, window frames and doors;
7. Rotting, holes and other forms of decay of any exterior elements;
8. Any fault, defect, or condition of the subject structure rendering it

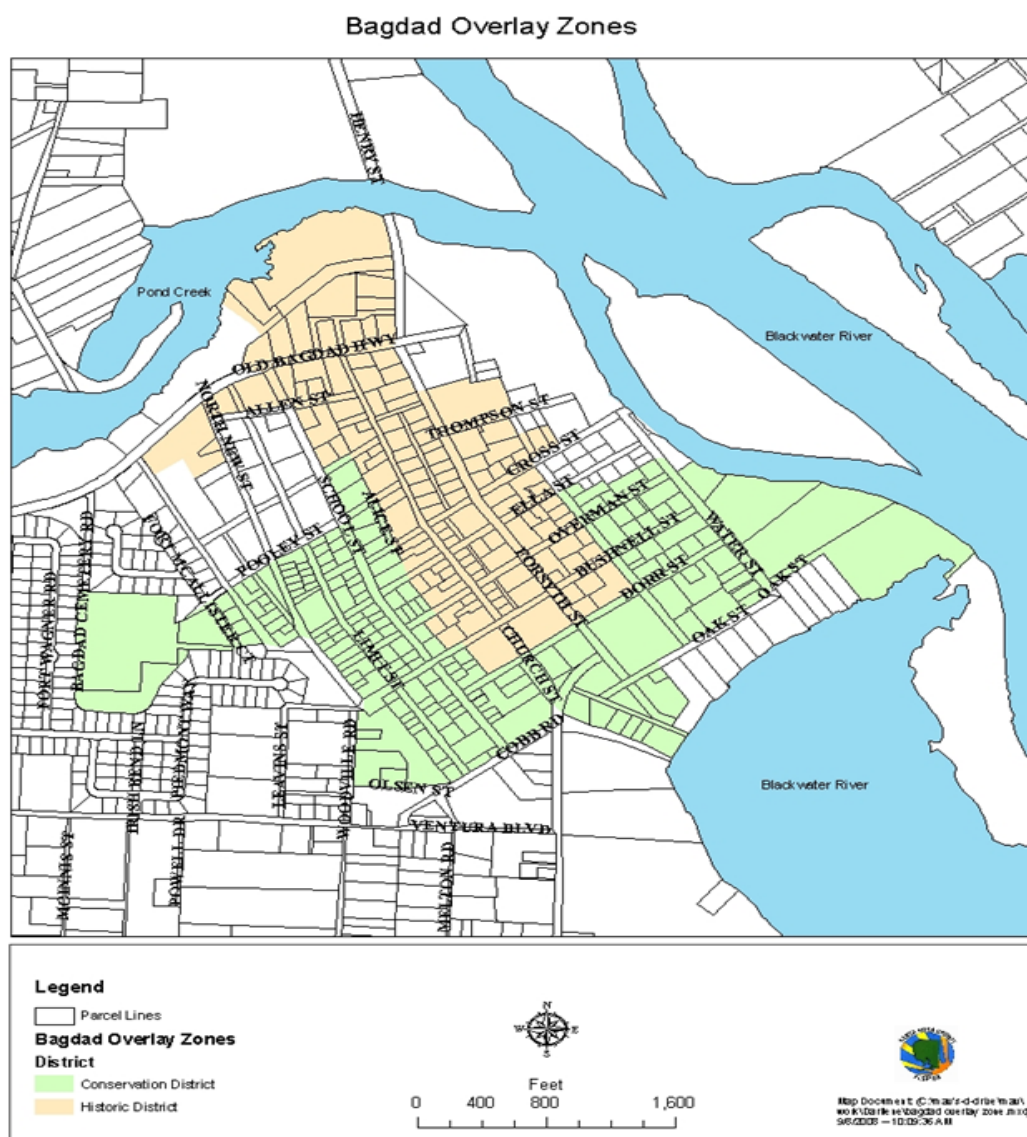
7. Special Overlay Districts

structurally unsafe or not properly watertight, including, but not limited to: lack of roofing, lack of roof covering, lack of weather protection, or separation or removal of building components that allows moisture to penetrate the structure;

9. Damage or decay that has a detrimental effect upon the special character of the subject historic or conservation district as a whole or the unique attributes and character of the subject structure;

10. Damage to or decay of any feature so as to create a fire hazard or other condition hazardous to public safety; and

11. Removal or demolition of significant architectural features.



7. Special Overlay Districts

7.04.00 EAST MILTON AREA WELLFIELD PROTECTION OVERLAY DISTRICT

7.04.01 Generally

The purpose of this overlay district, as shown on the map in Exhibit A, is to provide an added degree of protection for the aquifer recharge area in the vicinity of the Fairpoint Regional Utility System and East Milton Water System wellfield which is an important resource in providing potable water for the Fairpoint peninsula and the East Milton Area. It is the intent of this overlay district to protect present and future public potable water supply wells and wellfields from water quality degradation by contamination from regulated substances.

7.04.02 Wellfield Protection Overlay District Boundaries

The East Milton Area Wellfield Protection Overlay District, shown on the map in Exhibit “A”, is described as follows:

Point of Beginning: Intersection of State Highway 87 South and Hickory Hammock Road; then follow Hickory Hammock Road westerly to the western boundary of section 17-1N-27W; then follow the western boundary of Sections 17-1N-27W, 8-1N-27W, 5-1N-27W, and 32-2N-27W, then commencing at the southwest corner of section 29-2N-27W continue N0° for 2302.06 feet to the northern edge of the Gulf Power easement then N79° on the northern right-of-way for 1184.7 feet to the western edge of a Gulf Power easement, then proceed N23°03’30”W along the right-of-way for 143.6 feet to the southern boundary of the northern ½ of section 29-2N-27W, then continue East along the southern half section line to the eastern boundary of section 29-2N-27W, then north to the northeast corner of section 29-2N-27W, then follow the northern section line of sections 28-2N-27W, 27-2N-27W, 26-2N-27W, 25-2N-27W and 30-2N-26W easterly to the intersection with Highway 90; then follow Highway 90 easterly to the intersection of the east line of section 01-2N-26W, then south along the east section line of sections 01-2N-26, 12-2N-26W, 13-2N-26W, 24-2N-26W, 25-2N-26W and 36-2N-26W to the point of intersection with the Yellow River, then westerly along the Yellow River to the point of intersection of State Highway 87 South; then North along State Highway 87 South to the Point of Beginning.

7.04.03 Definitions see section 1.07.02

7.04.04 Applicability

- A. The provisions of this chapter shall apply to all new, non-residential development within the East Milton Area Wellfield Protection Overlay District.
- B. In addition, the provisions of Section 3.06.07.K shall apply to all new development within Wellhead Protection Zones, which are the 500 foot radius around public supply potable water wells, measured from the center of the

7. Special Overlay Districts

wellhead. Where there is a conflict between Section 3.06.07 and this section, the more restrictive regulation applies.

7.04.05 Permitted Uses

The uses allowed within the overlay district are those listed as permitted and conditional uses in the underlying zoning districts with the exception of those listed as prohibited in Section 7.04.06.

7.04.06 Prohibited Uses

Uses prohibited within the overlay district include:

- A.** Solid Waste Disposal and Solid Waste Management Facilities as defined by the Florida Department of Environmental Protection in Rule 62-701, Florida Administrative Code (F.A.C.).
- B.** Hazardous waste treatment, storage, disposal, and transfer facilities requiring permits under Chapter 62-730, F.A.C. (this does not apply to generators of hazardous waste who are subject to the performance standards in 7.04.08), and
- C.** Underground storage facilities. The replacement of an existing underground storage tank system regulated under Chapter 62-761, F.A.C., within the same excavation, is exempt from this provision, provided that the replacement underground storage tank system is installed with secondary containment as required in Chapter 62-761, F.A.C.
- D.** Resource extraction activities, mines or mining activities.

7.04.07 Permitting Requirements

An applicant for any permitted non-residential use that involves the use, storage, handling or disposal of regulated substances is required to meet the development standards found in Section 7.04.08, or receive a General Exception approval, or a Special Exception approval from the County.

General Exception approval will be granted concurrent with Site Plan approval upon demonstration of compliance with Section 7.04.09.

Special Exception approval may be granted by the Zoning Board upon demonstration of compliance with Section 7.04.10.

7.04.08 Development Standards

In addition to other applicable provisions of this code, an applicant must meet the following development standards as applicable:

- A.** The use of secondary containment is required for all bulk storage of regulated substances. Such containment systems must be easy to inspect and designed to intercept any leak or release from the primary containment vessel or

7. Special Overlay Districts

structure. Secondary containment must be sized to accommodate 110% of the largest primary container volume. Bulk storage does not include materials packaged for individual retail sale. Secondary containment does not apply to materials applied in an outdoor setting as part of an approved activity's landscaping maintenance plan.

B. No non-residential facility shall discharge any regulated substance, either directly or indirectly, into the soil or groundwater.

C. New underground facilities for transportation of regulated substances within the Wellfield Protection Overlay District shall be constructed with double-walled pipe to ensure no leakage into the soil or groundwater.

D. All permitted facilities must adhere to appropriate federal and state standards for storage, handling, transportation and disposal of any hazardous materials. Where there is a conflict between the federal and state standards and this section, the most restrictive regulation applies.

E. Areas where regulated substances are stored shall not drain to the soil, a stormwater system, water body, or a sewage disposal system. This does not apply to discharges to a public sewer utility system that are approved by the sewer utility, consistent with FDEP regulations.

F. The washing of vehicles used to transport unpackaged regulated substances and equipment used in processing of regulated substances must be done in a self contained area (e.g. with recycling system) designed to ensure that hazardous materials do not reach the soil, a water body or a sewage disposal system. This does not apply to discharges to a public sewer utility system that are approved by the sewer utility, consistent with FDEP regulations.

G. All new commercial and industrial land uses that involve the use, handling, or storage of regulated materials shall be required to prevent contact between the aforementioned materials and stormwater.

H. Sites where fuel is dispensed from above-ground tanks shall be designed to contain fuel spills on site without contaminating stormwater systems, sewage disposal systems, soil, surface water or groundwater.

I. Fuel tanks or storage as part of permanently installed equipment (such as generators) shall be placed in a secondary containment device such that a fuel spill or leak will not reach the soil or a water body.

J. Wastewater treatment plants must meet FDEP requirements. Effluent or biosolids disposal cannot be located within the 5-year travel time area. Reuse of reclaimed water that has received high-level disinfection is allowed when permitted under Part III of Chapter 62-610, F.A.C.

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7.04.09 General Exceptions

Facilities qualifying for General Exception approval are exempt from the permitting requirements of Section 7.04.08.

- A.** Facilities and activities qualifying for a general exception include residential uses, public utilities (except effluent disposal from a wastewater treatment facility), parks, maintenance of office facilities, retail sales, agriculture, silviculture, transportation facilities such as roads and rail lines (loading and offloading of regulated substances is not exempt), distribution of materials packaged for retail sale, substances regulated by the Food and Drug Administration; and substances use in a research laboratory or hospital or other medical facility under the direct supervision of a technically qualified individual.
- B.** A general exception application shall be required for any non-residential activity claiming a general exception under this section.
- C.** Such application shall be submitted as part of a Site Plan application and must contain a concise statement by the applicant detailing the circumstances upon which the applicant believes they would be entitled to a General Exception.
- D.** Temporarily-located emergency equipment necessary to provide power to ensure a continuous supply on an emergency basis of water supply, electrical power, sewer service, telephone service, or other essential services are exempt consistent with Chapter 62-521.400(3), F.A.C. and do not require a general exception application.
- E.** Discharge to groundwater from Florida Department of Environmental Protection approved remedial corrective actions for contaminated sites are exempt consistent with Chapter 62-521.400(3), F.A.C. and do not require a general exception application.

7.04.10 Special Exceptions

The Board of County Commissioners may grant a special exemption from the requirements of Section 7.04.08, subject to the following requirements:

- A.** Special Exception applications will be process as outlined in Section 5.06.02.
- B.** The applicant must provide substantial scientific evidence that special or unusual circumstances and adequate technology exist to isolate the facility or activity from the potable water supply.
- C.** In granting the special exception, the Board may prescribe any additional appropriate conditions and safeguards which are necessary to protect the wellfield.

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7.04.11 Non-Conforming Uses, Sites or Facilities

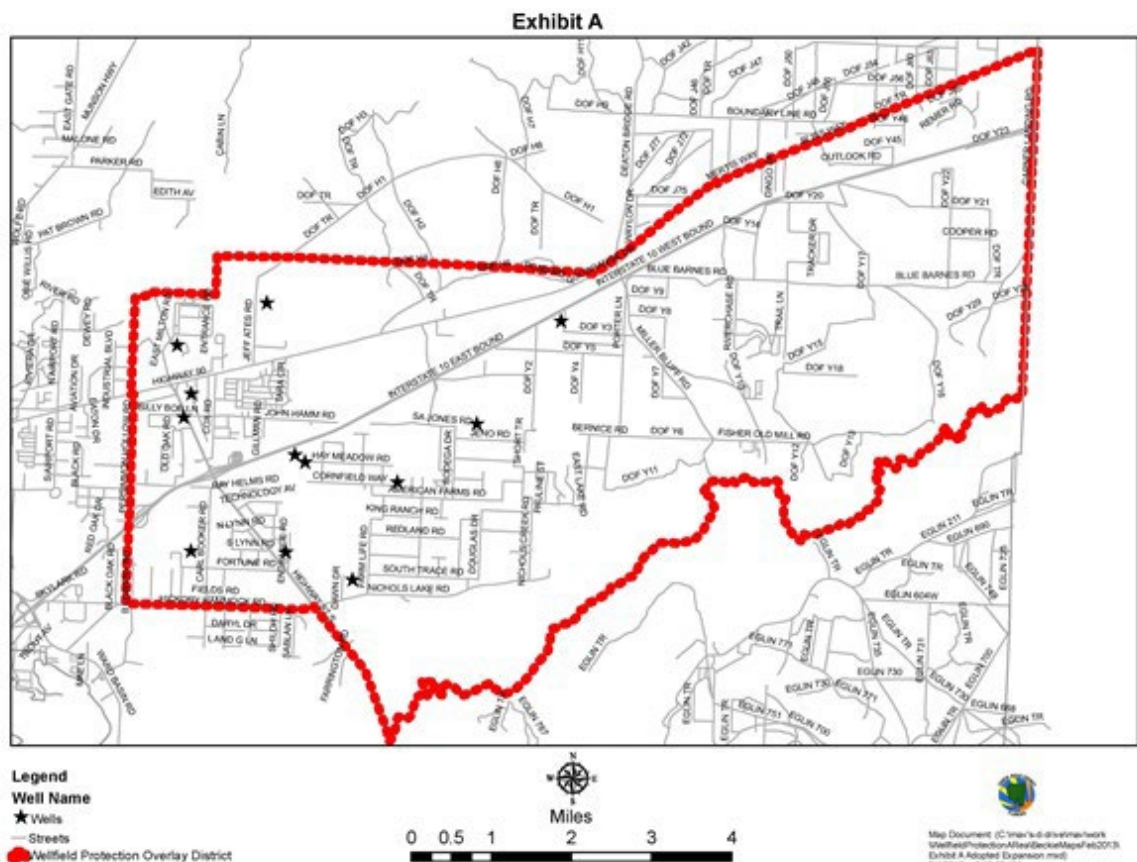
Non-conforming uses, sites or facilities in operation at the time of adoption of this ordinance are allowed to continue operation. Any expansion, modification or alteration of non-conforming uses, sites or facilities shall be required to meet current Land Development Code requirements including the requirements of this section.

7.04.12 Variances

The Board of County Commissioners may grant a variance from one or more of the above requirements upon finding that the proposed facility would not create a risk to ground water quality. Variances will be processed consistent with Section 9.04.00.

7.04.13 Trade Secrets

The County shall not disclose any trade secrets of the permittee under this chapter that are exempted from such disclosure by federal or state law; provided, however, that the burden shall be on the permittee to demonstrate entitlement to such non-disclosure.



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7.05.00 Rural Protection Zone

7.05.01 Generally

The Rural Protection Zone is designed to protect the rural character, agricultural viability, and natural resources of Northern Santa Rosa County. Within the Rural Protection Zone the creation of new communities will be allowed, but urban sprawl will be avoided and development performance standards will reflect the rural character of the area.

7.05.02 Definitions see section 1.07.02

7.05.03 Development Standards

- A.** Planned Unit Development (PUD) and Planned Business District (PBD) zoning districts should be considered provided the following conditions are met:
- 1.** Gross residential should not exceed one dwelling unit per acre (excluding jurisdictional wetland acreage)
 - 2.** The total area of undeveloped land should be at least fifty (50) percent of the total land area in the proposed development. The undeveloped area may be used for agriculture, conservation or recreation purposes.
 - 3.** Buffer zones of at least 50 feet in width shall be required between residential and agriculture uses and shall be thickly planted with fast-growing native vegetation to create an effective barrier separating yards from fields and pastures.
 - 4.** Lots shall be laid out, to the greatest extent feasible, to maintain the rural character of the area.
- B.** Rural Activity Centers (Commercial) should be established within one mile of identified crossroads and the Town of Jay.
- C.** Crossroad Communities (Residential) to allow residential development up to four (4) units per acre within 1 mile of identified crossroads and the Town of Jay.
- D.** Buffer zones of at least 50 feet in width will be required between residential and agriculture uses and should be thickly planted with fast growing native vegetation to create an effective barrier separating yards from pastures. It is the responsibility of the residential developer to create these buffers.
- E.** Riparian buffers are land buffers along streams and rivers that reduce the impact of adjacent uses on the body of water. The buffer is an area of trees, shrubs and herbaceous vegetation between the impacted or developed area and

7. Special Overlay Districts

the stream or river bank; a minimum buffer width of 50 feet is required. This buffer protects the stream from pollution caused by runoff and debris, improving water quality and habitat. It ensures good downstream water quality, protecting the natural resource for Santa Rosa residents residents' quality of life and for eco-tourism purposes.

7.05.04 Benefits and Limitations of Zoning

A. There are numerous benefits to zoning, many ways in which it is an effective tool for guiding development and protecting the public. Some of these benefits include:

1. Protecting public and private property from harmful & inconsistent uses
2. Providing orderly & systematic transition in uses that benefit all users
3. Protecting current & future industry by informing residents where industry will be allowed to develop
4. Assist community economic growth by reserving adequate and desirable sites for industrial & commercial development

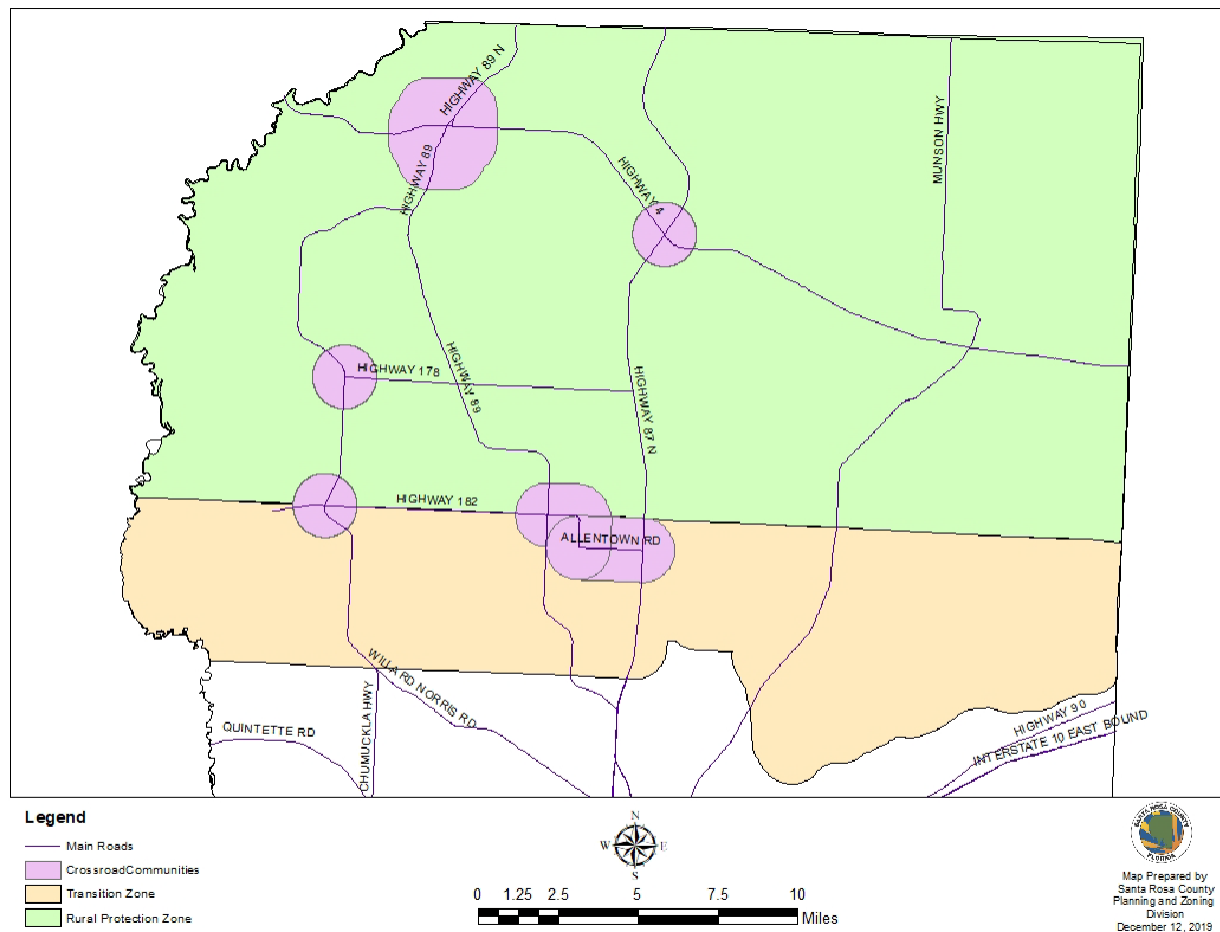
B. However, as a standalone tool, Zoning cannot:

1. Protect the rural character of northern Santa Rosa County
2. Protect farming operations
3. Preserve open space

C. Zoning does not address the types of architecture used, require design to rural standards, force land to stay in agricultural production, require provision of open space or protect natural vistas. These are all components of rural quality of life.

D. Perhaps most detrimental to rural character is the subdivision of agricultural land into large lots. The AG and AG-2 categories are typical "large lot" zoning districts. While these districts do reduce the number of homes that can be built, they also require that homes be spread out in such a way that none of the remaining land is useable for farming, forestry or recreation. Homesites become "too large to mow, but too small to plow."

7. Special Overlay Districts



7.06.00 GARCON POINT PROTECTION AREA

7.06.01 Generally

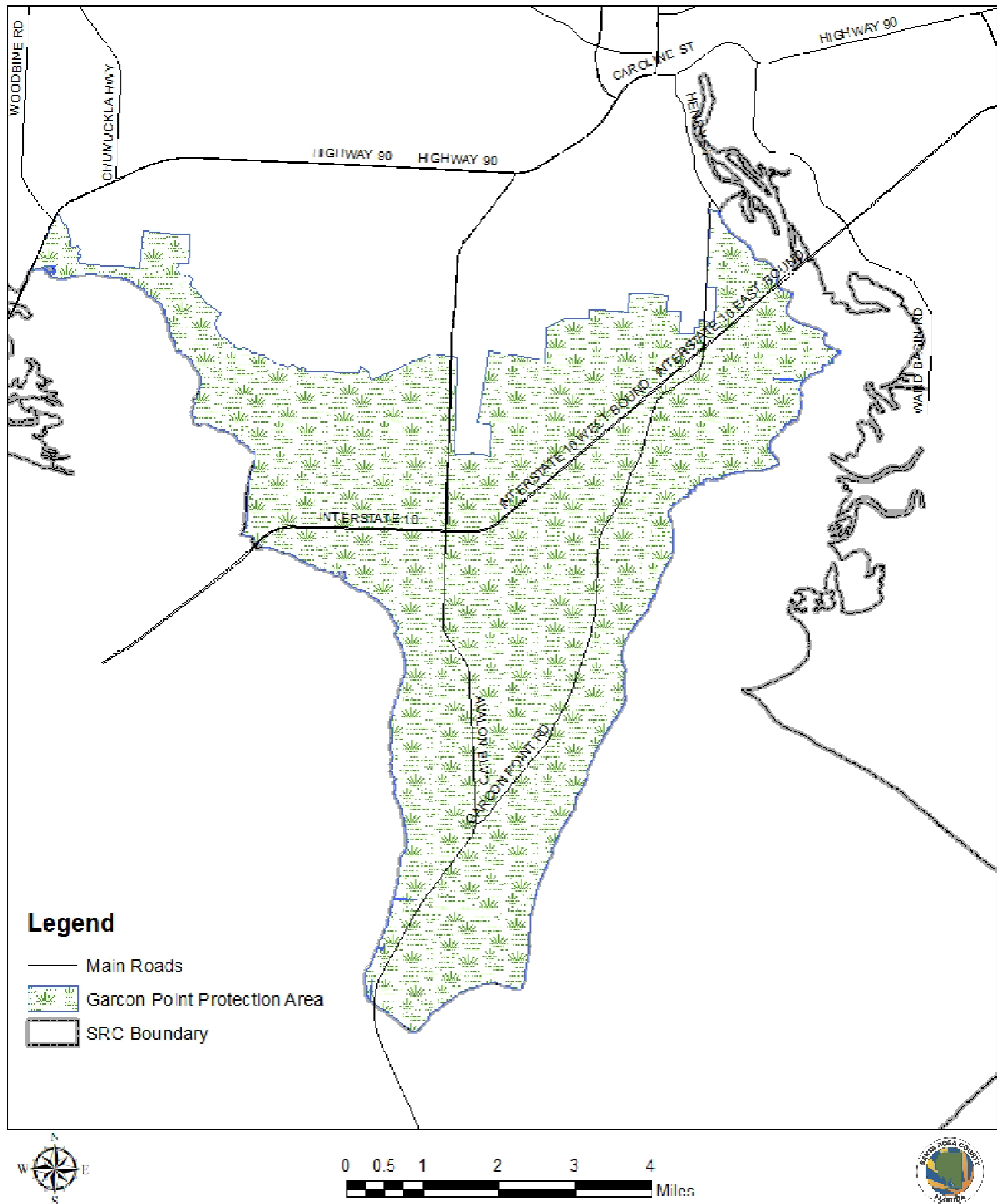
The Garcon Point Protection Area is categorized by environmentally sensitive lands that are not suitable for urban densities.

7.06.02 Garcon Point Protection Area

The Garcon Point Protection Area was established to recognize the unique environmental characteristics of the area. This area is predominately undeveloped, has a high percentage of possible wetlands and is lacking in central sewer infrastructure. Current Comprehensive Plan policy limits development within the Garcon Point Protection Area to two dwelling units per acre without centralized sewer.

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Garcon Point Protection Area



7. Special Overlay Districts

7.07.00 NAVARRE BEACH COMMERCIAL CORE AREA

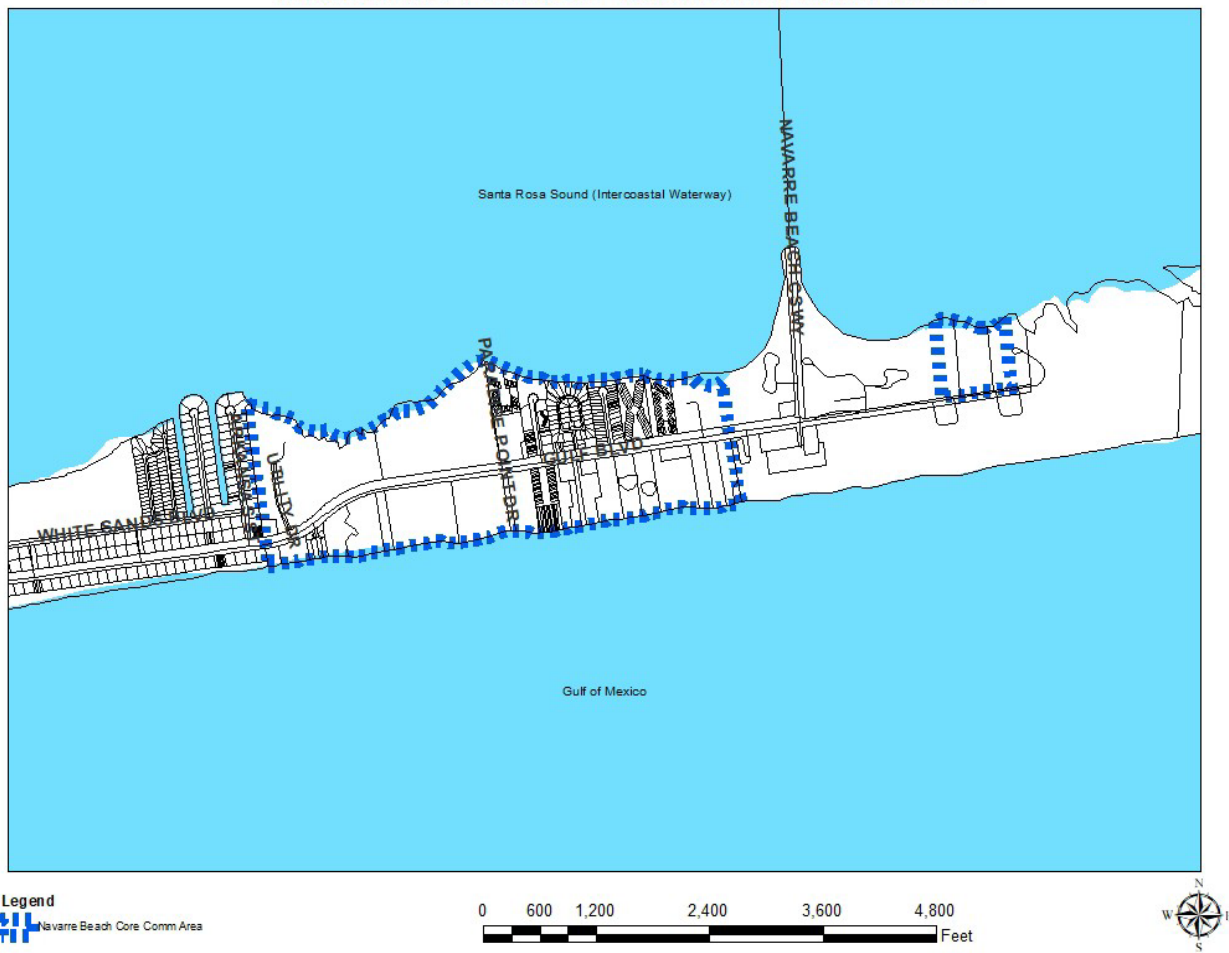
7.07.01 Generally

Navarre Beach is a four (4) mile stretch of Santa Rosa Island that is under the jurisdiction of the Santa Rosa County Board of Commissioners. The Commercial Core Area is a subset of that four (4) mile stretch.

7.07.02 Commercial Core Area

A Commercial Core Area is hereby established and defined as the area beginning approximately 650 feet to the west of the westerly right of way line of Navarre Beach Causeway and extending westerly to a point approximately 170 feet east of the easterly right of way line of Arkansas Street. The Commercial Core Area shall be bounded on the north by Santa Rosa Sound and to the south by Gulf of Mexico. The Commercial Core shall include those parcels within the Navarre Beach Commercial zoning district located east of the easterly right of way of Navarre Beach Causeway and fronting on Santa Rosa Sound.

Navarre Beach Commercial Core



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7.08.00 ROSEMARY SOUND OVERLAY

7.08.01 Generally

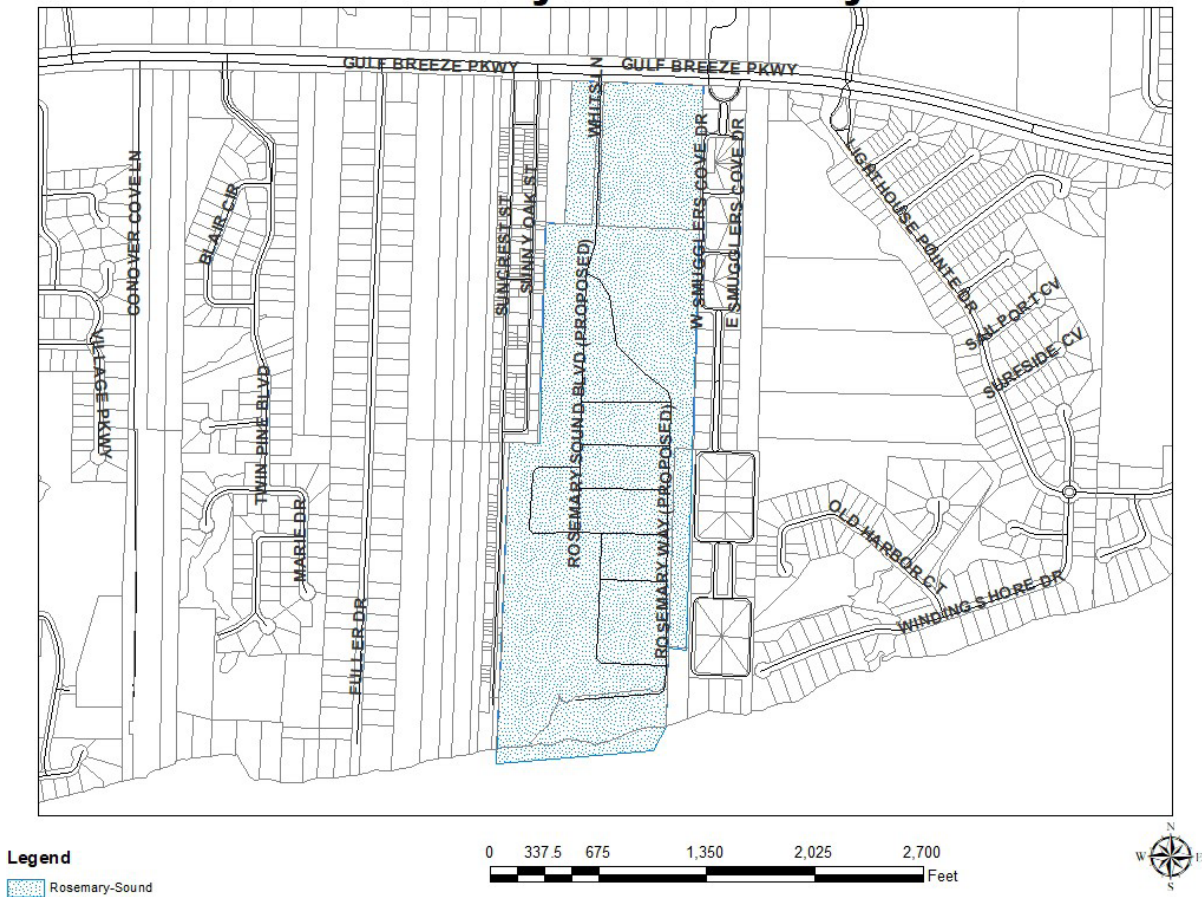
The Rosemary Sound Overlay District was established in order to provide flexibility and environmental sensitivity in the application of land uses by allowing single family and multifamily residential and non-residential uses to be blended over several parcels under a common plan of development.

7.08.02 Rosemary Sound Overlay

The maximum number of residential units in the combined parcels is 715, which is less than the 851 total number of units allowed, within each of the individual parcels. For the Rosemary Sound development, the future land use categories shall be blended within one Overlay boundary, which will allow for the clustering of residential and non-residential uses among three future land use categories. The Rosemary Sound Overlay is not a separate land use category, but serves as an indicator on the Future Land Use Map that the underlying uses have blended their uses and residential densities. In addition to this text amendment, the Overlay shall be adopted as a Future Land Use Map amendment and shall be clearly marked and explained on the County's Future Land Use Map. The Overlay will be implemented through the Planned Unit Development (PUD) zoning process. The southern portion of the site is currently located within the Coastal High Hazard Area (CHHA). Based on recommendations by the Florida Department of Economic Opportunity and the Coastal High Hazard Study Committee Report dated February 2006, the CHHA boundary line is subject to change to reflect accurate environmental features and conditions. The CHHA currently has a future land use category of Single Family Residential with associated development rights of eighty-two (82) dwelling units ($20.58 \text{ AC} \times 4 \text{ DU/AC} = 82$). Future single-family or multi-family development in the CHHA, therefore, is limited to no more than eighty-two (82) dwelling units. Because the boundaries of the CHHA are subject to change, site design and building typology in the CHHA will be based on the CHHA line in effect at the time of development. Wetland protection will comply with Santa Rosa Comprehensive Plan and all applicable land development regulations.

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Rosemary Sound Overlay



7. Special Overlay Districts

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8. Airport Environs

Chapter 8.

Airport Environs

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8.01.00 GENERALLY

The Board of County Commissioners of Santa Rosa County has considered, among other things, the character of the operations conducted and proposed to be conducted at the various airports in the applicable areas of Santa Rosa County, the nature of the terrain and the character of the area within the airport hazard area; the current uses of property and the uses for which it is applicable, and the Board finds as follows:

- A.** There exist airports within Santa Rosa County and in proximity to Santa Rosa County whose operations are potentially inimical to the health, safety and general welfare of the citizens of Santa Rosa County;
- B.** Airport hazards endanger the lives and property of users of airports and occupants and owners of property in their vicinity;
- C.** Airports produce noise which is not compatible with residential uses and certain commercial and industrial uses;
- D.** Obstructions reduce the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein;

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- E. The creation or establishment of an airport hazard injures the community served by the airport in question; and
- F. In the interest of the public health, safety and general welfare, the creation or establishment of airport hazards must be prevented.

The county shall enforce its airport regulations to assure compliance with the requirements set forth in F.S. Ch. 333, as amended, to meet the intent of the Federal Aviation Administration's reviewed and accepted noise exposure maps, and to prevent encroachment into airport operational areas.

8.01.01 Applicability

The regulations on land use set forth herein are applicable to all lands within the delineated zones and surfaces set forth in this chapter. The delineated zones shall be an overlay district established and delineated on the adopted zoning maps.

8.01.02 Conflicting Regulations

In the event of conflict between any regulations in this chapter and any other regulations applicable to the same property, the more stringent limitation or regulation shall govern and prevail.

8.02.00 PUBLIC AIRPORT ZONES AND SURFACES

8.02.01 Airport Zones and Surfaces

The following definitions describe special zones or surfaces within, adjacent to or near a public airport. These special zones or surfaces are used to protect specific airspace areas or specific ground areas within the airport environ. All imaginary surfaces shall be consistent with the most recent applicable definitions set forth in Federal Air Regulations (FAR) Part 77 (Obstructions to Navigable Airspace) **and their associated airspace height restrictions consistent with 14 CFR, Part 77, Subpart C (77.19) are hereby created and established by the county and incorporated herein by reference.**

- A. Primary Surface: means an area longitudinally centered on a runway, extending 200 feet beyond each paved end. For Peter Prince Field, the Primary Surface is the areas within 200 linear feet from the edge of the runway end and a width of 500 feet.
- B. Runway Protection Zone (RPZ): The RPZ extends from each end of the primary surface to enhance the protection of people and property on the ground. The Runway Protection Zone is trapezoidal in shape and centered about the extended runway centerline. The RPZ dimension for a particular runway end is a function of the type of aircraft and the approach visibility minimum associated for that runway end. For Peter Prince Airport, the dimensions for the RPZ shall be that which is established within the most recent Peter Prince Airport Master Plan approved by the Board of County Commissioners. The dimensions for Peter

8. Airport Environs

Prince Airport's Runway Protection Zone for runways 18 and 36 are as follows (and as illustrated below):

Peter Prince Runway Protection Zone Dimensions

<i>RPZ Dimensions</i>	<i>Measurement</i>
Inner Width	500 feet
Outer Width	700 feet
Length	1,000 feet

C. Approach Surface (AS): A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end. The approach surface for Runway 18 and 36 for Peter Prince Field is as follows:

The approach surface extends for a horizontal distance of:

Inner width:	500 feet
Outer width	1,500 feet
Length	5,000 feet
Slope	20:1

D. Approach Surface Floor (ASF): The ground or water surface beneath the approach surface. For Peter Prince Airport (public), for purposes of this ordinance, the approach surface floor shall extend 5,000 feet from the ends of the primary surface established as of July 1, 2004. The approach surface floor may extend beyond the approach surface established within the most recent Peter Prince Airport Master Plan. Any portion of the approach surface floor extending beyond the outer end of the approach surface will have the same width as the greatest width of the approach surface.

E. Horizontal Surface: The horizontal surface is a horizontal plane located 150 feet above the established airport elevation, covering an area from the transitional surface to the conical surface. The perimeter is constructed by swinging arcs from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those areas. For Peter Prince Airport, the horizontal surface extends 10,000 feet in radii from the end of the primary surface.

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F. Conical Surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

G. Conical Surface Floor (CSF): The ground or water surface beneath the conical surface.

H. Transitional Surface: Transitional surfaces extend outward and upward at right angles to the runway centerline and are extended at a slope of seven (7) feet horizontally for each foot vertically (7:1) from the sides of the primary and approach surfaces. The transitional surfaces extend to where they intercept the horizontal surface at a height of 150 feet above the runway elevation.

I. Public Airport Zone (PAZ): The Public Airport Zone is an overlay district that addresses land use compatibility with airport operations and structure height within the immediate airport vicinity most affected by take-off and landing patterns and airport ground activities. It covers an area extending one-half mile from the runway. The Public Airport Zone includes any portion of imaginary surfaces defined by Federal Aviation Regulations (FAR, Part 77) that lie within its half-mile perimeter. Serving principally to protect the airport from the encroachment of incompatible development, the Public Airport Zone also serves to protect health, safety, and quality of life for people living, working, or visiting the area most affected by airport activities.

J. Public Airport Influence Area (PAIA): The Public Airport Influence Area (PAIA) extends a distance of two miles from the runway centerline and contains those areas defined by Federal Aviation Regulations (FAR, Part 77) as imaginary surfaces. It serves principally to addresses land uses and structure heights that may create potential threat to flight safety and operation for aircraft approaching or departing an airport.

K. Public Airport Notification Zone: Public Airport Notification Zones are those areas within which notification of airfield proximity is required when property is sold or leased. The notification zone for Peter Prince is the same area as the Public Airport Zone.

8.02.02 Height Limitations within Public Airport Environs

A building, structure, use or tree that penetrates any of the Federal Aviation Administration's designated imaginary surfaces or zones constitutes an obstruction, as defined by Federal Air Regulations (FAR), Part 77. Height of buildings, structures, or trees within environs surrounding a public airport shall not create an unreasonable threat to aircraft operations and safety.

A. Any property or area located in more than one of the zones or surfaces described in this section shall be considered to be only in the zone or surface with the more restrictive height limitation.

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B. Except as otherwise provided, no structure shall be constructed or maintained, ~~or tree permitted~~ to grow within any zone or surface created herein in excess of the height limitations established herein. In addition, no structure or obstruction will be permitted within Santa Rosa County that could ~~potentially~~ change minimum obstruction clearance altitude, minimum descent altitude or a decision height.

C. A structure ~~or tree~~ will not exceed 35 feet in height; or, if greater than 35 feet in height, will not penetrate the approach, transitional, horizontal, or conical surface zones of the airport for any existing or planned approaches as defined by FAR, Part 77. The height of structures and trees within a Public Airport Environ shall comply with restrictions set forth in Table 8-1.

Table 8-1
Height Restrictions for Peter Prince Airport Environ

Structure Type	Runway Protection Zone (RPZ)	Approach Surface Floor	PAZ	PAIA
Single Family Residential Structure	Structure Not Allowed	1	1	1
Multiple Family Residential Structure	Structure Not Allowed	1	Structure Not allowed	1
Non-Residential (Habitable Space)	Structure Not Allowed	1	1	1
Non-Residential Façade (Non-Habitable Space), Steeples, Chimneys, Smoke Stacks	Structure Not Allowed	50'	50'	1
Communication Towers/Radio or TV Transmission Towers	Structure Not Allowed	Structure Not allowed	Structure Not allowed	150'
Water Tower	Structure Not Allowed	Structure Not allowed	50'	150'
Above Ground Local Utility or Electric Service Lines, Small Wind Energy Systems ²	Structure Not Allowed	1	50'	75'
Regional Electric Transmission Lines ²	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	150'

¹ Height restricted by applicable zoning category unless otherwise restricted by this ordinance.

²Utility or electric distribution or transmission lines in place prior to July 2013 that are non-conforming with regard to height may be replaced so long as the non-conformity is not increased.

8.02.03 New Public ~~or Private~~ Airports

Development or expansion of any public ~~or private~~ airport, airfield, or landing strip, developed or expanded after the effective date of this Chapter, requires the establishment of a public airport overlay zone (PAZ) through an ordinance adopted by

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the County Commission. **Public** airports or runways shall only be located on property assigned an Industrial zoning category on the official zoning map. Airports owned or controlled by a military branch are not public airports for the purposes of this Chapter.

~~All new public or private airports, heliports, or landing fields shall be designed so that the incidence of aircraft passing near preexisting dwellings or places of public assembly is minimized. New public or private airports shall be located in areas where air traffic will not expose residential uses to more than 55 decibel (day/night average) noise levels.~~

8.02.04 Use Restrictions

Notwithstanding any provision of Chapter Two of this ordinance, the permitted land use for any property within a Public Airport Zone or Public Airport Influence Area shall be modified as set forth in Table 8-2.

- A.** Any property or area located in more than one of the zones or surfaces described in Section 8.02.00 shall be considered only in the zone or surface with the more restrictive or limited use.
- B.** Incompatible Uses or Activities: Uses or activities determined to be incompatible with airport operations, or contribute to a potential threat to flight safety, are prohibited within the designated zone or surface. An “N” appearing under a zone or surface category in Table 8-2 means that the use or activity is incompatible and not allowed.
- C.** Compatible Uses or Activities: Chapter Two provides generalized description of permitted uses and activities for each zoning category. Table 8-2 provides a more detail description of uses and activities that are determined to be compatible with airport operations and aircraft flight safety for public airports. A land use is a permissible use within an airport zone or imaginary surface category if such use is allowed within the underlying zoning category, as defined in Chapter Two, and if denoted as a compatible use within Table 8-2. A land use is compatible in an airport zone or imaginary surface if denoted by a “Y” in Table 8-2.
- D.** Conditional Uses or Activities: Certain land uses are incompatible with and prohibited within an airport environ zone or surface except when a development complies with conditions or specific development standards that create compatibility. Land uses denoted with a “C” in Table 8-2 are not allowed unless determined to be compliant with conditional use criteria set forth in Section 8.02.05.

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Table 8-2

Use Restrictions within Public Airport Environs Zones and Surfaces

<u>Land Use</u>	<u>RPZ</u>	<u>ASF</u>	<u>PAZ</u>	<u>PAIA</u>
<i>Residential</i>				
Single Family Dwelling	N	Y	Y	Y
<u>Land Use</u>	<u>RPZ</u>	<u>ASF</u>	<u>PAZ</u>	<u>PAIA</u>
Multifamily Dwellings, Including Duplexes	N	N	N	Y
Transient Lodging Including Hotels And Group Quarters	N	N	Y	Y
<i>Industrial/Manufacturing</i>				
Food And Kindred Products;	N	N	Y	Y
Textile Mill Products	N	N	Y	Y
Any Use Industrial Activity Generating Smoke Or Steam Reaching 150 Feet Above Ground Level	N	N	N	C
Apparel& Other Finished Products Made From Fabrics and Similar Material	N	N	Y	Y
Chemicals & Allied Products Activities;	N	N	C	C
Petroleum Refining & Related Industries	N	N	Y	Y
Rubber & Misc. Plastic Products	N	N	C	C
Lumber & Wood Products; Furniture & Fixtures; Paper And Allied Products; Printing & Publishing; Stone, Clay & Glass Products; Primary Metal Industries; Fabricated Metal Products; Product Assembly; Motor Freight	N	N	Y	Y
Professional, Scientific & Control Instruments	N	N	Y	Y
Printing And Publishing	N	Y	Y	Y
Aerospace Product, Parts Manufacturing, Or Related Activities	N	N	Y	Y
<i>Business and Professional Services</i>				
Hospitals, Medical Offices	N	N	C,1	Y
Communications And Utilities				
Telecommunication Towers	N	N	N	Y
Water Impoundments; Wet Stormwater Ponds	N	N	Y	Y
<i>Agriculture</i>				

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Aviaries; Pigeonry Including Pigeon Lofts Or Racing	N	N	N	y
Outdoor Aquaculture And Fish Hatcheries	N	N	C,2	Y
Agriculture Except Livestock	Y	Y	Y	Y
Livestock Farming; Animal Productions; Animal Breeding; Kennels	N	C	Y	Y
Crop Farming Requiring Disturbance of Soil	N	Y	Y	Y
Forestry Activities	N	C	Y	Y
Exotic Farm Animals (Ostrich, Emus, Alpaca, etc.)	N	N	N	Y
<i>Mining and Extraction</i>				
Mining Activities (Including Borrow Pits)	N	Y	Y	Y
<i>Commercial/Retail Trade</i>				
Wholesale Trade; Building Material; Hardware; Farm Equipment (Retail); Auto, Marine, Aviation (Retail)	N	Y	Y	Y
General Merchandise (Retail); Food Retail; Apparel And Accessories(Retail); Shopping Centers	N	N	Y	Y
Furniture; Home Furnishings (Retail)	N	N	Y	Y
Eating & Drinking Establishments	N	N	Y	Y
Fire Work Sales	N	N	Y	Y
Warehousing And Storage Services	N	Y	Y	Y
<i>Personal & Business Services</i>				
Finance; Real Estate; Insurance; Personal Services; Business Services; Professional Services; Indoor Recreation Services	N	N	Y	Y
Repair Services; Contract Construction Services	N	Y,4	Y	Y
Automobile Service Stations	N	N	Y	Y
<i>Conservation</i>				
Wetland Mitigation	N	N	Y	Y
Nature Exhibits, Zoos	N	N	Y	Y
<i>Public, Public Assembly, Quasi-Public Services</i>				
Government Services	N	N	Y	Y
Educational Services (Including Private Schools); Cultural Activities; Libraries	N	N	C	Y
Civic Or Non-Profit Social Organizations	N	N	Y	Y
Cemeteries	N	N	Y	Y

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Religious Buildings; Chapels	N	N	Y	Y
Public Assembly	N	N	C	Y
<i>Outdoor Recreation And Entertainment</i>				
Playground; Neighborhood Parks	N	C	Y	Y
Community & Regional Parks	N	N	Y	Y
Spectator Sports Including Arenas Or Stadiums	N	N	Y	Y
Golf Courses; Driving Ranges (no lighted facilities)	N	N	Y	Y
Lighted Golf Courses; Driving Ranges	N	N	N	Y
Riding Stables; Equestrian Facilities	N	N	Y	Y
Entertainment Assembly; Amphitheater; Music Shell	N	N	N	Y
Amusement Or Theme Parks; Miniature Golf, Go-Carts	N	N	Y	Y
Resorts And Campgrounds; RV Parks	N	N	Y	Y
Outdoor Gun Clubs, Shooting Or Archery Ranges	N	N	N	C
Movie Theatres, Live Theatre, Auditoriums, Concert Halls	N	N	N	Y
Outdoor Movie Theatres, Light/Laser Shows	N	N	C	C
<i>Transportation, Communication And Utilities</i>				
Wet stormwater ponds	N	Y	N	Y
Railroads	N	Y	Y	Y
Automobile Or Truck Parking	N	C	Y	Y
Unpaved Local Streets	C	Y	Y	Y
Highways And Paved Streets	N	C	Y	Y
Solid Waste Disposal (Landfills, Incineration, Etc.)	N	N	N	N
Construction and Demolition (C&D) Debris Disposal Facilities	N	N	N	Y
Land Clearing Debris Disposal Facilities	N	N	N	Y

1. Must be located outside any existing or future noise zone with a 55DNL or greater.

2. Must identify actions to be taken to avoid attracting birds which could be a hazard to aircraft.

3. Uses permitted within ASF subject to the following maximum Floor Area Ratios (FAR):

Wholesale Trade – FAR 0.28

Auto, Marine, Aviation (Retail) – FAR 0.14

Lumber Yards – FAR 0.20

Hardware/paint and farm equipment stores – FAR 0.12

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4. Uses permitted within ASF subject to the following maximum Floor Area Ratios (FAR):

FAR 0.11

Abbreviations/Acronyms Associated with Table 8-2

RPZ	–	runway protection zone for public airfield
ASF	–	approach surface floor
PAZ	–	public airport zone
PAIA	–	public airport influence area
C	–	conditional use
N	–	Use located in a zone or surface is incompatible with airport activities and is is prohibited.
Y	–	Use is compatible within the zone or surface indicated.

8.02.05 Conditional Use Criteria

This subsection section is used in conjunctions with Table 8-2 for the purposes of placing regulatory conditions on proposed development or uses to establish land use compatibility with public airport operations. This criteria is to be applied to those land uses denoted under a zone or surface as a conditional use.

- A.** The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, and traffic as well as noise, vibration, odor or dust generated by airport activities.
- B.** The negative impacts of the proposed use on aircraft flight safety and on the use of airport facilities can be mitigated through application of other Code standards, or other reasonable conditions of approval. A property owner demonstrates that exhaust, emissions, light, glare, or dust will not reduce the effective use of the airport or increase risk for hazards or accidents within the Public Airport Zone.
- C.** All required public facilities have adequate capacity to serve the proposal.

8.03.00 MILITARY AIRPORT ZONES AND SURFACES

8.03.01 Airport Zones and Surfaces

The following definitions describe special zones within, adjacent to or near a military airport. These special zones are used to protect specific airspace areas or specific ground areas within the military airport environ.

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- A.** Accident Potential Zone 1: Accident Potential Zone (APZ) 1 is an area beyond the clear zone that exhibits a measurable potential for accidents relative to the clear zone. The APZ may curve to follow flight tracks.
- B.** Accident Potential Zone 2: APZ 2 is an area beyond APZ 1 that exhibits a measurable potential for aircraft accidents relative to APZ 1 or the clear zone. The APZ may curve to follow flight tracks.
- C.** Approach Surface: The area longitudinally centered on each runway centerline, with an inner boundary 200 feet from the end of the runway and the same width as the primary surface then extending outward for a distance of 50,000 feet expanding uniformly in width to 16,000 feet at the outer boundary. Height limits within the approach surface commence at the height of the runway end and increases at the rate of one foot vertically for every 50 feet horizontally for a distance of 25,000 feet at which point it remains level at 500 feet above airport elevation to the outer boundary.
- D.** Clear Zone: The clear zone is an area immediately beyond the end of a runway and exhibits the greatest potential for occurrence of aircraft accidents.
- E.** Conical Surface: A surface extending from the periphery of the inner horizontal surface outward and upward at a slope of 20:1 for a horizontal distance of 7,000 feet to a height of 500 feet above the established airfield clearance.
- F.** Inner-Horizontal Surface: The area encompassing the runway, primary surface and clear zone with an outer perimeter formed by swinging arcs from the end of each runway centerline and connecting adjacent arcs by lines tangent to these arcs. The radius of the arcs are 7,500 feet. No structure or obstruction will be permitted in the inner-horizontal surface of a greater height than 150 feet above airport elevation.
- G.** Military Airport Zone (MAZ): The Military Airport Zone (MAZ) is an overlay district providing regulatory measures and zoning standards to achieve land use compatibility and protection of public health and safety in the areas exposed to impacts generated by military flight or ground activities occurring at, near, or above military airports.

For Naval Air Station Whiting Field North and South, and for Naval Outlying Landing Fields Spencer, Harold, Santa Rosa, Site X, and Pace, the MAZ boundaries extend one half mile from the perimeter of each airfield and encompass all Air Installation Compatible Use Zones (AICUZ) and noise zones. For NOLF Choctaw, MAZ boundaries are as depicted on the attached map which is incorporated as part of the MAZ overlay to the Zoning Map.

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For Eglin Air Force Base, the MAZ (EAFB MAZ) boundary is as depicted on the attached map which is incorporated as part of the MAZ overlay to the Zoning Map.

H. Military Airport Influence Area (MAIA): An **A** MAIA extends two miles from a runway. It serves principally to addresses land uses and structure heights that may create potential threat to flight safety and operation for aircraft approaching or departing an airport or within a local flight pattern.

I. Military Airport Notification Zone: Military Airport Notification Zones are those areas within which notification of airfield proximity is required when property is sold or leased. For Naval Air Station Whiting Field North and South, the notification zone boundaries extend one mile from the perimeter of each airfield. For Naval Outlying Fields Spencer, Harold, Santa Rosa, Site X and Pace, the notification zone boundaries extend one half mile from the perimeter of each airfield. For NOLF Choctaw, the notification zone boundaries encompass that area are as depicted on the attached map which is incorporated as part of the Notification Zones overlay to the Zoning Map. For Eglin Air Force Base, the notification zone boundaries encompass the EAFB MAZ and that area bounded by the East Bay River on the north; the Okaloosa County Lone on the east; Santa Rosa Sound on the south; and the western boundary of sections 8, 16, and 21- in township 2 South and range 26 west, and a line approximately 540 feet north of and parallel to the southern boundary of section 8 in township 2 South and range 26 west on the west.

J. Noise Contour: A line connecting points of similar day-night average sound levels measured from a specific noise source.

K. Outer-Horizontal Surface: The area extending outward from the outer periphery of the conical surface is 500 feet above airport elevation.

L. Primary Surface: An area longitudinally centered on each runway and extending 200 feet beyond the runway end. The width of the primary surface varies for the type of aircraft accommodated as follows:

1. Jets and large turbo-prop aircraft - 1,500 feet.
2. Prop and small turbo-prop aircraft - 1,000 feet.

M. Transitional Surface: The area with an inner boundary formed by the side of the primary surface and the approach surface then extending outward at a right angle to the runway centerline and extended centerline until the height matches the adjoining inner horizontal surface, conical surface and outer horizontal surface height limit. The height limit at the inner boundary is the same as the height limit of the adjoining surface and increases at the rate of one foot vertically for every seven feet horizontally to the outer boundary of the transitional surface, where it again matches the height of the adjoining surface.

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8.03.02 Height Limitations within Military Airport Environs

A. Any property or area located in more than one of the zones or surfaces described in this section shall be considered to be only in the zone or surface with the more restrictive height limitation.

B. Except as otherwise provided, no structure shall be constructed or maintained, ~~or tree permitted to grow~~ within any zone or surface created or referenced herein in excess of the height limitations established herein. In addition, no structure or obstruction will be permitted within Santa Rosa County that could ~~potentially~~ change minimum obstruction clearance altitude, minimum descent altitude or a decision height.

C. A structure will not exceed 35 feet in height; or, if greater than 35 feet in height, will not penetrate any existing or planned inner horizontal surface, conical surface, outer horizontal surface, approach clearance surface, or transitional surface established pursuant to FAR, Part 77, for military airports.

D. A building, structure, ~~or~~ use ~~or tree~~ that penetrates any imaginary surfaces or zones for military airports, as defined by Federal Aviation Regulation, Part 77, constitutes an obstruction. Height of buildings, structures, or trees within military airport environs shall not create an unreasonable threat to aircraft operations and safety. Height limitations established for each designated zones or surfaces for military airport environs are provided within Table 8-3.

Table 8-3

Height Restrictions for Military Airport Zones

Structure Type	Clear Zone	APZ 1	APZ 2	MAZ	MAIA
Single Family Residential Structure	Structure Not Allowed	35'	35'	35'	1
Multiple Family Residential Structure	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	1
Non-Residential (Habitable Space)	Structure Not Allowed	35'	50'	50'	1
Non-Residential Façade (Non-Habitable Space), Steeples, Chimneys, Smoke Stacks	Structure Not Allowed	35'	50'	50'	1
Communication Towers/Radio or TV Transmission Towers	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	150'
Water Tower	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	50'
Above Ground Utility or Electric Service Lines, Small Wind Energy Systems ³	Structure Not Allowed	50' Rotary	75'	150'	150'

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		75' Fixed Wing ²			
Regional Electric Transmission Lines ³	Structure Not Allowed	Structure Not Allowed	Structure Not Allowed	150'	150'

¹ Height restricted by applicable zoning category unless otherwise restricted by this ordinance.

² Rotary wing airfields are Spencer, Pace, Harold, Site X, and Santa Rosa. Fixed wing airfields are Whiting, and Choctaw.

³ Utility or electric distribution or transmission lines in place prior to July 2013 that are non-conforming with regard to height may be replaced so long as the non-conformity is not increased.

8.03.03 Use Restrictions

Notwithstanding any provision of Chapter Two of this ordinance, the permitted land use for any property within a Military Airport Zone or a Military Airport Influence Area shall be modified as set forth in Table 8-4.

A. Any property or area located in more than one of the zones or surfaces described in Section 8.03.00 shall be considered only in the zone or surface with the more restrictive or limited use.

B. Incompatible Uses or Activities: Uses or activities determined to be incompatible with airport operations, or contribute to a potential threat to flight safety, are prohibited within the designated zone or surface. An "N" appearing under a zone or surface category in Table 8-4 means that the use or activity is incompatible and not allowed in that zone or area.

C. Compatible Uses or Activities: Chapter Two provides generalized description of permitted uses and activities for each zoning category. Table 8-4 provides a more detail description of uses and activities that are determined to be compatible with airport operations and aircraft flight safety. A "Y" appearing under a zone or surface category in Table 8-4 means that the use or activity is permitted if the property or area is assigned a zoning category pursuant to Chapter Two and a future land use designation pursuant to the Future Land Use Map of the Comprehensive Plan.

D. Conditional Uses or Activities: The land uses permitted Chapter Two are incompatible with and prohibited within a zone or surface except if such use complies with conditions or standards creating compatibility. A conditional use established under this section is only allowed where the underlying zoning allows such use pursuant to Chapter Two. Such uses or activities classified as a conditional use are denoted in Table 8-4 by a "C" under the applicable zone or surface. Conditional use criteria or additional development standards are described in Section 8.03.04.

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Table 8-4

Potential Compatible Uses within Military Airport Zones

Land Use	CZ	APZ 1	APZ 2	MAZ	MAIA
<i>Residential</i>					
Single Family Dwelling	N	C,1	C,2	Y	Y
Multifamily Dwellings, Including Duplexes	N	N	N	N	Y
Transient Lodging Including Hotels And Group Quarters	N	N	N	Y	Y
<i>Industrial/Manufacturing</i>					
Food And Kindred Products;	N	N	N	Y	Y
Textile Mill Products	N	N	N	Y	Y
Any Use Industrial Activity Generating Smoke Or Steam Reaching 150 Feet Above Ground Level	N	N	N	N	C
Apparel & Other Finished Products Made from Fabrics and Similar Material;	N	N	N	Y	Y
Chemicals & Allied Products	N	N	C	C	C
Petroleum Refining & Related Industries	N	N	C	C	C
Rubber & Misc. Plastic Products	N	N	C	C	C
Lumber & Wood Products; Furniture & Fixtures; Paper And Allied Products; Printing & Publishing; Stone, Clay & Glass Products; Primary Metal Industries; Fabricated Metal Products; Product Assembly; Motor Freight;	N	N	Y	Y	Y
Professional, Scientific & Control Instruments	N	N	N	Y	Y
Printing And Publishing	N	Y	Y	Y	Y
Aerospace Products, Parts Manufacturing, Or Related Activities	N	N	C	Y	Y
<i>Services</i>					
Warehousing And Storage Services	N	Y	Y	Y	Y
Hospitals, Medical Offices, Nursing Homes	N	N	N	C,4	Y
<i>Communications And Utilities</i>					
Telecommunication Towers	N	N	N	N	Y

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Land Use	CZ	APZ 1	APZ 2	MAZ	MAIA
Water Impoundments; Wet Stormwater Ponds	N	C	C	Y	Y
<i>Agriculture</i>					
Aviaries; Pigeonry Including Pigeon Lofts Or Racing	N	N	N	N	Y
Outdoor Aquaculture And Fish Hatcheries	N	N	N	C,13	Y
Agriculture Except Livestock	Y	Y	Y	Y	Y
Livestock Farming; Animal Productions; Animal Breeding; Kennels	N	C,5	C,5	Y	Y
Crop Farming Requiring Soil Disturbance	N	Y	Y	Y	Y
Forestry Activities	N	C	Y	Y	Y
Exotic Farm Animals (Ostrich, Emus, Alpaca, etc.)	N	N	N	N	Y
<i>Mining And Extraction</i>					
Mining Activities (Including Borrow Pits)	N	Y	Y	Y	Y
<i>Commercial/Retail Trade</i>					
Wholesale Trade; Building Material; Hardware; Farm Equipment (Retail); Auto, Marine, Aviation (Retail)	N	Y,9	Y,9	Y	Y
General Merchandise (Retail); Food Retail; Apparel And Accessories(Retail); Shopping Centers	N	N	Y,10	Y	Y
Furniture; Home Furnishings (Retail)	N	N	C	Y	Y
Eating & Drinking Establishments, including Outdoor Food Vendors	N	N	Y	Y	Y
Fire Work Sales	N	N	N	Y	Y
<i>Personal & Business Services</i>					
Finance; Real Estate; Insurance; Personal Services; Business Services; Professional Services; Indoor Recreation Services	N	N	Y,11	Y	Y
Repair Services; Contract Construction Services	N	Y,12	Y,12	Y	Y
Automobile Service Stations	N	N	Y	Y	Y
<i>Conservation</i>					

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<u>Land Use</u>	<u>CZ</u>	<u>APZ 1</u>	<u>APZ 2</u>	<u>MAZ</u>	<u>MAIA</u>
Wetland Mitigation	N	N	N	Y	Y
Nature Exhibits, Zoos	N	N	N	Y	Y
<i>Public, Public Assembly, Quasi-Public Services</i>					
Government Services	N	N	N	Y	Y
Educational Services (Including Private Schools); Cultural Activities; Libraries	N	N	N	C	Y
Civic Or Non-Profit Social Organizations	N	N	Y	Y	Y
Cemeteries	N	Y	Y	Y	Y
Religious Buildings; Chapels	N	N	N	Y	Y
Public Assembly	N	N	N	N	Y
<i>Outdoor Recreation And Entertainment</i>					
Playground; Neighborhood Parks	N	C	C	Y	Y
Community & Regional Parks	N	N	N	Y	Y
Spectator Sports Including Arenas Or Stadiums	N	N	N	Y	Y
Golf Courses; Driving Ranges (no lighted facilities allowed)	N	N	Y	Y	Y
Lighted Golf Courses; Driving Ranges	N	N	N	N	Y
Riding Stables; Equestrian Facilities	N	N	N	Y	Y
Entertainment Assembly; Amphitheater; Music Shell	N	N	N	N	Y
Amusement Or Theme Parks; Miniature Golf, Go-Carts	N	N	Y	Y	Y
Resorts And Campgrounds; RV Parks	N	N	N	Y	Y
Outdoor Gun Clubs, Shooting Or Archery Ranges	N	N	N	N	C
Movie Theatres, Live Theatre, Auditoriums, Concert Halls	N	N	N	N	Y
Outdoor Movie Theatres, Light/Laser Shows	N	N	N	N	C
<i>Transportation, Communication And Utilities</i>					
Wet stormwater ponds	N	N	N	N	Y
Railroads	N	Y	Y	Y	Y

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<u>Land Use</u>	<u>CZ</u>	<u>APZ 1</u>	<u>APZ 2</u>	<u>MAZ</u>	<u>MAIA</u>
Automobile Or Truck Parking	N	C	Y	Y	Y
Unpaved Local Streets	C	Y	Y	Y	Y
Highways And Paved Streets	N	C	Y	Y	Y
Solid Waste Disposal (Landfills, Incineration, Etc.)	N	N	N	N	N
Construction and Demolition (C&D) Debris Disposal Facilities	N	N	N	N,8	Y
Land Clearing Debris Disposal Facilities	N	N	N	N,8	Y

1. Density limited to one unit per five acres. Subdivision design and building location may be subject to Chapter Four.

2. Density not to exceed two units per one acre or existing zoning density, whichever is less. Subdivision design and building location may be subject to Chapter Four.

3. No more than four units per individual building.

4. Must be located outside any existing or future noise zone with a 55 DNL or greater.

5. Grazing allowed but feedlots and intensive stock yards are prohibited.

6. Left Blank Intentionally.

7. Left Blank Intentionally.

8. C&D and LCD disposal facilities may be allowed with rezoning approval within that portion of the NOLF Choctaw MAZ located east of Highway 87S.

9. Uses permitted within APZ-1 and APZ-2 subject to the following maximum Floor Area Ratios

Wholesale Trade – FAR 0.28 in APZ-1 and 0.56 in APZ-2

Auto, Marine, Aviation (Retail) – FAR of 0.14 in APZ-1 and 0.28 in APZ-2

Lumber Yards – FAR 0.20 in APZ-1 and 0.40 in APZ-2

Hardware/paint and farm equipment stores – FAR 0.12 in APZ-1 and 0.24 in APZ-2

10. Uses permitted within APZ-2 with a maximum FAR of 0.16

11. Uses permitted within AP-2 with a maximum FAR of 0.22

12. Uses permitted with APZ-1 and APZ-2 subject to the following maximum Floor Area Ratios FAR 0.11 in APZ-1 and 0.22 in APZ-2

13. Must identify actions to be taken to avoid the concentration of birds which would create a hazard to aircraft operations.

Abbreviations/Acronyms for Table 11-4

CZ – clear zone for a military airport or airfield

APZ1 – accident potential zone category one

APZ2 – accident potential zone category two

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MAIA – Military Airport Influence Area

8.03.04 Conditional Use Criteria

This section is to be used with Table 8-4 for the purposes of placing regulatory conditions on proposed development or uses to establish land use compatibility with military airport operations. This criteria is to be applied to those land uses denoted under a zone or surface as a conditional use

- A.** The site size, dimensions, location, topography and access are adequate for the needs of the proposed use, considering the proposed building mass, parking, and traffic as well as noise, vibration, odor or dust generated by military airport or ground activities.
- B.** Noise, vibration, odor or dust generated by military airport or ground activities can be mitigated through application of other Code standards, or other reasonable conditions of approval.
- C.** The negative impacts of the proposed use on aircraft flight safety and on the use of airport facilities can be mitigated through application of other Code standards, or other reasonable conditions of approval. A property owner demonstrates that exhaust, emissions, light, glare, dust will not reduce the effective use of the airport or increase risk for hazards or accidents within the Public Airport Zone.
- D.** All required public facilities have adequate capacity to serve the proposal.
- E.** The use is not located underneath the normal entry or departure flight track within the MAZ.

8.03.05 Navy Outlying Field Spencer

Within zone B1 for OLF Spencer, one single family dwelling may be constructed on a lot which was of record or subject to a written contract for purchase as of September 1, 2002, despite the fact that it does not conform with the minimum lot requirements set forth in Table 8-4, providing that all other applicable regulations and ordinances are complied with. The location of any single family home constructed on such non-conforming lot shall be reviewed and approved by the Planning and Zoning Department so as to minimize airport hazards.

8.03.06 Non-Conforming Uses

Limitations which restrict non-conforming uses and/or non-complying buildings and structures in order to realize the legislative intent and purpose of this ordinance and the adopted Comprehensive Plan of Santa Rosa County shall adhere to and follow procedures and standards set forth in Chapter Nine.

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8.03.07 Airport Hazard Structure Permits

~~No new structure or use may be constructed or established or any existing use or structure substantially changed or altered or repaired within a Military Airport Zone or Public Airport Zone unless a permit has been granted by the Building Inspection Department. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particularity to permit a determination as to whether the resulting use, structure or growth would conform to the regulations herein prescribed. If the determination is affirmative, the permit shall be granted. No permit shall be granted that would allow the creation of an airport hazard.~~

A. Height notification regulations. All development proposals for land underlying the Peter Prince Airport's 14 CFR Part 77 Surfaces, shall use the Federal Aviation Administration (FAA) Notice Criteria Tool to determine if an aeronautical study is required. When the results of the Criteria Tool determine that additional future analysis is required, an FAA Form 7460-1, Notice of Proposed Construction or Alterations shall be filed with the FAA for a full Aeronautical Study. The FAA will issue a Letter of Determination stating if the construction or alteration is an obstruction in accordance with the obstructions standards detailed in Title 14, Code of Federal Regulations, Part 77 Subpart B and Subpart C (14 CFR Part 77), and its successors and amendments. The following is also required:

- 1. Any communication tower shall be presumed to be an airport obstruction and require notification to the Federal Aviation Administration.**
- 2. Any proposed development must, at a minimum require:**
 - a. A building or development permit for the construction or alteration of an obstruction.**
 - b. The required marking and lighting for obstructions.**
 - c. Documentation showing compliance with the federal requirement for notification of proposed construction or alteration of structures and a valid aeronautical study submitted by each person applying for a permit.**
 - d. Consideration of the criteria in subsection 333.025(6), Florida Statutes when determining whether to issue or deny a permit; and**
 - e. That approval of a permit shall not be based solely on the determination by the Federal Aviation Administration that the proposed structure is not an airport hazard.**

B. Airport permit procedure and criteria

- 1. Airport permit required: Any person proposing to construct, alter, or allow an obstruction in an airport hazard area, as required by this Article, shall apply for an airport permit, as applicable. An airport permit may not be issued if it would allow the establishment or creation of an airport hazard or if it would permit a nonconforming obstruction to become a greater hazard to air navigation than it was when the applicable airport zoning ordinance was**

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adopted which allowed the establishment or creation of the obstruction, or than it is when the application for a permit was made.

2. Federal Aviation Administration (FAA) Coordination: All applicable FAA forms shall be completed, and a determination letter shall be filed with the application for a permit. Refer to the FAA Notice Criteria Tool on the FAA website to determine whether an aeronautical study is required for the proposed development.

3. Airport permit application:

a. In addition to the standard requirements to obtain a permit, the applicant shall submit to the county airport manager a completed airport permit application form (as provided by the county). Airport permit requests may be considered concurrent with development plan or other permit approval process. The FAA Determination Letter received as part of the FAA coordination shall be submitted to the county along with the airport permit application, if applicable.

b. The county airport manager shall provide a copy of the application to the Florida Department of Transportation Aviation and Spaceports Office by certified mail, return receipt requested or by email to DOTAirportZoning@dot.state.fl.us. In accordance with subsection 333.025(4), Florida Statutes, the Department has a fifteen-day (15) review period following receipt of the application, which runs concurrently with the county's permitting process.

b. Cranes, construction, equipment, and other temporary structures in use or in place for a period not to exceed eighteen (18) consecutive months are exempt from the department review unless such review is requested by the department.

4. Criteria for granting or denying an airport permit:

a. In determining whether to issue or deny an airport permit, the following criteria shall be considered, as applicable:

i. The safety of persons on the ground and in the air.

ii. The safe and efficient use of navigable airspace.

iii. The nature of the terrain and height of existing structures.

iv. The effect of the construction or alteration on the state licensing standards for a public-use airport contained in chapter 330 and rules adopted thereunder.

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- v. The character of existing and planned flight operations and developments at public-use airports.
- vi. Federal airways, visual flight rules, flyways and corridors, and instrument approaches as designated by the Federal Aviation Administration.
- vii. The effect of the construction or alteration of the proposed structure on the minimum descent altitude or the decision height at the affected airport.
- viii. The cumulative effects on navigable airspace of all existing structures and all other known proposed structures in the area.

8.04.00 DISCLOSURE

8.04.01 Disclosure

No person shall sell, lease, nor offer for sale or lease any property within a Military Airport Notification Zone or Public Airport Notification Zone unless the prospective buyer or lessee has been duly notified through one or more of the following requirements.

A. Disclosure with Sale or Lease Contract

1. Sale of Residential Property. Any contract for the sale of residential property that is located in whole or part within a Public Airport Notification Zone or a Military Airport Notification Zone, shall include, as an attachment to the contract of sale, a Military or Public Airport Disclosure Notice, in a form approved by Santa Rosa County. The Military or Public Airport Disclosure Notice shall be dated and signed by the purchaser(s) and the seller(s). If the seller is represented by a real estate agent, the agent shall witness the signature(s) of the seller(s). The seller is responsible for providing a copy of the signed Disclosure Notice to the NAS Whiting Field Aviation Planning Office. A disclosure notice form will be made available by the Planning and Zoning Department.
2. Lease of Residential Property. Any contract for the lease of a residential dwelling for more than seven months shall be subject to the notification requirements set forth in Subsection A.1.
3. Consumer Protection. The failure of a sales contract to comply with the requirements of Subsection A.1. shall enable a party to the contract who is aggrieved by such failure to rescind the contract any time prior to settlement. The failure of a lease contract to comply with the requirements of Subsection A.2. shall enable a party who is aggrieved by such failure to rescind the contract any time prior to the contract termination date. The right of rescission provided by this Subsection is not

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an exclusive remedy, and any other right or cause of action available to a party to the sales or lease contract shall remain.

B. Realty Sales Offices and Marketing. Sales offices used to market or sell new residential homes or mobile homes, including pre-construction sales, which will be constructed on lots located in a Military Airport Notification Zone or a Public Airport Notification Zone, must display a map illustrating public airport or military installation property boundaries, accident potential zones, clear zones, runway protection zones, and noise zones (55 decibel). This display requirement also applies to temporary reality sales offices. Pamphlets illustrating the same information appearing on paper not less than 8.5" by 11" shall also be made available and placed in public view.

1. Display Requirements. The map shall be no smaller than 24 inches by 36 inches and must be prominently displayed in a public area of the office and copies of such map must be available on paper which is 8 ½ by 11 inches or larger in dimension. The display and pamphlet must include a statement that additional information regarding Military Airport Zones, Public Airport Zones and zoning is available at the Santa Rosa County Planning and Zoning Department and include its most current telephone number. The location of the residential development shall be denoted on the map or pamphlet.

2. Temporary Permits. A temporary permit shall not be issued for a realty sales office located in Santa Rosa County unless it contains a requirement for compliance with Subsections B.1. and B.4.

3. Site Plan Permits. A site plan approval for any commercial or office use within Santa Rosa County shall include a statement that any realty sales office use shall comply with the display requirements of this Section.

4. Marketing Brochures. Any real estate office or business within Santa Rosa County that produces a marketing brochure for residential home sales or rental units located on property wholly or partially within a Military Airport Notification Zone or Public Airport Notification Zone shall include in said brochure the following statement:

"Some or all of the property within this residential development lies within a Military Airport Notification Zone or Public Airport Notification Zone. Information regarding such overlay zones, including airport noise impacts, can be obtained from the Santa Rosa County Planning and Zoning Department, Milton, Florida."

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C. Covenants and Restrictions. Residential plats proposed within a Military Airport Notification Zone or Public Airport Notification Zone shall incorporate disclosure requirements within covenants, and restrictions as set forth within Chapter Four.

8.05.00 OUTDOOR LIGHTING STANDARDS AND GLARE CONTROL TO PROMOTE FLIGHT SAFETY

8.05.01 Purpose and Intent

The purpose and intent of the provisions for the regulations of outdoor lighting within military and public airport environs is to reduce the potential for aircraft accidents related to pilot vision impairment or pilot confusion created by outdoor lighting.

Accordingly, it is the intent of this Code to encourage outdoor lighting practices and systems that will minimize light pollution, glare, and flash illumination that may interfere with a pilot's or navigator's ability to control or navigate aircraft. The intent is also to promote optimum conditions for effective night-time military flight operations and ground training.

8.05.02 Definitions

Fully Shielded: For the purposes of this Chapter, fully shielded shall mean an outdoor light fixture shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below a horizontal plane extending from the bottom of the light fixture.

Glare: The sensation produced within the visual field by luminance that is sufficiently greater than the luminance to which the eyes are adapted, causing annoyance, discomfort, or loss in visual performance and visibility.

8.05.03 Prohibited Lights or Sources of Glare

A. Countywide. The following lighting is prohibited in Santa Rosa County unless duly authorized as temporary lighting or issued a special event permit:

1. When projected above a horizontal plane, beacons, search lights, laser source lights, strobe light, or any similar high intensity light used for promotional purposes.
2. Laser light shows except as approved by the County through a special event permit.
3. Public outdoor display of fireworks or pyrotechnics.

B. Military Airport Zones (MAZ) or Public Airport Zones (PAZ). The following lighting or glare that can cause distraction, flash blindness, vision impairment, or visual interference while piloting or navigating an aircraft are prohibited within a MAZ or PAZ:

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1. Series, lines, rows, or patterns of lights, whether supported by cables or other physical means, or laid upon a ground or building, that may resemble navigational or flight safety aids, landing pads, or lighting common to general or military aviation.
2. Lighting designed for the creation of sky glow to attract attention, in excess of the lighting used to provide safety, security, and utility.
3. Outdoor floodlighting by flood light projection above the horizontal plane.
4. Lighting fixtures and architectural detailing that use luminous tube lighting (neon, argon or krypton) on a building exterior or roof.
5. Internally lit awnings.
6. External illumination for signs.

8.05.04 Lighting Standards Within Military Airport or Public Airport Zones

The following standards apply to all non-military lands within an MAZ or PAZ, unless otherwise stated.

- A. Outdoor Lighting Limitations within MAZs. Outdoor lighting shall only be used to accommodate minimum illumination for general safety, security and utility within a MAZ, but shall not be used for outdoor public assembly, commercial sales, product display, industrial activities, or other uses occurring outdoors or outside an enclosed building.
- B. Outdoor Recreation and Commercial Facilities. Outdoor lighting shall not be used to illuminate golf courses, golf practice driving ranges, and athletic fields or courts located within a Military Airport Zone or Public Airport Zone.
- C. Parking Lot Lighting Standards. Lighting Standards (poles) shall be sized in such a manner that the top of any luminary does not exceed twenty-nine (29) feet above adjacent grade. For all parking lots, outdoor lighting shall be fully-shielded .
- D. Intentionally left blank
- E. Landscape, Decorative, and Architectural Lighting
 1. Luminaries used to illuminate flags, statues, steeples, monuments, and other tall narrow objects shall be illuminated with the type of luminary that directs the narrowest beam capable of illuminating the object.
 2. Lighting on buildings for aesthetic purposes shall be directed downward from the top. No lighting will be placed on buildings for aesthetic purposes except as may be exempt in this Chapter for holiday seasons.

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F. Fixed lights, including street lights, must be fully-shielded. All light fixtures that are required to be shielded shall be installed in such a manner that the shielding is effective as described Section 11.05.02, Definitions, for fully or partially shielded fixtures. This section does not apply to individual single family or duplex residential lots, including security lights installed by the electric utility provider that are mounted on poles in the right-of-way but are directed toward the residential lot. Unshielded street lights in place prior to July 2013 may be replaced by unshielded lights as needed for maintenance purposes.

G. Moveable lights, such as spot lights attached to infrared-sensitive cameras, must be mounted such that the lights cannot be directed higher than twenty degrees below the horizontal, measured from the center of the light beam.

H. Automobile Canopies. All luminaries mounted on the under surface of automobile canopies for service stations, drive-in restaurants, or other commercial or industrial uses shall be fully shielded and utilize flat glass or flat plastic (acrylic or polycarbonate) covers.

8.05.05 Advertising Signs

Within any MAZ or PAZ, outdoor internally illuminated advertising signs shall be constructed with an opaque background and translucent letters and symbols. (Opaque means that the material must not transmit light from an internal illumination source.) Such signs shall be turned off at 9:00 pm or when the business is closed, whichever is later.

8.05.06 Outdoor Lighting Plan

Within a Military or Airport Influence Area, except as exempted herein, an outdoor lighting plan shall be submitted with a site plan or subdivision application for any non-residential use to determine compliance with the requirements of this Chapter. The outdoor lighting plan shall be prepared by a professional engineer. Prior to approving a site plan or subdivision plan for which an outdoor lighting plan is required, the applicant must submit to the County a letter from the military installation indicating any comments or concerns.

8.05.07 Exemptions

The following outdoor lighting is exempt from this Chapter:

A. Search lights, laser source lights, or any similar high-intensity lighting used in emergencies by police and fire personnel or at their direction; or for meteorological data gathering purposes undertaken with approval by the County.

B. Airport lighting which is required for the safe and efficient movement of aircraft during flight, takeoff, landing, and taxiing is exempt from the provisions of this Section. All other outdoor lighting at airport facilities shall comply with the provisions of this Chapter.

8. Airport Environs

C. Holiday or decorative lights illuminated November 20 through January 15 each year, so long as such lights placed on property or buildings within a Military Airport Zone or Public Airport Zone are not determined to adversely affect pilot vision or comprehension.

8.05.08 Non-Conforming Uses

Limitations which restrict non-conforming uses and/or non-complying buildings and structures in order to realize the legislative intent and purpose of this ordinance and the adopted Comprehensive Plan of Santa Rosa County shall adhere to and follow procedures and standards set forth in Chapter Nine.

8.05.09 Temporary Lighting Permits

Outdoor lighting which is inconsistent with this Section may be allowed on a temporary basis for special events, construction activities, or temporary outdoor lighting needs for public assembly or public safety so long as the outdoor lighting does not create a potential distraction, flash blindness, vision impairment, or visual interference for aircraft pilots or navigators and would not cause a potential unreasonable risk for flight safety or interfere with any public or military airport operation or with ground activities at military installations.

A. The Planning Director may grant a permit for temporary lighting, as defined herein, if they find the following:

1. The purpose for which the lighting is proposed is not intended to extend beyond thirty (30) days;
2. The proposed lighting is designed in such a manner as to minimize light pollution and trespass as much as is feasible;
3. The proposed lighting will comply with the general intent of this Chapter;
4. The permit will be in the public interest.

B. The application for the Temporary Lighting Permit shall include the following information:

1. Name and address of applicant and property owner;
2. Location of proposed fixtures;
3. Type, wattage and lumen output of lamp(s);
4. Type and shielding of proposed fixtures;
5. Intended use of the lighting;
6. Duration of time for requested exemption;
7. The nature of the exemption;
8. Such other information as the Planning Director may request.

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C. The Planning Director shall endeavor to rule on the application within five (5) business days from the date of submission of the request and notify the applicant in writing of ~~their~~ his/her decision. The Planning Director may grant one (1) renewal of the permit for an additional thirty (30) days if they find that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Planning Director is not authorized to grant more than one (1) temporary permit and one (1) renewal for a thirty (30) day period for the same property within one (1) calendar year.

D. Prior to issuing a temporary outdoor lighting permit, the Planning Director shall consider comments and recommendations from the County Airport Manager or from the local military installations, as may be applicable.

8.06.00 APPEALS

8.06.01 Appeals

A. Any person aggrieved, or taxpayer affected, by any decision of an administrative official or agency made in its administration of the regulations adopted under this chapter, or any governing body of a political subdivision, which is of the opinion that a decision of such an administrative official or agency is an improper application of airport zoning regulations of concern to such governing body or board, may appeal to the Zoning Board the decisions of such administrative official or agency. Appeals shall be made and heard pursuant to Section 10.03.03 et. seq. of this ordinance.

B. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the agency or official from which the appeal is taken, certifies to the Zoning Board (ZB), after the notice of appeal has been filed with it, that by reasons of the facts stated in the certificate a stay would, in its opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by an order of the ZB on notice to the agency from which the appeal is taken and on due cause shown.

9. Variation from Code Requirements

Chapter 9. Variation from Code Requirements

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9.01.00 GENERALLY

The purpose of this chapter is to provide mechanisms for obtaining relief from the provisions of this LDC where hardship would otherwise occur. Three forms of hardship are addressed: (1) section 9.02.00 addresses hardship that would be caused if Non-Conforming Development were required to immediately come into compliance with this LDC, (2) section 9.03.00 addresses modifications that are not addressed elsewhere, and (3) section 9.04.00 addresses the hardship that may be caused in particular cases by the imposition of the development design standards of this LDC.

9.02.00 EXISTING NON-CONFORMING DEVELOPMENT

9.02.01 Non-Conforming Uses and Non-Complying Structures

This section provides certain limitations which restrict non-conforming uses and/or non-complying buildings and structures in order to realize the legislative intent and purpose of this ordinance and the adopted Comprehensive Plan of Santa Rosa County. This chapter is intended to assist in preserving the character of established districts in light of their suitability for particular uses, and thus to promote and protect public health, safety and general welfare.

A. Non-Conforming Uses – The provisions governing non-conforming uses set forth in this chapter are established to provide a gradual remedy for existing undesirable conditions resulting from such non-conforming uses. While non-conforming uses lawfully existing at the time of enactment of this ordinance are generally permitted to continue, this chapter is designed to restrict action regarding such uses which would make them more permanent establishments.

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B. Non-Complying Buildings and Structures – The provisions governing non-complying buildings and structures are established to prevent the creation of additional non-complying buildings and structures lawfully existing at the time of enactment of this ordinance, it also provides, wherever reasonable and practical, for a gradual remedy from non-compliance.

9.02.02 Continuance of a Non-Conforming Use or Non-Complying Building or Structure

A. A non-conforming use lawfully existing at the time of the enactment of this ordinance may be continued subject to the provisions of this ordinance and any other applicable County land development regulations.

B. The lawful use of a non-complying building or structure may be continued subject to provisions of this ordinance and any other County land development regulations.

C. Nothing in this ordinance shall be interpreted as authorization for, or approval of, continuation of any illegal use of a building, structure, premises or land, in violation of any ordinance in effect at the time of the passage of this ordinance.

The casual, intermittent, temporary, or illegal use of land, building or structure for any length of time shall not be sufficient to establish the existence of a non-conforming use.

D. Any planned building or structure for which a lawful building permit or development order was issued prior to the enactment of this ordinance, and construction of which is or will be in conformity with approved site plans or subdivision construction plans, if applicable, said building plans shall not be affected by this ordinance if the planned building or structure is built in full compliance with County land development regulations as they existed at the time of the issuance of the building permit or development order. However, if such building or structure does not conform to the provisions of this Ordinance which cause such planned building, structure or use to be non-conforming or non-complying, then it shall be non-conforming or non-complying, or both, as the case may be, by applying this ordinance to the building, structure or use. Preliminary plats and subdivision construction plans that had approvals issued from January 2008 will be grandfathered in.

9.02.03 Increase of Non-Conforming Use Prohibited

A non-conforming use shall not be extended, expanded, enlarged, or increased in intensity. Such prohibited activities apply to both complying and non-complying buildings or structures and shall include without being limited to:

A. Extension of non-conforming use to any other building or other structure.
Extension of a non-conforming use to any land area other than the specific land

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area that was actually and directly occupied by such use on the effective date of this ordinance (or on the effective date of subsequent amendment thereto that causes such use to become non-conforming).

B. Extension of non-conforming use within a building or other structure to any portion of floor area on the same or another floor that was not actually and directly occupied by such use on the effective date of this ordinance (or on the effective date of a subsequent amendment thereto that causes such use to become non-conforming); provided, however, that a non-conforming use may be extended throughout any part of such building or other structure if same is extended without structural alteration to the building or structure, such extension does not require additional parking spaces, such extension does not add any additional dwelling units, and the existing non-conforming use and the proposed extension complies with bulk regulations, landscape requirements and other provisions of this ordinance.

C. Operation of a non-conforming use in such manner as to conflict with or to further conflict (if already conflicting on the effective date of this ordinance or, on the effective date of a subsequent amendment thereto that results in such use becoming non-conforming), with any performance standards established for the district in which the use is located.

D. Nothing contained in this Section shall in any way prohibit a non-conforming use from acquiring additional off-street parking area, subject to applicable landscape requirements.

E. No additions which increase the area of non-conforming use or a conforming use shall be made to any building or structure occupied, in whole or in part, by a non-conforming use.

F. No alterations shall be made to any building or structure occupied by a non-conforming use except as permitted by this Ordinance.

G. Nothing in this section shall prohibit the expansion to a single family residence, subject to applicable setback requirements.

9.02.04 Change of Non-Conforming Use

If no structural alterations are made, a non-conforming use of a building or structure may be changed to another non-conforming use of similar classification under the following conditions:

A. The uses to which the building is to be put is at the time of the proposed change, classified as a similar use in the zoning district where the existing non-conforming use is permitted. If the existing non-conforming use is an unconditionally permitted use (not a conditional use) in more than one zoning district, the most restrictive zoning district where the use is unconditionally permitted shall be the zoning district referenced to determine whether the

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proposed new non-conforming use is classified as a use similar to the existing non-conforming use.

B. The change in use shall not intensify or enlarge the basic use of the building or premises by increasing the need for more parking facilities; by increasing vehicular or pedestrian traffic; by creating more noise, vibration, fire hazard, dust or fume, by increasing ground coverage or adversely impacting drainage; or otherwise result in a more intensive use of the building or premises unless the change is to make the building and premises more nearly conform to the requirements of the zoning of the district in which the building or structure is located.

C. When a non-conforming use of all or any part of a building, structure or premises is changed to another non-conforming use of a more restricted character, the new use may not thereafter be changed to any less restricted use.

D. When a non-conforming use of all or any building, structure or premises has been changed to a conforming use, the conforming use shall not thereafter be changed to any non-conforming use.

E. No alterations shall be made to any building or structure occupied by a non-conforming use except as permitted in this ordinance.

F. A change from one non-conforming use to another non-conforming use shall not be permitted if the change results in an extension of a non-conforming use, except as would be permitted pursuant to Section 9.02.03.B above.

9.02.05 Alterations to Non-Conforming Uses or Non-Complying Buildings or Structures

A. Incidental Alterations to Non-Conforming or Non-Complying Buildings or Structures: Repairs and alterations shall be limited to incidental alterations as defined below:

- 1.** Minor interior structural improvements which do not extend the non-conforming use or increase the non-compliance and which are consistent with all applicable provisions of this chapter.
- 2.** Replacement of, or minor changes in capacity of utility pipes, ducts, conduits, or other utility system components.
- 3.** Improvements to exterior facade, including windows or doors.
- 4.** No incidental alteration shall include an extension or addition which permits the non-conforming use to occupy any additional land or which increases any non-compliance.
- 5.** Any single family residential structure, including mobile homes, used for residential occupancy only, located in any district may make unwallled additions limited to the following: porches, patios, decks, and

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carports provided the more restrictive setbacks, open space, and other bulk regulations governing single family dwelling units are applied to the entire parcel. Accessory buildings are permitted in accordance with Section 5.02.00

B. Non-Incidental Change of or Increase in Conforming Use in Non-Complying Building or Structure

1. Change of Use or Increase in Floor Area With No Exterior Addition - Provided non-compliance is not intensified, extended or increased, a change from one conforming use to another conforming use, or an increase in the area of a conforming use, within a non-complying building or structure, with or without structural alterations, is permitted only under the following conditions:

- a.** All uses to which said building or structure is put conform to the applicable use provisions of the zoning district in which the building or structure is located.
- b.** If only parking is deficient at the time of the proposed change under the provisions of this ordinance and the change does not require any additional parking space which would increase the existing parking deficiency and its attendant landscaping are corrected to the extent sufficient land is available on the site to accommodate some or all of the deficient parking spaces. Increases in floor area which result in additional required parking may be permitted up to the square footage that would still allow for the accommodation of the additional required parking.
- c.** If only landscaping is deficient at the time of the proposed change under the provisions of this ordinance, and the change does not require additional parking spaces, the change is permitted providing the existing landscaping deficiency is corrected to the extent sufficient land is available on the site to accommodate some or all of the deficient landscaping.
- d.** If the parking area is deficient at the time of the proposed change under the provisions of this ordinance and the proposed change requires additional parking spaces over the existing parking deficiency, the change is prohibited unless the net additional parking area and its attendant landscaping are provided and any deficiencies are corrected under the same criteria in this chapter.
- e.** If both existing parking and landscaping are deficient at the time of the proposed change under the provisions of this ordinance and the change does not require any additional parking, or any additional landscaping or which would increase the requirement for

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parking or landscaping over the existing deficiencies, the change is permitted provided the deficiencies are corrected to accommodate some or all of the deficient parking or landscaping. If sufficient land is not available on the site to allow correction of all of the parking and landscaping deficiencies (at the time of the proposed change), priority of correction to the landscaping and parking deficiencies shall be determined on a case by-case basis by the Planning Director and, the Building Director. The Planning Director shall determine if the proposed change is a minor change in site plan pursuant to Section 4.02.07.J et. seq., or if the change requires full site plan review.

f. If parking and landscaping are in compliance at the time of the proposed change under the provisions of this code and the proposed changes do not render either the parking or landscaping deficient, the change is permitted. If the proposed change would render either the parking or landscaping, or both, to become deficient, and therefore non-complying, the change is prohibited unless the required additional parking and landscaping are provided.

2. Addition to a Non Complying Building or Structure or Addition to Another Building or Structure - Provided non-compliance is not intensified, extended or increased, an increase in the area of a conforming use by the addition to a non-complying building or structure, or by the addition of another building or structure on the site, is permitted only under the following conditions:

- a.** All uses to which all buildings or structures are put conform to the applicable use provisions of the zoning district in which the building or structure is located.
- b.** In every case the additional parking required by the addition shall be provided.
- c.** In every case the additional landscaping required by the addition shall be provided.

In addition to the requirements of paragraphs (1), (2) and (3) above:

d. If only parking space is deficient at the time of the proposed addition under the provisions of this code, the deficiency shall be corrected by applying the following formula: Divide the gross floor area of the existing building(s) or structure(s) into the gross floor area of the proposed addition to establish a percentage; then multiply the percentage times the existing building prior to the proposed addition. The result rounded at the next highest whole

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number shall be the minimum number of parking spaces required (with attendant landscaping) to correct the deficiency.

If insufficient land remains to fully accommodate both the remaining parking deficiency and the landscaping required by the parking spaces to accommodate the remaining parking deficiency, the priority of parking spaces vis a vis landscaping shall be determined on a case by case basis as provided in this Section above.

e. If only landscaping is deficient under the provisions of this code at the time of the proposed addition, and the addition does not require additional parking, the landscaping deficiency shall be corrected to the extent sufficient land was available on the effective date of this ordinance on the site to accommodate the landscaping.

f. If both parking and landscaping are deficient at the time of the proposed addition, and the minimum requirements of paragraphs (1), (2), (3), and (4) above are complied with and additional land area was available on the site on the effective date of this ordinance or at the time of the proposed addition, whichever land area is greater, to accommodate both the parking and landscaping deficiencies shall be complied with.

If, under the above situation sufficient land was not available on the effective date of this ordinance on the site to accommodate full correction of both deficiencies, and sufficient land is not available on the site at the time of the proposed change, whichever land area is greater, the priority of corrections shall be determined as provided in Section 9.02.05.B.2 above.

C. Provisions for Determining the Required Corrections to Deficiencies

1. It is the intent of this ordinance to require the corrections of deficiencies to the extent sufficient land was available on site to accommodate maximum corrections to deficiencies to the effective date of this ordinance.

2. If any land area was available on the site on the effective date of the deficiencies by applying this ordinance, but the land area has been voluntarily changed on the effective date of this ordinance or thereafter, whereby the net land area available (at the time of the proposed change) to accommodate the corrections that could have been accommodated on the effective date of this ordinance, has been reduced, the proposed change or addition or both shall be prohibited. This condition is intended to prohibit voluntary sales, leases, and other changes to the land area that should cause a situation whereby all of the possible maximum corrections (to deficiencies) as they existed on the effective date of this ordinance

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would need not be complied with because the landowner(s) or their successors in interest, at any time after the effective date of this ordinance, made changes to the land which resulted in a reduction to the number of possible corrections of deficiencies.

3. Involuntary transfers of, or restrictions on, the land which occurred after the effective date of this ordinance, shall not be held against the proposed addition as to the existing deficiencies only and, in such event, the provisions relating to existing deficiency shall be complied with to the extent possible at the time, subject to full compliance with the provisions of this Section relating to changes of additions which require additional parking or landscaping, or both over and above any existing deficiency.

4. The landowner or their representative shall be required to prove the size and shape of the site on the effective date of this ordinance, plus the size and location of all buildings and structures, including parking lots, on the effective date of this ordinance, plus the net addition to or subtraction from the land area or buildings or structures, or both, at the time of the proposed addition, to enable the County to properly determine the legality and propriety of the proposed change or addition; and the corresponding required corrections of the existing deficiencies, if any, in parking and landscaping.

5. Repairs or resurfacing of existing parking lots without landscaping is prohibited unless the landscaping deficiency is corrected to the extent land is available on the site to accommodate the landscaping without reducing the existing parking area to less than the applicable parking requirements.

9.02.06 Abandonment or Discontinuance of a Non-Conforming Use

A. If a non-conforming use is removed or abandoned for a continuous period of not less than ninety (90) days, every future use of the premises shall be in conformity with the use provisions of this ordinance. All material and equipment associated with the abandoned non-conforming use shall be completely removed from the premises by its owner within one (1) year after the expiration of the ninety (90) day period.

B. Where the cessation of the use is involuntary or the result of acts of God, the non-conforming use shall not be declared abandoned until after a three year (3) period. However, if the use is discontinued voluntarily or involuntarily for a period of six (6) months or more, every future use of the premises shall be in conformity with the use provisions of this Ordinance and all material and equipment associated with the discontinued non-conforming use shall be completely removed from the premises by the owner. Extensions to the six (6) month time period may be granted by the Zoning Board if the landowner proves a

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cessation of use for a period of more than six (6) months was due to circumstances beyond their control and that they exerted a continuing good faith effort to put the building or structure to use during the six (6) month period.

9.02.07 Destruction of Non-Conforming Uses and Non-Complying Buildings and Structures

Nothing in this Ordinance shall prevent either:

A. The restoration of a building destroyed to the extent of not more than forty nine percent (49%) of total replacement value by fire, explosion or other casualty, or act of God, or public enemy, or

B. The continued occupancy or use of such building or part thereof which existed at the time of such partial destruction.

If damage exceeds forty nine percent (49%) of the replacement value, the owner may appeal to the Zoning Board for a special exception pursuant to Section 5.06.00 of this ordinance.

Destruction or damage of non-complying residential buildings:

Notwithstanding any other provision of this ordinance, any residential building located on Navarre Beach which was damaged or destroyed by Hurricane Ivan which was non-complying only by reason of side, rear or front yard setbacks may be rebuilt in its original footprint. Additionally, said building or structure may be rebuilt in a modified footprint, so long as such modified footprint is closer to compliance with the applicable rear, front or side setback requirement than the original footprint.

All such reconstruction shall not require a variance, but must comply with all other applicable state and federal laws or regulations.

C. Rebuilding within the Historic and/or Conservation Overlay District Following a Disaster: Within the Historic and Conservation Overlay Districts, should a structure be fully or partially destroyed by a disaster such as a hurricane, flood or fire, the owner may rebuild the structure to its pre-disaster condition regardless of its consistency with the overlay design standards, provided that all other provisions of this code are met. This provision does not apply to acts purposefully caused or allowed by the owner, such as arson.

9.02.08 Non-Conforming Gravel, Dirt or Earth Material Excavation Operations

All lawfully existing non-conforming gravel, dirt, or earth material excavation, mining, borrow pits, and construction and demolition debris (C&D) and land clearing (LCD) disposal facilities shall be subject to the following:

A. Those facilities which have an approved and unexpired site plan on file with the County may develop the approved operation(s) to the extent approved on said site plan.

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B. For legally existing non-conforming facilities or facilities that have been granted previous land use approval, site plan approval for certain development activities that are not described by a previously approved and valid site plan may be requested without a zoning change to the PIT 1 or PIT 2 district.

- 1.** This allowance applies in either of the following situations:
 - a.** Proposed development of a facility, operation or use that is consistent with a valid and unexpired conditional use approval which was granted prior to the adoption of Ordinance 2011-19 (July 28, 2011);
 - b.** Proposed expansion of a legally existing use at a legally existing non-conforming or previously approved facility in operation prior to adoption of Ordinance 2011-19 (July 28, 2011).
- 2.** Development activities allowed under subpart 1 above shall be subject to site plan review and the following standards;
 - a.** Development is allowed to the extent as specified by the conditional use or rezoning approval(s) and any conditions specified in said approval, if any;
 - b.** Development will be subject the standards of Section 4.02.08

C. All other development activities, expansions or pit conversions not allowed under parts A and B above are not permitted without a zoning change to the PIT 1 or PIT 2 district and subsequent site plan approval.

D. For the purposes of this section, excavation or borrow operations, LCD disposal operations and C&D disposal operations are considered separate and distinct uses.

9.02.09 Non-Conforming Uses on Navarre Beach

The lawful use of a building or land existing for which an existing lease entered into with Santa Rosa County provides for or for which a building permit has been granted as of the date of adoption of this ordinance shall not be affected by this ordinance, although such does not conform to the provisions of this ordinance.

Setbacks as established by the restrictive covenants of any subdivision recorded prior to the effective date of this ordinance shall take priority over the setbacks as established by this ordinance.

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9.03.00 MODIFICATIONS AND ADJUSTMENTS OF DISTRICT REGULATIONS

The regulations set forth in this Section modify, adjust or supplement the district regulations appearing in Chapter 2 of this ordinance.

9.03.01 General Modifications

A. Yard or Court Encroachment Including Roof Overhang - Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, buttresses, awnings, eaves and similar features approved by the County Zoning Board. None of the above projections shall project into a court more than six (6) inches nor into any yard more than twenty four (24) inches, except roof overhangs and awnings which may extend forty eight (48) inches into any yard provided the respective yard is at least ten (10) feet in depth. In no case shall a structure project into a public right of way without prior approval by the County Commission.

The minimum yards and other open space provisions contained in this ordinance for each and every building herein after erected or structurally altered, shall not be encroached upon or considered as yard or open space requirements for any other building.

B. Purpose, Use and Maintenance of Yards: The purpose of yards required in this Ordinance is to provide open space around and between structures for health, safety and aesthetic purposes.

All required yards and landscaped areas where not used for parking, driveways, sidewalks or other approved structures shall be planted and maintained in lawn, sod or landscaping including flower beds, shrubs, hedges, statuary or ornamental objects. Trees shall be planted where they do not obscure the vision of the driver of a vehicle. Performance Standards shall also govern where and when applicable.

Maintenance of yards does not apply to single family and duplex development.

C. Abandoned, Derelict and Unlicensed Vehicles: Vehicles (automobiles, semi-trucks, trailers, RV's, motorcycles) requiring licensure in the State of Florida must meet two of the three following criteria or be stored in a completely enclosed garage or hidden completely from public view (view from adjacent property or right of way) in residential zoning districts with a maximum number two screened from public view outside an enclosed garage per parcel:

1. The vehicle has a valid title and current license plate.
2. The vehicle will run and move forward and backward within a week of the initial investigation by the Code Enforcement Department.

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3. The vehicle is completely intact with all body work and mechanical parts present at time of investigation.

In the event no backyard is available, a complete, intact car cover (not a tarp) will be acceptable for screening. Licensed car sales lots, junk yards, salvage yards, or automotive repair shops for vehicles under repair are exempted from this subsection provided they meet appropriate zoning criteria.

D. Distance Between Buildings on Same Lot - More than one multiple dwelling may be located upon a lot provided that the horizontal open space between such buildings measured at the closest point shall not be less than twice the side yard required in the district in which such uses are located.

E. Use of Lots Less Than Required Size - Any lot of record on the effective date of this Ordinance, which contains less land area depth or width than is required in the district in which such lot is located, may be used for the uses permitted in such district.

F. Continuance of Mobile Homes and Mobile Home Parks - Those house trailers, mobile homes, and licensed mobile home parks existing at the time of adoption of this ordinance located in the Santa Rosa County Planning area are hereby allowed to continue pursuant to Chapter 9 herein, provided that they meet all applicable building, plumbing, and electrical codes as amended from time to time.

The number of mobile homes shall be limited to that number authorized by the mobile home license in effect as of July 26, 2009.

G. Subdivision Sales Office - Nothing contained in this ordinance shall be construed to prevent the owner or sales agent of a subdivision from using or occupying any house that may be constructed in said subdivision in accordance with the building code and zoning regulations as an office for the sale and promotion of lots and houses within such subdivisions only. Such operations must cease when sales in said subdivision have been completed.

H. Lands Abutting Military and Public Airports: In situations where zoning districts abut or are adjacent to military or public airports (as identified on the Official Zoning Map), the Airport Zoning Ordinance (Chapter 8) shall have precedence over this ordinance. Uses permitted in this overlay district (as shown on the "Airport Ordinance Overlay District Map") shall be in substantial conformity with those provisions as set forth in the Airport Zoning Ordinance for the protection of public health, safety, welfare.

I. Self Service Storage Facilities: Self-service storage facilities may include limited outside storage. Outside storage shall be limited to items such as: recreational vehicles, utility trailers, boats, cars, and small tractors. All outside storage shall be screened by an ~~eight (8)~~ **a minimum six (6)** foot privacy fence.

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J. Storage of Goods or Products on Rights-of-Way Prohibited: The storage of goods, products or other items for sale on or within a public right-of-way is prohibited.

K. Navarre Beach Buildings to Conform – No building shall be erected, constructed or structurally altered or land be used which does not comply with the regulations established for the district in which the building or land is located. Any building hereafter erected, reconstructed or structurally altered, shall not encroach upon the minimum yards and other open spaces, including the intensity of use provisions, contained in this ordinance.

Every principal building shall front on a street.

L. Derelict vessel - A vessel is considered derelict when it is left stored or abandoned in a wrecked, junked or demolished condition on public waters or private property. Derelict vessels, relocation or removal per 823.11 F.S.

9.04.00 VARIANCES

9.04.01 Generally

The Zoning Board may authorize a Variance from the site and building design or development standards set forth in the LDC (except where expressly prohibited) where the Board has determined that the requirements of this subsection have been met.

The Planning Director may authorize an administrative variance up to 12” (1 foot) as an allowance.

To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to public interest. Where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship and so that the spirit of this ordinance shall be observed and substantial justice done. Such special conditions shall be limited to exceptional physical characteristics inherent in the specific piece of property such as exceptional narrowness, shallowness, shape, adverse topographic conditions as would result in peculiar and practical difficulties. Any variance shall not be contrary to the public interest and when owing to conditions peculiar to the property and not of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardships. A variance can be authorized for any provision within the Land Development Code which does not impair the intent of the zoning ordinance, zoning district map, and/or amend the Comprehensive Plan. Variances shall not be authorized for such provisions as minimum lot size, maximum density, permitted and/or conditional uses, distance of vendors selling liquor, beer or wine for on premise consumption from a church or school, road frontage (except where permitted by Special Exception or as specifically provided below), **increases to guest cottage sizes**, and other similar provisions.

9. Variation from Code Requirements

9.04.02 Procedure

A. Applications

1. An application for a Variance shall include the submittals required in Chapter 11.
2. The application for a Variance shall include a statement explaining how the Variance request conforms to the requirements listed in section 9.04.03.

B. Review of Applications

An application for a Variance shall be reviewed pursuant to the applicable procedures set forth in Chapter 10.

9.04.03 Required Findings

A. In order for an application for a Variance to be approved or approved with conditions, the Zoning Board may make a positive finding, based on the evidence submitted, with regard to each of the following provisions:

1. The need for the proposed Variance is due to the physical shape, configuration or topographical conditions of the lot in such a manner as to distinguish it from other adjacent or nearby lots.
2. The proposed Variance is necessary to preserve a substantial property right where such property right is generally available to other property owners of adjacent or nearby lots.
3. The proposed Variance will not substantially increase congestion on surrounding streets, will not increase the danger of fire or other hazard and will not otherwise be detrimental to the health, safety or welfare of the public.
4. The variance will not impair the intent of the zoning ordinance or zoning district map.
5. To permit the reduction of parking or loading requirements whenever the character or use of a building is such as to render unnecessary the full provision of parking or loading facilities as specified herein or whenever the strict enforcement of such provision would impose an unreasonable hardship as contrasted with merely granting an advantage or convenience.

Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.

6. There is a specific hardship affecting the development of the lot resulting from the strict application of the provisions of the LDC.

9. Variation from Code Requirements

7. The hardship is not a result of actions of the owner and is not based solely on the desire to reduce development costs.
8. The proposed Variance will be compatible with adjacent and nearby development and will not alter the essential character of the area.
9. The effect of the proposed Variance is consistent with the Comprehensive Plan.
- ~~10. The variance will provide an economic benefit to Santa Rosa County as demonstrated by the stakeholder.~~

B. The applicant for a variance has the burden of proof of demonstrating that the application for a Variance complies with each of the requirements of section 9.04.03.A.

9.04.04 Limitation on Time of Use Variance

Any Variance authorized by the Zoning Board and not used and acted upon in a real and substantial way by the applicant or the applicant's successor in interest within thirty six (36) months from the date on which the decision of the Zoning Board shall be deemed abandoned and be void.

9. Variation from Code Requirements

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10. Decision-Making and Administrative Bodies

Chapter 10. Decision-Making and Administrative Bodies

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10.01.00 GENERALLY

The Board of County Commissioners has established the decision-making and administrative bodies identified in this chapter for the purpose of implementing the provisions of the LDC.

10.02.00 ALL BOARDS

10.02.01 Attendance

Each Board member shall attend all meetings. The Board shall consider asking for the resignation of any member who has been absent from three (3) regular meetings during the period of twelve (12) consecutive months.

10.02.02 By-laws

- A. Each board shall elect a chairman and a vice chairman at the last board meeting of the calendar year. The chairman and vice chairman will serve for a period of one (1) year. In the event of the chairman's absence, the vice chairman will serve as chairman.
- B. The board will keep minutes of the proceedings.
- C. The scheduling of regular and special meetings will be advertised in accordance with Florida Sunshine Law.

10. Decision-Making and Administrative Bodies

10.02.03 Quorum

For the purpose of transacting business at any meeting, a majority of the Board members shall constitute a quorum. Any action of the Board shall require the majority of the quorum.

10.03.00 Zoning Board

10.03.01 Membership and Terms

A. The Zoning Board shall consist of ten (10) members. Each member of the Board of County Commissioners of Santa Rosa County, Florida shall nominate two (2) members to this Board, both of whom shall be residents of Santa Rosa County and at least one of whom must reside in the district of the appointing County Commissioner. Each nominee shall be confirmed by the Board of County Commissioners. The members of this Board shall be appointed for staggered terms of two (2) years, and may be reappointed for consecutive terms. The nominating member of the Board of County Commissioners of Santa Rosa County, Florida, is authorized to remove any member from the Zoning Board for any reason, which removal shall be confirmed by the Board of County Commissioners. Any vacancies occurring during the unexpired term of office of any member shall be filled for the period of the unexpired term within thirty (30) days after the vacancy occurs. The organization and procedure of the Board, its meetings and method of handling appeals and other related matters shall be in the manner hereinafter provided and as provided in County Ordinance 81-07.

B. In addition to the foregoing members, a representative of the Santa Rosa County School Board, and a representative of Naval Air Station Whiting Field shall serve as ex officio members of the Zoning Board. They shall not be entitled to vote and shall not be included in the determination of a quorum.

C. The Zoning Board shall adopt procedural rules in accordance with the provisions of this ordinance. Meetings of the Board shall be held at the call of the Chairman and at such times as the Board may determine. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the County Clerk and shall be a public record.

10. Decision-Making and Administrative Bodies

10.03.02 Roles and Responsibilities

The Zoning Board shall have the following roles and responsibilities:

- A.** To hear, consider and make recommendations to the Board of County Commissioners regarding proposals for amendments to the Comprehensive Plan.
- B.** To hear, consider and make recommendations to the Board of County Commissioners regarding proposals for amendments to the LDC.
- C.** To hear, consider and make recommendations to the Board of County Commissioners regarding proposals for amendments to the Official Zoning Map and Official Future Land Use Map.
- D.** To hear, consider and make recommendations to the Board of County Commissioners for conditional uses.
- E.** To hear, consider and make recommendations to the Board of County Commissioners for Master Plans of Planned Unit Developments, Planned Business Districts and/or Planned Industrial Districts or modifications thereof.
- F.** To hear, consider and approve or deny applications for special exceptions.
- G.** To hear, consider and approve or deny applications for variances.
- H.** To conduct public hearings and render decisions in compliance with the requirements of the LDC.
- I.** To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination or interpretation made by the Planning Director, or ~~their~~ his/her designee which is related to the LDC.
 - 1.** Appeals to the Zoning Board concerning any and all matters may be taken by any person aggrieved or by any officer of a department of Santa Rosa County affected by any decision of another administrative officer. Such appeal shall be exercised within a reasonable time (thirty (30) days from the date of the administrative decision or as provided by the rules of the board), by filing with the officer to whom the appeal is directed and with the Zoning Board. A notice of appeal specifying the grounds thereof shall be included. The officer to whom the appeal is directed shall forthwith transmit to the Board all the papers constituting the records upon which the action appealed is based.
- J.** Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this ordinance, appeals to the Board may be taken by any person aggrieved. However, the Board shall not grant exceptions to the provisions of this ordinance for the personal convenience of any individual or in the case of new construction for the purpose of granting any substantial variance of the restrictions on the various zones as herein contained.

10. Decision-Making and Administrative Bodies

K. In interpreting and applying the provisions of this ordinance, said provisions shall be held to be minimum provisions. The Zoning Board may reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer to whom the appeal is directed. The concurring vote of a quorum majority of the members of the Zoning Board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to vote.

10.03.03 **Appealing Decision of the Zoning Board**

Any person, persons, or county department jointly or severally, of Santa Rosa County aggrieved by any decision of the Zoning Board, may appeal a decision of the Zoning Board by filing an appeal with the Board of County Commissioners. Such appeal shall be filed with the Planning and Zoning Department in a form prescribed by the County Commission within fifteen (15) calendar days of the decision or action appealed. The review by the Board of County Commissioners shall be de novo.

For purposes of appealing the decision of the Board of County Commissioners, the record shall consist of all documents and exhibits presented at the hearing, all testimony presented at the hearing, the package transmitted to the Board by the Planning and Zoning Department for the hearing, and the relevant minutes of the Zoning Board.

~~10.04.00 BAGDAD ARCHITECTURAL ADVISORY BOARD~~

~~10.04.01 Membership and Terms~~

~~**A.** The Bagdad Architectural Advisory Board (BAAB) shall be established by the Board of County Commissioners. Any new restoration or new construction projects will be presented to this board for its approval upon review by the Planning and Zoning Department and prior to the issuance of any county building permits. The Architectural Advisory Board will insure that proposed development activity is consistent with the Land Development Code and associated Design Manual.~~

~~**B.** BAAB members shall be appointed by the Board of County Commissioners.~~

~~**C.** The BAAB shall consist of five (5) voting members and one (1) ex officio member, as follows:~~

~~**1.** Voting Members: The voting members shall consist of the following:~~

~~**a.** A minimum of two (2) members residing within the Bagdad~~

10. Decision-Making and Administrative Bodies

~~Historic or Conservation Overlay Districts~~

~~b. — One (1) member nominated by the Bagdad Village Preservation Association.~~

~~c. — A minimum of one (1) member having demonstrated expertise in architectural design who may or may not live within Santa Rosa County.~~

~~d. — It is acceptable for one (1) or more members to satisfy more than one of the requirements above. To the extent they are available in the community, other voting members should include historians, architects, landscape architects, urban planners, engineers, real estate professionals, and representatives of similar disciplines.~~

~~e. — Ex Officio Member: One (1) non-voting ex officio member shall be appointed by the Board of County Commissioners from the archeology or anthropology department of a local educational institution.~~

~~D. — BAAB members shall be appointed to serve two (2) year terms except for appointments to fill a vacancy, in which case the appointment shall be limited to the unexpired term. Any member of the BAAB may be removed from office by the Board of County Commissioners without cause.~~

~~E. — One (1) representative of the County's Planning and Zoning Department shall serve as the technical Advisor to the BAAB.~~

10.04.02 — Roles and Responsibilities

~~A. — The BAAB shall be responsible for performing design review and rendering decisions as part of the approval process for all new development, demolitions, building relocations, building alterations, and similar activities for properties within Bagdad's designated Historic and Conservation Overlay Districts.~~

~~B. — All design review decisions of the BAAB shall be legally binding upon the applicants seeking approval for development, demolition and similar activities. BAAB decisions can only be reversed by the Board of County Commissioners.~~

~~C. — Meetings and Decisions~~

~~1. — Meetings — Unless there are no design review applications before the Board, the BAAB shall meet at least once per month. A quorum, consisting of a majority of the voting members (three or more), must exist in order for the BAAB to conduct its business. The applicant shall be notified by the BAAB in writing at least two (2) weeks prior to the scheduled meeting of the BAAB at which their application will be~~

10. Decision-Making and Administrative Bodies

~~considered. Such notification shall include the date, time and location of the meeting.~~

~~2.—— Decisions — Board decisions shall be by majority vote. Decisions by the BAAB shall include one (1) of the following types of decisions for each Certificate of Appropriateness (COA) application:~~

- ~~a.—— Approved as submitted~~
- ~~b.—— Approved with conditions or changes~~
- ~~c.—— Denied~~
- ~~d.—— Tabled~~

~~The reasoning behind each BAAB decision shall be stated in the official minutes of the meeting, which shall be formally approved by the BAAB in a subsequent meeting. The issuance of a Certificate of Appropriateness (COA) shall not relieve the applicant from obtaining other permits and approvals required by the County. A building permit or other permits shall be invalid if it is obtained without a COA, if required.~~

~~D.—— Appeals to Decisions — Any applicant aggrieved by a decision of the BAAB shall have up to fifteen (15) days to formally appeal the decision to the Board of County Commissioners. The appeal shall be in writing, and a copy shall be submitted to the BAAB. The BAAB Advisor shall then provide the Commission with a copy of all records related to the application. The Commission shall decide upon the appeal either by confirming it, overturning it, or amending it with conditions.~~

~~E.—— Administrative Reviews — For a limited range of proposed actions within the Conservation Overlay District that are considered to be low in magnitude and for which clear and objective standards exist requiring no discretionary decision-making, administrative reviews can be made and a COA issued by the BAAB's Advisor. Such reviews are limited to the following types of applications:~~

- ~~1.—— Signs;~~
- ~~2.—— Site alterations that are visible from a public street as defined below:~~
 - ~~a.—— Development of new driveways/parking pads or expansion of existing driveways/parking pads;~~
 - ~~b.—— Installation of any new fencing;~~
 - ~~c.—— Removal of any tree exceeding 4 inch caliper measured at 3 feet above grade, with the exception of Southern Live Oak (*quercus virginiana*) or Sand Live Oak (*quercus geminata*).~~

~~Administrative reviews shall require the completion of a COA application~~

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form, and a report on the administrative review and decision shall be provided to the BAAB prior to their next formal meeting. The purpose of administrative reviews is to expedite improvements to properties and reduce the associated costs for minor actions that do not necessitate formal review by the full Bagdad Architectural Advisory Board. Applicants dissatisfied with decisions rendered through administrative reviews have the option of going before the full BAAB.

10.04.03 — Bagdad Architectural Advisory Board (BAAB) Design Review And Approval Process

A. — Actions Requiring a Certificate of Appropriateness (COA) — Actions that shall require a COA issued by the BAAB are contingent upon the type of district, as follows:

1. — Historic Overlay District

The following actions shall require a COA from the BAAB:

- a. — Building alterations visible from a public street
- b. — Building demolitions, including the demolition of any component of a building.
- c. — Building relocations.
- d. — Construction of new buildings.
- e. — Significant site alterations that are visible from a public street as defined below:
 - i. — Development of new driveways/parking pads or expansion of existing driveways/parking pads
 - ii. — Installation of any new fencing.
 - iii. — Removal of any tree exceeding a 4 inch caliper in diameter measured at 3 feet above grade.
- f. — Signs
- g. — Removal of any Southern Live Oak (*quercus virginiana*) or Sand Live Oak (*quercus geminata*) exceeding 4 inches in diameter when measured at 3 feet above grade.

2. — Conservation Overlay District

The following actions shall require a COA from the BAAB:

- a. — Building alterations visible from a public street that result in the addition of new habitable building space. Habitable building space, for the purposes of this ordinance, is enclosed by solid walls on all sides and has a ceiling height at least seven (7) feet above

10. Decision-Making and Administrative Bodies

~~the floor level. An example of increasing habitable building space is the addition of a dormer window, while the addition of an unenclosed porch is not.~~

~~b. Building demolitions, including the demolition of any component of a building (components shall not include architectural elements such as doors, windows, and other relatively small-scaled features).~~

~~c. Building relocations.~~

~~d. Construction of new structures.~~

~~e. Removal of any Southern Live Oak (*quercus virginiana*) or Sand Live Oak (*quercus geminata*) exceeding 4 inches in diameter when measured at 3 feet above grade.~~

~~B. Actions Not Requiring a Certificate of Appropriateness (COA) — Within both the Historic and Conservation Overlay Districts, ordinary maintenance and repairs may be undertaken without a COA provided that all of the following apply:~~

~~1. The work involves repairs to existing features of a structure or site or the replacement of elements of a structure with pieces identical in appearance;~~

~~2. The work does not change the exterior appearance of the structure or site;~~

~~3. The work does not require the issuance of a building permit.~~

~~When a structure has been fully or partially destroyed by a natural disaster as described in Section 9.06.01, a Certificate of Appropriateness is not required.~~

~~C. Pre-Application Meeting — Although not mandatory, it is recommended that applicants to the BAAB meet informally with the County Planning and Zoning Department's Advisor to the BAAB prior to submitting an application. The purpose of the meeting shall be to:~~

~~1. Allow the BAAB Advisor to explain the application and design review process.~~

~~2. Allow the applicant to describe their project.~~

~~3. Allow the BAAB Advisor to determine the specific information required as part of the application submission.~~

~~D. Certificate of Appropriateness (COA) Application: Any of the reviewable actions within Bagdad's Historic and Conservation Overlay Districts shall require a Certificate of Appropriateness (COA) prior to such action commencing, including prior to the issuance of a building permit by the County for such actions~~

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requiring a building permit. The applicant to the BAAB shall obtain from the County a COA Application Form and complete it with the required information regarding the proposed action. The information required shall be determined by the BAAB Advisor from the County's Planning and Zoning Department. Such information shall be specific to the proposed action and characteristics of the property, and can best be determined through a pre-application meeting. A COA application shall not be deemed complete by the BAAB Advisor until all required information has been provided by the applicant.

E. — Design Review by Staff & BAAB: At least one (1) week prior to the BAAB meeting during which the COA application will be considered, the BAAB Advisor from the County's Planning and Zoning Department staff shall prepare and distribute a concise report on the application. Such report shall include the COA application, supplemental materials (including graphics), and a staff analysis from the Advisor regarding the consistency between the application's proposal and the district's adopted codes and design standards. The report shall be distributed to all BAAB members, the applicant, and any other parties as determined necessary. As part of this design review process, the BAAB Advisor shall visit the subject property prior to issuing the report, and BAAB members should visit the property prior to the meeting.

F. — Effect of Design Standards: The design standards that serve as distinct and supplemental policies to this code, referenced in Section 7.03.00 shall have the same legal authority as this code. The standards are based, in part, upon the United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. The design standards are contained in a separate document for the purpose of having a graphic format that more readily conveys the design issues addressed through the use of illustrations.

G. — Non-Contributing Buildings: The design standards shall not be applied as stringently to those buildings identified in the existing historic sites survey, or as otherwise determined by the BAAB, as being "non-contributing" relative to "contributing" buildings. Within this context, "contributing" refers to a building's level of contribution to the overall architectural and/or historic character and significance. While non-contributing buildings will not be held to the same level of standards as contributing buildings, no actions shall be approved that cause a non-contributing building to become even less compatible with its surrounding historic context. Expanding the size of a non-contributing building does not necessarily, in and of itself, make the building less compatible. However, applying architectural detailing, materials, stylistic elements and similar features that are incompatible with the surrounding historic context shall be avoided.

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~~H. — Building Relocations: The relocation of a building shall be considered an option of last resort, as the building's historic significance is derived, in part, by its surrounding context. Building relocations should only be considered as an alternative to demolition. When relocated, relocation sites within the subject district should be encouraged over sites elsewhere.~~

~~I. — Building Demolitions : In general, the demolition of a "significant" or "contributing" building, as defined by the most recent official historic structures inventory, is prohibited in both Historic and Conservation Overlay Districts. Demolitions shall only be permitted when a substantial economic hardship can be clearly demonstrated or an imminent threat to public safety exists. Plans for the property shall be provided to the BAAB before demolition is approved.~~

~~1. — Economic Hardship: Should an applicant seek approval by the BAAB for demolition based upon economic grounds, they must prove the following:~~

- ~~a. — The subject structure is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;~~
- ~~b. — The subject structure cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and~~
- ~~c. — Diligent efforts to find a purchaser interested in acquiring the subject property and preserving it have failed;~~

~~2. — In considering whether a substantial economic hardship exists to justify the BAAB's approval for demolition, the BAAB may request from the applicant any of the following information:~~

- ~~a. — Amount paid for the property;~~
- ~~b. — Amount of money spent on physical improvements since its acquisition;~~
- ~~c. — Appraised value from a qualified real estate appraiser;~~
- ~~d. — Report on the building's physical condition by a qualified professional having expertise in historic buildings;~~
- ~~e. — Monthly and/or annual expenses of the property (taxes, insurance, maintenance, etc.) over the past two (2) years;~~
- ~~f. — Recent history of success in marketing the property for lease or sale;~~
- ~~g. — Other relevant information pertaining to the property, its condition and economic status.~~

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~~3.—— Public Safety Threats: An approval for demolition shall be granted by the BAAB if a structure is determined by County building officials to pose an imminent threat to public safety and there are no options for physically securing the property or otherwise saving it.~~

~~J.—— Minimum Maintenance Standards: All owners of property within the Historic or Conservation Overlay District deemed “significant” or “contributing” by the most current historic structures inventory are responsible for physically maintaining their structures in a manner that avoids demolition by neglect. The owner of the subject property shall, upon written notice from the County, repair the exterior features or structural elements in question, including, but not limited to, any of the following conditions, processes or defects:~~

- ~~1.—— Damage to or decay of foundations, flooring, or floor supports that cause leaning, sagging, splitting, listing or buckling;~~
- ~~2.—— Damage to or decay of walls or other vertical supports that causes leaning, sagging, splitting, listing or buckling;~~
- ~~3.—— Damage to or decay of ceilings, roofs, and their support systems, or other horizontal members, that causes leaning, sagging, splitting, listing or buckling;~~
- ~~4.—— Damage to or decay of fireplaces or chimneys that causes leaning, sagging, splitting, listing or buckling;~~
- ~~5.—— Damage to, decay or crumbling of exterior stucco, wood, brick, mortar or any other exterior element that causes loss of unique architectural features or structural integrity;~~
- ~~6.—— Decay, damage or removal of windows, window frames and doors;~~
- ~~7.—— Rotting, holes and other forms of decay of any exterior elements;~~
- ~~8.—— Any fault, defect, or condition of the subject structure rendering it structurally unsafe or not properly watertight, including, but not limited to: lack of roofing, lack of roof covering, lack of weather protection, or separation or removal of building components that allows moisture to penetrate the structure;~~
- ~~9.—— Damage or decay that has a detrimental effect upon the special character of the subject historic or conservation district as a whole or the unique attributes and character of the subject structure;~~
- ~~10.—— Damage to or decay of any feature so as to create a fire hazard or other condition hazardous to public safety; and~~
- ~~11.—— Removal or demolition of significant architectural features.~~

10. Decision-Making and Administrative Bodies

~~K. **Protected Tree Mitigation** – When a protected tree is removed, Southern Live Oaks shall replace them. The total diameter of such replacement trees shall be determined based on the following Mitigation and Credit Schedules:~~

<i>Diameter of removed tree at 3 feet above grade</i>	<i>Mitigation Requirements Measured at 3 feet above grade</i>
4" – 12"	3" diameter
12.1" – 18"	4" diameter
18.1" – 24"	5" diameter
24.1" – 30"	6" diameter
30.1" – 36"	7" diameter

~~One additional inch of mitigation will be required for each additional 6" of diameter beyond 36".~~

11. Application, Review and Decision-Making Procedures

Chapter 11. Application, Review and Decision-Making Procedures

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11.01.00 GENERALLY

This chapter sets forth the procedures for receiving, reviewing and rendering decisions on applications for development approval, through Development Orders, amendments to this LDC and amendments to Development Orders and for appealing such decisions. It is the County's intent that the procedures set forth in this chapter shall be followed in order to seek approval for any development.

11.01.01 Purpose and Intent

- A. A Development Order shall be issued to indicate approval of any Site Plan, Subdivision Plat, or expansion, enlargement or modification of Non-Conforming Development or use.
- B. Except as provided in section 11.01.03 or 11.01.05, a valid and current Development Order shall be required prior to the issuance of any building permit to authorize development or a change of use.

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- C.** No development or change of use shall be made or continued without a lawful building permit.

11.01.02 Applicability to Development and Exceptions

- A.** The applicability of the provisions of the LDC to development and exemptions from those provisions set forth in Chapter 1. In addition, the following proposed development, if otherwise qualified, may obtain a building permit without a Development Order.
 - 1.** The construction of a single family dwelling or a duplex within a district designated for residential use.
 - 2.** The construction of accessory structures within a district designated for residential use.
 - 3.** Any residential development for which a site plan is not required.

11.01.03 Applicability to a Change of Use and Exceptions

- A.** The applicability of the provisions of the LDC to a Change of Use and exemptions from those provisions, are set forth in Chapter 1. In addition, a proposed use meeting all of the following conditions and being otherwise qualified may obtain a building permit without a Development Order.
 - 1.** The proposed use conforms to the requirements of the Comprehensive Plan and this LDC.
 - 2.** The proposed use does not increase density.
 - 3.** Any proposed modifications to an existing building are only to the façade or interior to the building.
 - 4.** The proposed use does not require a greater number of parking spaces than the existing use.
 - 5.** The proposed use does not require a greater number of parking spaces than are currently available on site.
 - 6.** The proposed use does not increase the amount of impervious surface whether due to expansion of an existing building, proposed construction or additional buildings or an addition to paved areas for any purpose, and
 - 7.** All required building permits are obtained.
- B.** When a Development Order is required due to a proposed Change of Use, all standards and procedures of the Comprehensive Plan and this LDC shall apply to the proposed new use.

11. Application, Review and Decision-Making Procedures

11.01.04 Fees Required

A fee shall be paid with the filing of all applications in the amount specified in the current fee schedule, as amended from time to time by the Board of County Commissioners.

11.01.05 Certificate of Occupancy

A. A Certificate of Occupancy is the only demonstration that the use and occupancy of land or buildings conform to the requirements of this LDC. A Certificate of Occupancy shall be received by the property owner prior to the use or occupancy of land or buildings.

B. When a Change of Use occurs, as set forth in section 11.01.04, a new Certificate of Occupancy shall be required. This section shall not be construed to apply to the transfer of ownership or the change of occupants, except as provided in 10.01.04.

11.01.06 Computation of Time

Weekends and County holidays shall be excluded in the computation of any period of time of less than ten (10) days specified in this Chapter.

11.02.00 APPLICATION REQUIREMENTS

11.02.01 Submittal Requirements for All Applications

A. Submittal requirements necessarily contemplate a wide variety of circumstances and it is understood that some information may be unnecessarily burdensome to produce.

- 1.** A completed form provided by the Planning and Zoning Department.
- 2.** Name, address, telephone number, email address and signature of the property owners;
- 3.** When the applicant is a representative of the property owner, a statement acknowledged by the owners authorizing the representative to act as an agent of the property owner with regard to the application and associated procedures;
- 4.** A sketch obtained no more than two (2) years prior to the filing of the application, containing the legal description, land area and existing improvements located on the site;
- 5.** Written documentation that the property owner, has or will comply with all applicable notice requirements of this LDC; and
- 6.** Payment of the required application fee.

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11.02.02 Basic Submittal Requirements for Access Management, Coastal Construction, Parent Parcel, Itinerant Vendor, Major Land Clearing, Minor Land Clearing, Minor Subdivision, Off Premise Sign, PUD Master Plans, PBD Master Plans, PID Master Plans, Site Plan Applications, Tree Removal, Conditional Uses, Rezonings, Small Scale Future Land Use Amendments, Large Scale Future Land Use Amendments, Special Exceptions, and Variances

A. Each application for Access Management, Coastal Construction, Parent Parcel, Itinerant Vendor, Major Land Clearing, Minor Land Clearing, Minor Subdivision, Off Premise Sign, PUD Master Plans, PBD Master Plans, PID Master Plans, Site Plan and Tree Removal Applications shall contain the following information:

1. All information required pursuant to section 11.02.01;
2. Name, address, telephone number and email address of the plan preparer;
3. Date of preparation and date(s) of any modifications of site plan, north arrow and written and graphic scale;
4. Legal description of the property, consistent with the survey, if a survey is required;
5. A vicinity map showing the location of the property;
6. Zoning designation for the property;
7. Additional plans, documents and reports as deemed necessary by the Planning Director; and
8. Information required for the specific type of application, as specified in sections 11.02.03 through 11.02.15, as applicable.

B. All Site Plans, Plats and sketches of a Lot Split shall be drawn to a scale approved by the Planning Director.

11.02.03 Additional Submittal Requirements for Access Management

A. All information required pursuant to section 11.02.02.

B. A copy of the site plan (plot plan or site layout) showing the location of all existing and proposed driveways, curb cuts, and median openings with the minimum spacing distance specified for the roadway, to be measured from any property corner which is located along the right-of-way of the access management corridor. The following distances shall be noted: distance between driveways, corner clearance and median opening spacing. The posted speed limit for all roadway segments which abut the development parcel(s). If a direct connection is permitted to an access management roadway, single family residential or duplex development shall provide for a turnaround area.

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- C.** An application fee

11.02.04 Additional Submittal Requirements for Coastal Construction

- A.** All information required pursuant to section 11.02.02.
- B.** Provide a site plan drawn to scale of the proposed structure with exact dimensions and placement on the property. The location, relative to the body of water, including protrusion into or over the body of water must be shown. Existing structures on the water must also be shown. Please show all property lines. For docks, piers, and covered boathouses, please show how high each extends above the mean high water line.
- C.** Coastal Construction permits are required for new construction, replacement of seawalls, replacement of pilings on docks/piers and additions to docks/piers
- D.** Coastal Construction permits are NOT required for decking replacement only.
- E.** Erosion control, best management practices (BMP) will be maintained throughout the construction process which may include silt fencing, hay bales, turbidity curtains, or other BMPs as required to keep sediment from leaving the site. An erosion control and/or best management practices plan may be required for submittal.
- E.** An application fee.

11.02.05 Additional Submittal Requirements for Parent Parcel

- A.** All information required pursuant to section 11.02.02.
- B.** A site plan of the property showing property lines (existing and proposed), dimensions, structures (existing and proposed), abutting streets, and any other pertinent information must be attached to this application. All site plans must be drawn to scale.
- C.** An access easement is required for all proposed parcels that do not have road frontage. This easement must be recorded on each deed.
- D.** An application fee.
- E.** All Parent Parcel lot splits must be recorded with the Santa Rosa County Clerk of Courts within one (1) year of application filing.

11.02.06 Additional Submittal Requirements for Itinerant Vendors

- A.** All information required pursuant to section 11.02.02.
- B.** Provide an original letter from the property owner stating their knowledge and approval of this project.

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C. Provide a site plan drawn to scale showing the existing easements and rights-of-way, location of buildings with front, rear and side setbacks, any fence locations, location and general character of all existing curb cuts, driveways or parking areas. Label the number of proposed parking spaces and provide dimensions. All required parking spaces are to be clearly designated with wheel stops.

D. Provide the location of any proposed signs.

E. An application fee.

11.02.07 Additional Submittal Requirements for Major Land Clearing

A. All information required pursuant to section 11.02.02

B. A site plan, or sketch, must include the following information.

1. Sketch (or survey) of the property boundary, with dimensions, and location of existing improvements.

2. Size of the property, shown in square feet and/or acres.

3. Graphical indication of the area to be cleared and areas to remain undisturbed.

4. All protected trees must be identified with size in DBH and species of tree and have the site locations clearly marked.

5. Valid reasoning for the removal of protected trees from LDC Section 4.06.05.

6. Type and location of erosion control measures. An erosion control and/or best management practices plan may be required for submittal.

7. A signed, notarized affidavit from the property owner confirming the intent to obtain a single family residential building permit within a (1) one year time frame from the date of the issued Major Land Clearing permit.

11.02.08 Additional Submittal Requirements for Minor Land Clearing

A. All information required pursuant to section 11.02.02.

B. Provide a site plan drawn to scale with exact dimensions, location of existing improvements, graphical indication of the area to be cleared and areas to remain undisturbed.

C. Provide size of the property.

D. Provide type and location of erosion control measures. An erosion control and/or best management practices plan may be required for submittal.

E. An application fee.

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11.02.09 Additional Submittal Requirements for Minor Subdivision

- A.** All information required pursuant to section 11.02.02.
- B.** Provide a site plan drawn to scale with exact dimensions, showing property lines (existing and proposed), area/square footage of lots (existing and proposed), and any existing structures.
- C.** Provide a copy of any existing and proposed easements.
- D.** Provide documentation showing how the criteria are met.
- E.** An application fee.

11.02.10 Additional Submittal Requirements for Off Premise Signs

- A.** All information required pursuant to section 11.02.02.
- B.** Provide a site plan drawn to scale with exact dimensions, indicating property lines, and the proposed sign location.
- C.** Provide a drawing of the proposed sign showing all dimensions and sign height.
- D.** Provide a notarized owner/trustee authorization letter.
- E.** An application fee.

11.02.11 Additional Submittal Requirements for Site Plans

- A.** All information required pursuant to section 11.02.02.
- B.** Provide a site plan drawn to scale with exact dimensions, showing property lines, existing easements and rights-of-way.
- C.** When applicable provide the location of the Coastal Construction Control Line, Coastal High Hazard Area and Shoreline Protection Zone.
 - 1.** For protective shoreline structures provide a scaled plan and an anti-erosion impact statement, certified by an engineer registered in the State of Florida with experience in beach erosion problems and solutions along with the following:
 - a.** Show topographic contours, identification of significant topographic discontinuities, location of existing easements, location of seaward structures on adjacent properties and specifications of the proposed structure;
 - b.** Cross sections of all construction including sub grade construction and excavation with elevations;
 - c.** Specific location and alignment of the proposed protective shoreline structure relative to mean high water line upland structures, water-ward structures, with measurements denoting

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distances separating the mean high water level, the proposed structures, and upland and adjacent structures;

d. Points of tie-in with adjacent properties and water-ward structures and proposed return walls;

e. Anti-erosion design features including but are not limited to: toe protection (i.e. sub-graded revetment to minimize scour); wing walls and tie in with appropriate toe protection to protect wall from interior erosion; angle and alignment of wall surfaces to effectively dissipate energy of wave impact; tie backs designed to provide effective reinforcement; drainage system including use of filter cloth and weep holes; types of material to be used in construction and assurance that wood products are appropriately treated for long term preservation and stability; and sand and vegetative covers including source and sand frequency of replenishment, anticipated quality and texture, together with location and type of vegetative cover to be used to stabilize water front area impacted by the proposed development.

f. The Anti-erosion impact statement shall include: a description of the features of the site plan and proposed measures to be undertaken by the developer in order to prevent or minimize erosion of adjacent and down drift properties. This statement shall include any anticipated adverse impacts of the proposed structure and shall be thoroughly elaborated. The ant-erosion impact statement shall be certified by an engineer registered in the State of Florida with experience in waterfront erosion.

g. In cases where the developer does not propose to cover the wall with sand and undertake a sand replenishment program, a statement is required by an engineer registered in the State of Florida certifying that a sand cover is not possible or practical and describing conditions supportive to the judgement.

h. The Planning and Zoning Department or County Engineer may request additional information as necessary for proper evaluation of a waterfront development proposal.

D. Provide the location of all existing and proposed buildings, graphically indicating the minimum required and proposed building setbacks, the number of dwelling units, square footage of building footprint and gross floor area (includes all floors), and proposed uses, paved areas and open areas.

E. Provide the location of parking areas and driveway location, dimensions and specifications, including traffic striping plan and parking calculations based on the proposed use(s). Driveway connection and main access driveway traffic

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striping must be thermoplastic. Location and general character of all existing curb cuts and driveways within one hundred (100) feet of any proposed curb cuts, driveways or parking areas.

F. Provide the total area calculation with percentage of total site to be covered by impervious surfaces and landscaping.

1. Grades, finished ground floor elevations and existing and proposed contours.
2. A surface water drainage facilities plan certified by an engineer registered in the state of Florida.

G. Provide the location and character of all outdoor waste disposal facilities (including dumpsters), storage areas, display areas and utilities, including screening information, location of perimeter or ornamental walls, fences or other screening devices and height information.

H. Provide a landscape plan indicating the location and character of open space and landscaped areas, including perimeter and interior landscaping, buffering requirements and the minimum required and proposed landscape types, quantities and sizes.

I. Provide a tree survey locating all protected tree species, indicating the size and type of each and identifying trees proposed for preservation and removal. For protected tree removal provide a tree mitigation plan with calculations.

J. If the property is located on an access management corridor, provide the location of all existing and proposed driveways, curb cuts and median openings within the minimum connection distance specified for the roadway's classification, to be measured from any property corner which is located along the right-of-way. Provide the posted speed limits for all roadway segments which abut the development and provide the distance between driveways, corner clearance and median opening spacing.

K. If the property is located in whole or in part within any Military Airport Zone, Public Airport Zone, Clear Zone, Runway Protection Zone, or Accident Potential Zone, the boundaries of such zone shall be delineated on the plan. If the entire property lies inside any such zone, the plan shall incorporate a statement that declares all property within its legal description lies within the applicable zone. If contiguous property is owned by a military installation or public airport, the name of the installation or airport shall be so designated. If the property, or any portion thereof, lies within any Military Airport Zone, Public Airport Zone, Clear Zone, or Accident Potential Zone, the plan shall include substantially similar language as that appearing in the following statement: "All or a portion of the property appearing within this site plan lies within a Military

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Airport Zone. Use of or construction upon lands or waters within this area may have additional restrictions ~~for~~ **forth** in ordinances of the Santa Rosa County Board of County Commissioners".

- L.** Site plans for borrow pits and disposal facilities shall include:
 - 1.** The identification, location and proximity of any community or private potable water wells permitted by the Northwest Florida Water Management District; and,
 - 2.** The location and character of the nearest residential structure, paved roadway, and proposed access to the site.
 - 3.** All information required pursuant to section 4.02.08
- M.** The following standard notes, as applicable, shall be included on the plan:
 - 1.** "A utility permit from the County Road and Bridge Department is required before commencing work in a County right-of-way."
 - 2.** "At completion of construction, all exposed dirt shall be stabilized with sod, a hay/seed mix or hydro-seed."
 - 3.** "No more than 50% of required landscaping material may be of the same species."
 - 4.** "A separate permit is required for all signage."
 - 5.** "The contractor/owner should coordinate with the Planning and Zoning Department prior to purchasing or installing landscaping to determine credit for existing vegetation to (partially) meet the landscaping requirements shown on this plan."
- N.** If multiple sheets are used, the sheet number and total number of sheets must be clearly indicated on each.
- O.** The front cover sheet of each site plan shall include:
 - 1.** A general vicinity or location map showing the position of the proposed development in the section, township and range, together with the principal roads, county limits, or any other pertinent orientation information.
 - 2.** A complete legal description of the property.
 - 3.** The name(s), address(es) and telephone number(s) of the owner(s) of the property.
 - 4.** The name, business address and telephone number of those individuals responsible for the preparation of the drawing(s).
- Q.** An application fee.

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11.02.12 Additional Submittal Requirements for Tree Removal Applications

- A.** All information required pursuant to section 11.02.02
- B.** Fill out the table showing the numbers and size of the trees proposing to be removed.
- C.** Calculate the number of mitigation inches that will have to be replanted.

11.02.13 Additional Submittal Requirements for Conditional Uses

- A.** All information required pursuant to section 11.02.02.
- B.** An information analysis of the proposed request using the general and use specific criteria of section 5.07.00
- C.** Provide a site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets and any other pertinent information.
- D.** A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- E.** If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- F.** An application fee.

11.02.14 Additional Submittal Requirements for Rezoning

- A.** All information required pursuant to section 11.02.02.
- B.** If rezoning to PUD, PBD or PID, a master plan meeting the checklist requirements of LDC Chapter 4 (Section 4.02.04 for PUD, Section 4.02.05 for PBD and Section 4.02.06) is required. Additionally, a pre application meeting with the Planning and Zoning Department Staff is strongly encouraged prior to submittal of a PUD, PBD, or PID rezoning request.
- C.** A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.

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- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- E. A copy of Availability Letters from the Water and Sewer Provider.
- F. A copy of a certified boundary survey of all property requested for rezoning if required. (NOTE: If only a portion of a parcel is requested for rezoning, include a survey of the specific portion of the property requested for change.)
- G. If the property has jurisdictional wetlands, provide a copy of a Jurisdictional Wetlands Survey
- H. An application fee.
- ~~I. An economic impact statement that details how or if this is an economic benefit to Santa Rosa County.~~

11.02.15 Additional Submittal Requirements for Rezoning with Small Scale Future Land Use Amendment

- A. All information required pursuant to section 11.02.02.
- B. If rezoning to PUD, PBD or PID, a master plan meeting the checklist requirements of LDC Chapter 4 (Section 4.02.04 for PUD, Section 4.02.05 for PBD and Section 4.02.06) is required. Additionally, a pre application meeting with the Planning and Zoning Department Staff is strongly encouraged prior to submittal of a PUD, PBD, or PID rezoning request.
- C. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- E. A copy of Availability Letters from the Water and Sewer Provider.
- F. A copy of a certified boundary survey of all property requested for rezoning if required. (NOTE: If only a portion of a parcel is requested for rezoning, include a survey of the specific portion of the property requested for change.)

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- G. If the property has jurisdictional wetlands, provide a copy of a Jurisdictional Wetlands Survey
- H. An application fee.
- ~~I. An economic impact statement that details how or if this is an economic benefit to Santa Rosa County.~~

11.02.16 Additional Submittal Requirements for Rezoning with Large Scale Future Land Use Amendment

- A. All information required pursuant to section 11.02.02.
- B. If rezoning to PUD, PBD or PID, a master plan meeting the checklist requirements of LDC Chapter 4 (Section 4.02.04 for PUD, Section 4.02.05 for PBD and Section 4.02.06) is required. Additionally, a pre application meeting with the Planning and Zoning Department Staff is strongly encouraged prior to submittal of a PUD, PBD, or PID rezoning request.
- C. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.
- D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.
- E. A copy of Availability Letters from the Water and Sewer Provider.
- F. A copy of a certified boundary survey of all property requested for rezoning if required. (NOTE: If only a portion of a parcel is requested for rezoning, include a survey of the specific portion of the property requested for change.)
- G. If the property has jurisdictional wetlands, provide a copy of a Jurisdictional Wetlands Survey
- H. Provide the following amendment support documentation. At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Economic Opportunities, and policies contained in the Santa Rosa County Comprehensive Plan. Support documentation provided by the applicant will be used as a basis for evaluating this request. All applicants are encouraged to utilize the services of a consultant to meet the data and analysis requirements of large scale plan amendments.

11. Application, Review and Decision-Making Procedures

Applicable regulatory references, requirements and other useful information can be accessed at the Development Services link of the County's website at www.santarosa.fl.gov.

1. General Information and Maps (NOTE: If you are unable to generate the required maps, a fee will be assessed for maps obtained from the Planning and Zoning Department; such maps may not be altered by the end-user.)
 - a. Future Land Use Map showing the boundaries of the subject property, surrounding street network, and surrounding designated future land uses.
 - b. Existing Land Use Map of the subject property and surrounding properties.
 - c. Current Zoning Map of the subject property and surrounding properties.
 - d. Aerial Map showing the subject property and surrounding properties.
 - e. Maps of natural and historic resources located on the subject property and surrounding properties.
2. Compatibility Analysis - Discuss the compatibility of the proposed land use amendment with adjacent land uses.
3. Public Facilities Impacts – (NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario of the current and proposed land uses.)
 - a. Traffic Circulation Analysis – A traffic study with trip distribution is required. The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan (Comprehensive Plan Map 4-2, Future Transportation Map Series, 20 year horizon) and on the Capital Improvements Element (5-year horizon). To this end, an applicant must submit the following information.
 - i. Determine the maximum impact of proposed development for the subject property under the current Future Land Use designation and the Proposed Future Land Use designation.
 - ii. If the analysis indicates the Proposed Future Land Use designation will not increase the projected number of vehicle trips, no further analysis for the long range horizon is necessary.

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iii. If the analysis indicates the Proposed Future Land Use designation will increase the projected number of vehicle trips, provide a projected capacity analysis for the impacted road segments for 2020 and 2040 year horizon.

iv. If the capacity analysis indicates available capacity to accommodate the projected impact, no further analysis is necessary. If the capacity analysis indicates that capacity is not available to accommodate the projected impact, the applicant should determine the scope and cost of improvements necessary to accommodate the development and the effect on the financial feasibility of the comprehensive plan.

b. Provide an existing 2020 & 2040 year future conditions analysis for each of the following:

i. Sanitary Sewer

ii. Potable Water

iii. Surface Water/Drainage Basins

iv. Solid Waste

v. Parks, Recreation, and Open Space

vi. Schools (for requests involving more than 10 acres of property or proposed for residential development of more than 10 dwelling units per acre)

(NOTE: Staff will submit a school impact analysis to the Santa Rosa County School Board requesting a determination of student capacity. In the event that there is not adequate capacity available as calculated, the School Board shall entertain proportionate share mitigation; and, if proposed mitigation is accepted, enter into an enforceable and binding agreement with the affected local government and the developer.)

c. Analysis must include (but is not limited to) the following:

i. Franchise Area, Basin, or District in which the property is located;

ii. Letter of availability from sanitary sewer and potable water providers;

iii. Current Level of Service (LOS), and LOS standard of facilities serving the site;

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- iv. Projected 2020 – 2040 LOS under existing designation;
 - v. Projected 2020 – 2040 LOS under proposed designation; and
 - vi. Improvements/expansions currently programmed.
- 4. Environmental Impacts – Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site’s suitability for the proposed use upon the following;
 - a. A map of the biodiversity hotspots
 - b. A map and description of the soils found on the property (identify the source of the information).
 - c. A topographic map with property boundaries and 100 year flood prone areas indicated (as identified by FEMA).
 - d. A map delineating wetlands and rare & unique uplands.
 - e. A map of the habitat and vegetative landcover.
 - f. A map of the Strategic Habitat Conservation (as identified by Florida Fish & Wildlife Conservation Commission).
- 5. Impacts on Historic and/or Archeological Resources - List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change’s impact on these resources. The following should be included with the analysis.
- 6. Internal Consistency with the Santa Rosa Plan
 - a. Discuss how the proposal affects established Santa Rosa County population projections, and the total population capacity of the Santa Rosa Comprehensive Plan Future Land Use Map.
 - b. List all goals and objectives of the Santa Rosa County Comprehensive Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
 - c. Describe how the proposal affects adjacent local governments and their comprehensive plans.
 - d. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include but are not limited to: low-intensity, or single-use development; ‘leap-frog’ type development; radial strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of

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functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

I. An application fee.

~~J. An economic impact statement that details how or if this is an economic benefit to Santa Rosa County.~~

11.02.17 Additional Submittal Requirements for Special Exceptions

A. All information required pursuant to section 11.02.02.

B. Parent Parcel Requests: If a parcel is located within a stormwater problem area, an engineered stormwater management plan will need to be submitted and approved prior to the request being granted.

C. Provide a site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets and any other pertinent information.

D. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.

E. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice. Our intention is to ensure that proper authorization has been granted for this request.

F. An application fee.

11.02.18 Additional Submittal Requirements for Variances

A. All information required pursuant to section 11.02.02.

B. Provide a site plan of property drawn to scale showing the property lines, dimensions, structures (existing and proposed), abutting streets and any other pertinent information.

C. A certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.

D. If the applicant is other than the property owner, provide authorization from the property owner. If the property is under contract for sale and the applicant is the buyer of the property, a copy of the sales agreement will suffice.

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Our intention is to ensure that proper authorization has been granted for this request.

- E. An application fee.

11.02.19 Additional Submittal Requirements for Bagdad Certificate of Appropriateness

- A. All information required pursuant to section 11.02.02
- B. Submit photos of existing conditions.
- C. Provide a copy of plans (drawings or sketches) showing front and side elevations to show the architectural design of the building including proposed materials. If the building is to be altered, renovated, demolished or razed, provide elevations of the building before and after the proposed work is done.
- D. Provide a copy of the site plan (plot plan or site layout) drawn to scale showing all site improvements or features such as building setbacks, location of existing trees, existing and proposed building layout, parking, fences, accessory buildings, signs, and lights.
- E. Provide material samples and/or specifications.
- F. If you are a contractor or other representative submitting for review, please provide written approval from the owner.
- G. The applicant, or their representative, is required to attend the Bagdad Architectural Advisory Board meeting at which their request will be heard.
- H. An application fee.

11.03.00 NOTICE REQUIREMENTS

11.03.01 Generally

- A. All notices required by this chapter shall contain the following information:
 - 1. The name of the applicant;
 - 2. The location of the property for which Development approval is sought;
 - 3. The nature of the approval sought by the applicant;
 - 4. The type of review, re-hearing or appeal applicable to the application for Development approval; and
 - 5. The date, time and place of any applicable public hearings on the application.

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B. Any notice required by this LDC to be mailed, posted or published (except a notice required by Florida Statutes to be given on a different schedule) shall be mailed, posted or published as appropriate at least fourteen (14) days before the applicable public hearing.

C. Any notice required by the Florida Statutes to be published in a newspaper shall comply with the applicable requirements of the Florida Statutes as to form, content, time and manner of Publication.

11.03.02 Neighborhood Notice

A. For appeals, variances, conditional uses and special exceptions letters shall be sent via first class mail explaining the nature of the appeal, variance, conditional use or special exception and the time, date, and location of the meeting to be held to consider such variance, conditional use or special exception. For appeals and variances, letters shall be sent to all property owners within one hundred and fifty (150) feet of the property where said appeal or variance, is proposed. However, if the variance is for a structure greater than 35' in height, the notice shall be sent to property owners within five hundred (500') feet, or for any type of borrow pit, C&D, or LCD disposal facility, the notice shall be sent to property owners within fifteen hundred (1,500) feet of the property where said request is made. If the variance is located in the Rural Protection Zone, as identified by the Rural Development Plan, notice shall be sent to property owners within five hundred (500') feet of the boundary of the subject property, or 1,500 feet for structures 35 feet in height. For conditional uses or special exceptions, letters shall be sent to all property owners within five hundred (500') feet; however if the property is located within the Rural Protection Zone, the notification range shall be 1,500 feet.

B. For rezonings and land use amendments a letter to be sent via first class mail to all property owners within 500 feet of the boundary of the subject property (as determined by the Office of the Property Appraiser); however, if the rezoning or land use amendment is located in the Rural Protection Zone, as identified by the Rural Development Plan, notice shall be sent to property owners within fifteen hundred feet (1,500) feet of the boundary of the subject property. For any type of borrow pit or disposal facility (LCD or C&D), the notice shall be sent to property owners within fifteen hundred (1,500) feet of the property where said rezoning is proposed.

C. The notice letters shall be mailed at least fourteen (14) days prior to the hearing.

11.03.03 Posted Notice

A. When required by this LDC, the Planning and Zoning Department shall post a sign on the said property clearly readable from the nearest road and stating the same information as the letters.

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- B. The sign shall be no smaller than twenty (20) inches by thirty (30) inches.
- C. The sign shall be posted at least fourteen (14) days prior to the hearing.
- D. Posted Notice may be removed after the conclusion of the hearing of which notice is given.
- E. Removal of the posted notice by the applicant prior to the public hearing may delay any potential board action.

11.03.04 Published Notice

- A. When required by this LDC, the Planning and Zoning Department shall publish or cause to be published, a notice in a standard size or tabloid size newspaper qualified for legal advertisements in the County.
- B. The published notice shall appear at least fourteen (14) days prior to the hearing.

11.04.00 GENERAL PROCEDURES

11.04.01 Determination of Completeness and Consistence with Regulations

- A. The Planning and Zoning Department shall provide notice via mail or electronic mail to the applicant within thirty (30) days (except as provided below) of receipt of an application stating that the application is complete and that the proposed action complies with the applicable provisions of the Comprehensive Plan and LDC or stating with specificity any deficiencies which if cured, would make the application properly completed and in compliance with applicable regulations. Failure to timely provide such notices shall not be deemed an acknowledgement of completeness and consistency with applicable regulations.
- B. The applicant shall have forty-five (45) days from the date of each notice to correct the deficiencies. Until the applicant corrects the deficiencies, the Departments will take ~~not~~ **no** further action for processing the application. If the applicant fails to correct the deficiencies within the forty-five (45) day period, the application shall be deemed withdrawn.
- C. Plans submitted in response to a notice specifying deficiencies shall be processed according to 10.05.01(A). The applicant shall then respond to any further notice by the Departments according to 10.05.01(B).
- D. The Planning and Zoning Department shall process the application for review and action in accordance with the procedures applicable to that type of application as established.

11.04.02 Application Reviews

- A. Residential Application Reviews

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1. Access Management Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the applicant for submission to the Public Works Department prior to issuance of any driveway permits.
2. Coastal Construction Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the Building Inspections Department for inclusion with the Building permit application.
3. Parent Parcel Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the applicant.
 - c. **All Parent Parcel lot splits must be recorded with the Santa Rosa County Clerk of Courts within one (1) year of application filing. The parent parcel application shall expire and be void if each of the newly created lots are not recorded by deed or other legal instrument in the official records of Santa Rosa County.**
4. Minor Subdivision Application
 - a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.
 - b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.
 - c. All Minor Subdivision lot splits must be recorded with the Santa Rosa County Clerk of Courts within one (1) year of

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application filing. **The minor subdivision application shall expire and be void if each of the newly created lots are not recorded by deed or other legal instrument in the official records of Santa Rosa County within one (1) year of application approval.**

5. Subdivision Application

- a. See Section 4.03.00

B. Commercial Reviews

1. Itinerant Vendor Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.

2. Major Land Clearing Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant.

3. Minor Land Clearing Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant.

4. Off Premise Sign Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.

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5. Site Plan Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant. To obtain building permits created through this process, a copy of this approved form must be submitted with the building permit to the Building Inspections Department.

6. Tree Removal Application

a. The Planning and Zoning Department will review the application for completeness and if deemed complete will complete the review within ten (10) business days.

b. If the application is approved, a copy of the approval will be given to the applicant.

11.04.03 Enforcement, Violations and Penalties

A. The Santa Rosa County Administration is hereby directed to enforce this ordinance. Enforcement may be compelled by the County Administrator, and ~~their~~ his/her designee.

B. Penalties – The Santa Rosa County Administration is hereby directed to enforce this ordinance. Enforcement may be compelled by the County Administrator or any other official of Santa Rosa County designated by the County Administrator or the Board of County Commissioners

11.04.04 Interpretation, Purpose and Conflict

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals and general welfare of the community. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or required larger open spaces than are imposed or required by other ordinances, rules, regulation or by easements, covenants or agreements, the provisions of this ordinance shall control. If, because of error or omission in the zoning map, any property in the Santa Rosa County, Florida, Planning area is not shown as being in a zoning district, the classification of such property shall be "R 1" Single Family, unless changed by amendment to the zoning ordinance.

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11.05.00 ZONING BOARD PROCEDURES

11.05.01 Generally

These procedures are set forth in this section are applicable to the Zoning Board.

11.05.02 Procedure for Filing Applications

All applications to the Board for granting of variances, special exceptions, conditional uses, rezonings, small scale comprehensive plan amendments, to this ordinance shall be filed with the Planning and Zoning Department, no later than thirty (30) business days prior to the next regularly scheduled meeting, large scale comprehensive plan amendments shall be filed with the Planning and Zoning Department, no later than sixty (60) business days prior to the next regularly scheduled meeting and thereupon the Board shall consider such application.

The certified mailing label package, which consists of a certification letter from the Property Appraiser's office, a printout with a parcel map indicating all of the surrounding property owners to be notified and two (2) complete sets of mailing labels obtained by the Property Appraiser's office from the official tax records.

Mailing labels required as part of the applications will only be held in the Planning and Zoning Department for six (6) months without the accompanying application.

11.05.03 Consideration by the Zoning Board

A. Special Exceptions and Variances – In considering all proposed variations to this ordinance, the Board shall, before making any finding in a specific case, first determine that the proposed variance or special exception will not constitute any change in the districts shown on the zoning map and will not impair an adequate supply of light and air to adjacent property, or materially increase the congestion in public streets, or increase public danger of fire safety, or materially diminish or impair established property values within the surrounding area, or in any respect impair the public health, safety, morals and general welfare of Santa Rosa County. All approved variances and special exceptions shall be developed and maintained as approved by the Zoning Board or Board of County Commissioners as applicable. Failure to do so shall constitute a violation of this ordinance.

B. Conditional Uses – To hear and make a recommendation to the Board of County Commissioners regarding land uses which are conditional within each zoning district. The Board shall be charged with considering the criteria, general and, with respect to the proposed use and assessing the impact said use may have on the surrounding area.

C. Rezonings, Small Scale Comprehensive Plan Amendments and Large Scale Comprehensive Plan Amendments – Planning and Zoning Department shall transmit the completed submittal application to the Zoning Board for consideration at its next available meeting. The Zoning Board may make a final

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recommendation at its next regularly scheduled meeting or take action during the following meeting. In any case, it shall hear and evaluate comments from the Planning and Zoning Department and such other departments as may be pertinent.

D. Additional Considerations and Requirements in Review of Coastal Setback Variance Request (Protective Shoreline Structures)

- 1. Explanation of Need -** Protective shoreline structures water-ward of the setback line shall not receive a variance unless the applicant demonstrates to the Board's satisfaction that the subject property is critically imperiled due to the imminent probability of the projected wave up-rush predicted in the study by the University of Florida Coastal and Oceanographic Engineering Department, endorsed by the Florida Department of Environmental Protection (DEP) pursuant to Florida Statutes 161.053, or as amended.

The applicant shall present a description of the exceptional physical conditions of the property and other special conditions which render compliance with the construction setback line a demonstratable hardship. The applicant shall submit scaled drawings showing the location of upland and adjacent structures, mean high water line, and the construction setback line referenced to DEP monuments if applicable.

- 2. Impact on Shoreline Preservation and Stability of Adjacent Property -** Before applications for a Department of Environmental Protection (DEP) permit, the applicant shall prove to the Board's satisfaction that the location, alignment and general design of the structure shall not reasonably impair shoreline stability and shall minimize the erosive tendency of hardened shoreline structures.

The applicant shall provide a design concept prepared by an engineer registered in the State of Florida with experience in shoreline erosion problems and solutions. The said engineer shall certify that the location, alignment and design of the structure shall minimize adverse impacts to the shoreline system and adjacent properties; and that the location and alignment of the structure shall be as far landward as possible to provide maximum opportunity for natural dissipation of energy arising from wave uprush. An approved DEP permit or detailed engineering including design or revetment to dissipate energy; methods of anchoring and tie-in, and other structural features shall be examined by the County Zoning Board as part of site plan review if variance requests are being considered.

- 3. Sub-grade Revetments; Sand and Vegetative Cover; and Sand Replenishment -** The Board shall require where reasonable and practical the use of sub-graded revetments, sand cover and vegetative cover over

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all shoreline structures together with a sand replenishment program to maximize natural dissipation of energy from wave up-rush, decrease scour and generally minimize erosive tendencies of hardened structures. All sub-graded structures shall be required.

4. Removal of Structures - Any shoreline protective structure approved by the Board for a variance and subsequently constructed shall be displaced and removed if either the subject structure or the primary protected upland structure is destroyed or damaged to an extent greater than fifty percent (50%) and variance for reconstruction of the same is not subsequently granted water-ward of the setback line by both the Board and the State of Florida Department of Environmental Protection.

E. Special Exceptions - Navarre Beach: The Zoning Board shall hear and decide such Special Exceptions, as specifically authorized by this ordinance. The Zoning Board may decide:

- 1.** Such questions as are involved in determining whether Special Exceptions should be granted;
- 2.** To grant Special Exceptions with such conditions and safeguards as are appropriate under this LDC;
- 3.** To deny Special Exceptions when not in harmony with the purpose and intent of this ordinance. A Special Exception shall not be granted by the Zoning Board unless and until:

a. A written application for a Special Exception is submitted indicating the section of this ordinance under which the Special Exception is sought and stating the grounds on which it is requested.

b. A public hearing shall be held by the Zoning Board. The owner of the property for which Special Exception is sought or their agent and the owners of property within 250 feet of the affected property shall be notified by mail, at least fourteen (14) days prior to the public hearing.

Notice of such hearing shall be posted in a conspicuous spot on the property for which Special Exception is sought.

c. The public hearing shall be held by the Zoning Board. Any party may appear in person or by agent or attorney.

d. Before a Special Exception shall be issued, the Board shall make written finding certifying compliance with the specific rules governing individual Special Exceptions and that satisfactory provision and arrangement have been made concerning the

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following where applicable:

- i. Ingress and egress to property and proposed structures thereon with particular references to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - ii. Off street parking and loading areas where required with particular attention to the items in (a) above, and the economic, noise, glare, or odor effects of the Special Exception from adjoining properties and properties generally in the District.
 - iii. Refuse and service areas with particular reference to items (i) and (ii) above.
 - iv. Utilities with reference to location, availability and compatibility including maintenance of level of service standards where appropriate.
 - v. Screening and buffering with reference to type, dimension and character.
 - vi. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the District.
 - vii. Required yards and other open space.
 - viii. General compatibility with adjacent properties and other property in the District.
- e. The Zoning Board may impose such conditions on the granting of the Special Exceptions as may be necessary to prevent injurious effect on other property in the district.
- f. Notification: Within fifteen (15) days of the date of public hearing, the Zoning Board shall send to the person or entity requesting the Special Exception a notification of the action taken.

11.05.04 Consideration by the Board of County Commissioners

Upon receipt of the report from Zoning Board, the County Commission shall set a date for a public hearing for consideration of the conditional use and/or rezoning requests.

With the consent of the applicant, a conditional use or rezoning may be approved subject to specific conditions, including but not limited to use restrictions, density restrictions, buffering provisions or access limitations. Any such condition shall be specified in the ordinance approving the rezoning. This provision is not intended to replace the variance process and may not be used to vary Land Development Code performance standards. If complex conditions are proposed during a public hearing, the

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request may be continued to the next available rezoning meeting to allow time for detailed review. **Amendments to rezoning conditions placed into ordinance by the BOCC will be processed as a rezoning application through the public hearing process requiring advertisement and public notification. The request will be heard directly by the BOCC at a regularly scheduled Special Rezoning BOCC Meeting.**

11.05.05 Time for Reapplying after Denial

~~No new application for amendment, change or modification of the boundaries or districts, regulations or restrictions contained in this ordinance shall be permitted to be filed until after the expiration of twelve (12) months from the filing of a previous application with the Planning Director as provided in this Section (above), covering substantially the same provisions.~~ **No new application covering a substantially similar request for rezonings, future land use amendments, variances, special exceptions, conditional uses and administrative appeals shall be processed until after the expiration of twelve (12) months from the filing of a previous application as provided in this Section (above).**

11.05.06 Approvals for Conditional Uses, Special Exceptions and Variances

Decisions made by the Zoning Board and/or Board of County Commissioners to approve a conditional use, special exception or variance is good for forty eight (48) months from the date of approval.

11.05.07 Comprehensive Plan Amendments

The Board of County Commissioners will, from time to time, establish dates for consideration of proposed plan amendments and such dates shall be determined based upon the needs of Santa Rosa County, applicants for development approval and requirements of law. ~~As part of the proposed plan amendments there shall be an impact statement included in the analysis. The impact statement shall include the following: staff impacts, community impacts, economic value, and environmental impacts and shall be provided by the person or agency requesting the change.~~

A. Local Planning Agency Consideration - The Santa Rosa County Zoning Board serves as the local planning agency. Prior to any plan amendment being proposed or adopted by the Board of County Commissioners, the Local Planning Agency (LPA) shall conduct a public hearing and promulgate recommendations on each plan amendment so considered.

B. Upon receipt of the LPA recommendation, the Board of County Commissioners may propose Comprehensive Plan amendments and develop such amendments with the requisite data and analysis pursuant to Section 163.3184, F.S. and pursuant to relevant Florida Administrative Code provisions (i.e., Rule 9J-11, F.A.C).

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C. Department of Economic Opportunity Review - Pursuant to Florida Statutes, the Board of County Commissioners will transmit proposed large scale plan amendments and adopted small-scale amendments to the Florida Department of Economic Opportunity (DEO). Upon receipt of DEO comments on proposed large scale amendments, the Board of County Commissioners may proceed with the adoption process as defined in Section 163.3184, F.S.

11.05.08 Land Development Code Amendments

The Board of County Commissioners will, from time to time, establish dates for consideration of proposed Land Development Code amendments and such dates shall be determined based upon the needs of Santa Rosa County, applicants for development approval and requirements of law. ~~As part of the proposed Land Development Code Development amendments there shall be an impact statement included in the analysis. The impact statement shall include the following: staff impacts, community impacts, economic value, and environmental impacts and shall be provided by the person or agency requesting the change.~~

A. Local Planning Agency Consideration - The Santa Rosa County Zoning Board serves as the local planning agency. Prior to any Land Development Code amendment being proposed or adopted by the Board of County Commissioners, the Local Planning Agency (LPA) shall conduct a public hearing and promulgate recommendations on each Land Development Code amendment so considered.

B. Upon receipt of the LPA recommendation, the Board of County Commissioners may propose Land Development Code amendments and develop such amendments with the requisite data and analysis.

11.05.09 Public Participation

The public participation procedures defined and described in ~~Chapter Four of the adopted Santa Rosa County Comprehensive Plan (Ordinance No. 90-52)~~ **F.S. 163.3181** shall be followed.

~~11.06.00~~ **BAGDAD ARCHITECTURAL ADVISORY BOARD PROCEDURES Reserved**

~~11.06.01~~ **Generally**

~~The procedures set forth in this section are applicable to the Bagdad Architectural Advisory Board.~~

~~11.06.02~~ **Procedures for Filing an Application**

~~All applications to the Board for granting a Certificate of Appropriateness for the Bagdad Historic District shall be filed with the Planning and Zoning Department, no later than fourteen (14) calendar days prior to the next regularly scheduled meeting and thereupon~~

11. Application, Review and Decision-Making Procedures

~~the Board shall consider such application.~~

~~Any new restoration or new construction projects will be presented to this board for its approval upon review by the Planning and Zoning Department and prior to the issuance of any county building permits. The Architectural Advisory Board will insure that proposed development activity is consistent with the Land Development Code and associated Design Manual.~~

11.06.03 — Considerations by the Bagdad Architectural Advisory Board

~~A. — The BAAB shall be responsible for performing design review and rendering decisions as part of the approval process for all new development, demolitions, building relocations, building alterations, and similar activities for properties within Bagdad's designated Historic and Conservation Overlay Districts.~~

~~B. — The reasoning behind each BAAB decision shall be stated in the official minutes of the meeting, which shall be formally approved by the BAAB in a subsequent meeting. The issuance of a Certificate of Appropriateness (COA) shall not relieve the applicant from obtaining other permits and approvals required by the County. A building permit or other permits shall be invalid if it is obtained without a COA, if required.~~

11.07.00 MODIFICATIONS, CONTINUANCES AND WITHDRAWAL OF PENDING APPLICATIONS

11.07.01 Modification to Pending Applications

An applicant shall submit any proposed modification to an application to the Building and Planning and Zoning Department.

11.07.02 Request for Continuance of Public Hearing

A. An applicant may request, in writing, a continuance of the public hearing.

B. If the Planning and Zoning Department receives the written request for a continuance at least fifteen (15) days prior to the public hearing at which the application is scheduled to be heard, the applicant's request for a continuance will be automatically granted. An applicant is not entitled to more than two (2) automatic continuances.

C. If the Planning and Zoning Department receives the written request for a continuance less than fifteen (15) days prior to the public hearing at which the application is scheduled to be heard, the applicant is not entitled to an automatic continuance. The decision-making entity will consider the request for a continuance and shall only grant such request upon a demonstration by the applicant of good cause for a continuance.

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11.07.03 Withdrawal of Pending Applications

- A.** An applicant may withdraw an application at any time prior to issuance of a Development Order. The applicant shall provide written notice of the withdrawal to the Planning and Zoning Department.
- B.** If the Planning and Zoning Department receives an applicant's written notice of withdrawal less than seven (7) days prior to the public hearing at which the application is scheduled to be heard, the applicant shall be precluded from refiling the same or substantially same application for the subject property for a period of six (6) months.
- C.** If an application is withdrawn, fees and costs may not be refunded nor credited to any subsequent application dependent on timing of notification, advertising and staff time allocation".

11.08.00 PROCEDURES TO AMEND DEVELOPMENT ORDERS

11.08.01 Generally

An amendment to a Development order may constitute either a non-substantial or substantial deviation. The following regulations establish the procedures for such deviations.

11.08.02 Non-Substantial Deviations

- A.** Non-Substantial Deviations Defined. A non-substantial deviation includes changes to a Development Order that do not alter the overall characteristics of the total plan and that create no adverse impacts on adjacent uses or public services and facilities. Non-substantial deviations include:
 - 1.** changes in location and type of landscaping and/or screening so long as the approved character and intent is maintained;
 - 2.** changes in the location of sidewalks and pathways, provided that continuity of pedestrian circulation remains;
 - 3.** the reorientation, but not complete relocation of structures;
 - 4.** changes that will not impact properties or uses outside of and adjacent to the development; or
- B.** Prohibitions. No minor change authorized by this section may cause any of the following:
 - 1.** Any increase in the number of dwelling units on the site;
 - 2.** A change in the Use of the site or building as specified in the Development Order;

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3. Any reconfiguration of locations for buildings, structures, parking areas, landscaped areas or stormwater control structures;
4. Any relocation or reconfiguration of driveways or other vehicular Access;
5. Any change involving damage or destruction of natural resources including, but not limited to, protected trees, wetlands and shoreline buffers;
6. Any changes involving additional acreage or an increase in the dimensions or property boundaries of the site;

11.08.03 Substantial Deviations

All proposed changes to a Development Order other than those listed as non-substantial deviations shall be considered substantial deviations. Any substantial deviation from an approved Development Order will necessitate a formal amendment of such order. All such amendments shall be reviewed and processed in the same manner and procedure as was used to approve the original Development.