

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE; SECTION 503 A-C AGRICULTURAL DISTRICT; SECTION 504 AC-1 AGRICULTURAL DISTRICT; SECTION 505 A-R AGRICULTURAL-RESIDENTIAL DISTRICT; SECTION 506 AR-1 AGRICULTURAL-RESIDENTIAL DISTRICT; SECTION 507 AR-5 AGRICULTURAL-RESIDENTIAL DISTRICT; SECTION 509 E-R ESTATE RESIDENTIAL DISTRICT; SECTION 510 ER-2 ESTATE RESIDENTIAL DISTRICT; SECTION 512 R-1MH SINGLE-FAMILY/MOBILE HOME DISTRICT; SECTION 514 R-1 RURAL DENSITY RESIDENTIAL DISTRICT; SECTION 515 R-2 LOW DENSITY RESIDENTIAL DISTRICT; SECTION 516 R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT; SECTION 517 R-4 HIGH DENSITY RESIDENTIAL DISTRICT; SECTION 530.3 CONSTRUCTION OF ACCESSORY BUILDINGS AND STRUCTURES; CREATING NEW SECTION 530.24 ACCESSORY DWELLING UNITS; APPENDIX A DEFINITIONS; AND OTHER SECTIONS, AS NECESSARY, FOR INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY; REPEALER; PROVIDING FOR SEVERABILITY; INCLUSION INTO THE LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Pasco County, Florida, is authorized under Chapters 125, 162, 163, 177, and 380 Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of Pasco County; and

WHEREAS, Sections 163.3201, 163.3202, 163.3211 and 163.3213, Florida Statutes, empowers and requires the Board of County Commissioners of Pasco County, Florida, to implement adopted Comprehensive Plans by the adoption of appropriate land development regulations and specifies the scope, content and administrative review procedures for said regulations; and

WHEREAS, Section 163.3202, Florida Statutes, provides that certain specified and mandated regulations are to be combined and compiled into a single land development code for the jurisdiction; and

WHEREAS, the Board of Commissioners adopted the restated Pasco County Land Development Code on October 18, 2011 by Ord. No. 11-15; and

WHEREAS, at the time of the adoption of the restated Land Development Code, the Board of County Commissioners contemplated the need to make amendments addressing issues of implementation and internal consistency; and

WHEREAS, the Local Planning Agency conducted a public hearing on February 20, 2025 and found the proposed amendments consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners conducted duly noticed public hearings on March 11, 2025 and April 9, 2025, where the Board of County Commissioners considered all oral and written comments received at public hearings, including staff reports and information received during said public hearings and found the proposed amendments consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the citizens of Pasco County were provided with ample opportunity for comment and participation in this amendment process through Horizontal Roundtable and Interested

Parties meeting, public meetings and public hearings; and

WHEREAS, in exercise of said authority the Board of County Commissioners of Pasco County, Florida, has determined that it is necessary and desirable to amend the restated Pasco County Land Development Code to implement policy direction and to correct internal inconsistencies.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. Authority.

This ordinance is enacted pursuant to Chapter 125 and 163, Florida Statutes, as amended and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact.

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Applicability and Effect on Existing Development Approvals.

The applicability and effect of this amendment shall be as provided for in Sections 103.1 and 103.2 of the restated Land Development Code.

SECTION 4. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 5. Amendment.

The Pasco County Land Development Code is hereby amended as shown and described in Attachment A, Attached hereto and made part hereof.

SECTION 6. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 7. Effective Date.

A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to the Board by electronic mail within ten (10) days after adoption and shall take effect upon such filing.

ADOPTED with a quorum present and voting this 9th day of April, 2025.

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA



Nikki Alvarez-Sowles
BCC 04-09-2025 PDE25-0103

NIKKI ALVAREZ-SOWLES, ESQ
PASCO COUNTY CLERK & COMPTROLLER

Kathryn Starkey
KATHRYN STARKEY, CHAIRMAN

APPROVED
IN SESSION
APR 09 2025
PASCO COUNTY
BCC

Attachment A

CHAPTER 500. ZONING STANDARDS

SECTION 503. A-C AGRICULTURAL DISTRICT

503.1. Purpose

The purpose of the A-C Agricultural District is to preserve the rural and open character of various lands within the County. These lands are agricultural lands; sites of vital, natural water resource functions; areas with highly productive, natural plant and animal communities; and areas with valuable topographic and/or subsurface features, all of which are necessary to sustain and enhance the quality of life in the County.

Those uses will be allowed which are compatible with these overall objectives.

503.2. Permitted Uses

A. Principal Uses

1. Agriculture, general farming, and horticulture to include animal feedlots; the commercial hatching or raising of poultry; the production of eggs; the raising of hogs; pasturage of animals, such as cattle and horses; citrus groves (as well as other fruits); forestry; plant nurseries; sheds; stables; barns; truck farms; fish hatcheries; fish pools, and other structures devoted to the on-site farm uses.
2. Dwellings. Single-family detached dwellings on individual lots and single-family mobile homes on individual lots, where they are securely anchored as required by the County Building Code.
3. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products.
4. Public and private parks and playgrounds.
5. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
6. Noncommercial recreation facilities including parks, playgrounds, and camps for youths and adults.
7. Public and semipublic buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.
8. Community Gardens, Market Gardens and Community Farms in accordance with this Code, Section 530.23.
9. Solar Facility

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Accessory Dwelling Unit subject to compliance with Section 530.24.
6. Other accessory uses customarily incidental to an allowed principal use.

503.3. Conditional Uses

- A. Residential Treatment and Care Facilities.
- B. Group Living Arrangement.
- C. Gun and archery range clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- D. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- E. Parachute drops.
- F. Amusement parks.
- G. Automobile race tracks.
- H. Medical waste disposal facilities.
- I. Auction houses.
- J. Flea markets.
- K. Drive-in theaters.
- L. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- M. Sanitary landfills, subject to all local, State, and Federal regulations.

- N. Yard trash disposal facilities.
- O. Mining and/or reclamation including, but not limited to, mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.
- P. Sludge, septage, and other waste disposal sites.
- Q. Wastewater treatment plants, except when accessory to a development.
- R. Fertilizer manufacturing.
- S. Saw mills.
- T. The sale or consumption of alcoholic beverages in conjunction with the operation of an amusement park and as permitted under County, State, and Federal regulations provided:
 - 1. Unless a Specific Distance Waiver is granted by the Planning Commission in accordance with Section 402.5.D.6, No such sale or consumption of alcoholic beverages may occur or be conducted within 1,000 feet of any pre-k through 12th grade public or private school, place of religious worship, or County park as measured from the structure used as a proprietor's place of business to the nearest property line of the pre-k through 12th grade public or private school, place of religious worship, or County park.
 - 2. The sale or consumption of alcoholic beverages complies with conditional use standards set forth in this Code and has been approved by the Board of County Commissioners (BCC) in accordance with the said section.

503.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

503.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Major Home Occupations.
- C. Country clubs and golf courses.
- D. Day-care centers.
- E. Public and private utility facilities to include the following:
 - 1. County, State, or Federal structures and uses.

2. Water pumping plants; transmission lines for gas, electric, and telephones or for broadcasting or communication towers and facilities.
 3. Other conforming uses which do not cause an undue nuisance or adversely affect existing structures, uses, and residents.
- F. Storage and repair facilities for essential public services.
- G. Cemeteries, mausoleums, and crematoriums.
- H. Animal hospitals or veterinarian clinics and dog kennels.
- I. Accessory uses customarily incidental to an allowed special exception use.
- J. Farm Feed and Supplies Establishments

The following criteria and requirements shall apply to all farm feed and supplies establishments:

1. Feed—livestock, poultry, and pets.
 2. Animal health products.
 3. Lawn and garden supplies.
 4. Fertilizer, insecticides, and pesticides.
 5. Leather goods and tack.
 6. Fence posts and supplies to be enclosed in an opaque buffer.
 7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
 8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas, except as incidental to the above uses.
- K. Duplexes.
- L. Private schools.

503.6. **Area, Density, and Lot Width Requirements**

A. Single-Family Detached Dwellings and Mobile Homes

1. Minimum lot area: ten (10) acres.
2. Maximum possible gross density: 0.10 (nonfarm) dwelling units per

acre, subject to compliance with the Comprehensive Land Use Map Classification.

3. Minimum lot width: 250 feet.
4. Single-family detached dwellings and mobile homes in the A-C Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

503.7. Coverage Regulations

All buildings, including accessory buildings, shall not cover more than fifteen (15) percent of the total lot area.

503.8. Yard Regulations

The following minimum building line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: Fifty (50) Feet
- B. Side: Twenty-five (25) Feet
- C. Rear: Fifty (50) Feet
- D. Single-family detached dwellings and mobile homes in the A-C Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

503.9. Height Regulations

Building height. Thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

503.10. On-Site Parking Regulations

On-site parking shall be provided in accordance with this Code.

503.11. Development Plan

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 504. AC-1 AGRICULTURAL DISTRICT

504.1. Purpose

The purpose of the AC-1 Agricultural District is to preserve the rural and open character of various lands within the County and to provide for permanent, residential housing in conjunction with agricultural and open space uses. These lands are agricultural lands; sites of vital, natural water resource functions; areas with highly productive, natural plant and animal communities; and areas with valuable topographic and/or subsurface features, all of which are necessary to sustain and enhance the quality of life in the County. Those uses will be allowed which are compatible with these overall objectives.

504.2. Permitted Uses

A. Principal Uses

1. Agriculture, general farming, and horticulture to include animal feed lots; the commercial hatching or raising of poultry; the production of eggs; the raising of hogs; pasturage of animals, such as cattle and horses; citrus groves (as well as other fruits); forestry; plant nurseries; sheds; stables; barns; truck farms; fish hatcheries; fish pools, and other structures devoted to the on-site farm uses.
2. Dwellings: Single-family detached dwellings on individual lots.
3. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products.
4. Public and private parks and playgrounds.
5. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
6. Noncommercial recreation facilities including parks, playgrounds, and camps for youths and adults.
7. Public and semipublic buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.
8. Community Gardens, Market Gardens and Community Farms in accordance with this Code, Section 530.23.
9. Solar Facility

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Accessory Dwelling Unit subject to compliance with Section 530.24.
6. Other accessory uses customarily incidental to an allowed principal use.

504.3. Conditional Uses

- A. Residential Treatment and Care Facilities.
- B. Group Living Arrangement.
- C. Gun and archery clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- D. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- E. Parachute drops.
- F. Amusement parks.
- G. Automobile race tracks.
- H. Medical waste disposal facilities.
- I. Auction houses.
- J. Flea markets.
- K. Drive-in theaters.
- L. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- M. Sanitary landfills, subject to all local, State, and Federal regulations.

- N. Yard trash disposal facilities.
- O. Mining and/or reclamation including, but not limited to, mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.
- P. Sludge, septage, and other waste disposal sites.
- Q. Wastewater treatment plants, except when accessory to a development.
- R. Fertilizer manufacturing.
- S. Saw mills.

504.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

504.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Major Home Occupations.
- C. Country clubs and golf courses.
- D. Day-care centers.
- E. Public and private utility facilities to include the following: County, State, or Federal structures and uses; water pumping plants; transmission lines for gas, electric, and telephones or for broadcasting or communication towers and facilities; and other conforming uses which do not cause an undue nuisance or adversely affect existing structures, uses, and residents.
- F. Storage and repair facilities for essential public services.
- G. Cemeteries, mausoleums, and crematoriums.
- H. Animal hospitals or veterinarian clinics and dog kennels.
- I. Accessory uses customarily incidental to an allowed special exception use.
- J. **Farm Feed and Supplies Establishments**

The following criteria and requirements shall apply to all farm feed and supplies establishments:

- 1. Feed—livestock, poultry, and pets.

2. Animal health products.
 3. Lawn and garden supplies.
 4. Fertilizer, insecticides, and pesticides.
 5. Leather goods and tack.
 6. Fence posts and supplies to be enclosed in an opaque buffer.
 7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
 8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.
- K. Duplexes.
- L. Private schools.

504.6. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings and Duplexes**

1. Minimum lot area: ten (10) acres.
2. Maximum possible gross density: 0.10 (nonfarm) dwelling units per acre, subject to compliance with the Comprehensive Future Land Use Map classification.
3. Minimum lot width: 250 feet.
4. Single-family detached dwellings in the AC-1 Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

504.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than fifteen (15) percent of the total lot area.

504.8. **Yard Regulations**

The following minimum building line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet.
- B. Side: twenty-five (25) feet.
- C. Rear: fifty (50) feet.
- D. Single-family detached dwellings in the AC-1 Agricultural District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

504.9. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see Chapter 500, Supplemental Regulations.

504.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

504.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 505. A-R AGRICULTURAL-RESIDENTIAL DISTRICT

505.1. Purpose

The purpose of the A-R Agricultural-Residential District is to allow the development of relatively large tracts of land to accommodate those individuals who desire a rural or estate-type living environment; to curtail urban development in areas which lack facilities, until such time as those facilities are available; and to promote conservation of rural environments through limiting the intensity of development.

505.2. Permitted Uses

A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; truck farms; fish pools; animal feedlots; hatching and raising of poultry; production of eggs; raising of livestock (hogs, horses, cattle, sheep, etc.), shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall be required to maintain a 100-foot separation between dwellings existing on adjacent parcels of land at the time the commercial agricultural activity commenced. However, the required separation shall not be less than fifty (50) feet from any property line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings. Single-family detached dwellings on individual lots and single-family mobile homes on individual lots, where they are securely anchored as required by the County Building Code.
4. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
5. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
6. Swine shall be considered, for the purpose of this section, as grazing animals. The number of swine shall not exceed one (1) per acre, exclusive of area required for other uses.
7. Maintaining small animals and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre.

8. Public and semipublic buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.
9. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products shall require a minimum lot area of two (2) acres.
10. Community Gardens, Market Gardens and Community Farms in accordance with this Code, Section 530.23.
11. Solar Facility

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Accessory Dwelling Unit subject to compliance with Section 530.24.
6. Other accessory uses customarily incidental to an allowed principal use.

505.3. Conditional Uses

- A. Residential Treatment and Care Facilities.
- B. Group Living Arrangement.
- C. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- D. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- E. Parachute drops.
- F. Amusement parks.
- G. Automobile race tracks.

- H. Medical waste disposal facilities.
- I. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- J. Yard trash disposal facilities.
- K. Mining and/or reclamation including, but not limited to, mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.
- L. Wastewater treatment plants, except when accessory to a development.
- M. Sludge, septage, and other waste disposal sites.

505.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

505.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Duplexes.
- C. Major home occupations.
- D. Day-care centers.
- E. Public and private rights-of-way for utilities.
- F. Public and private substations for utilities.
- G. Public or private parks, playgrounds, and recreation areas.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Animal hospitals or veterinarian clinics and dog kennels.
- K. Travel trailer parks and travel trailer or recreational vehicle subdivisions, subject to the requirements set forth in this Code. Park model trailers located on lots within travel trailer and/or recreational vehicle subdivisions or condominiums may be utilized for permanent occupancy.
- L. Accessory uses customarily incidental to an allowed special exception use.

M. Farm Feed and Supplies Establishments
The following criteria and requirements shall apply to all farm feed and supplies establishments:

1. Feed—livestock, poultry, and pets.
2. Animal health products.
3. Lawn and garden supplies.
4. Fertilizer, insecticides, and pesticides.
5. Leather goods and tack.
6. Fence posts and supplies to be enclosed in an opaque buffer.
7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.

N. Private Schools

505.6. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings and Mobile Homes**

1. Minimum lot area: One (1) Acre
2. Maximum possible gross density: One (1) Dwelling Unit Per Acre
3. Minimum lot width: 125 Feet
4. Single-family detached dwellings in the A-R Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, Section 522.10, the minimum lot area requirements and lot width requirements shall not apply.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

505.7. **Coverage Regulations.**

All buildings, including accessory buildings, shall not cover more than twenty-five (25) percent of the total lot area.

505.8. **Yard Regulations**

The following minimum building line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: Fifty (50) Feet
- B. Side: Twenty-five (25) Feet
- C. Rear: Fifty (50) Feet
- D. Single-family detached dwellings in the A-R Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, Section 522.10, the minimum lot area requirements and lot width requirements shall not apply.

505.9. **Height Regulations**

Building height. Thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

505.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

505.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 506. AR-1 AGRICULTURAL-RESIDENTIAL

506.1. Purpose

The purpose of the AR-1 Agricultural-Residential District is to allow the development of relatively large tracts of land to accommodate those individuals who desire a rural or estate type living environment; to curtail urban development in areas which lack facilities, until such time as those facilities are available; and to promote conservation or greenbelting of rural environments through limiting the intensity and types of residential development.

506.2. Permitted Uses

A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; truck farms; fish pools; animal feedlots; hatching and raising of poultry; production of eggs; raising of livestock (hogs, horses, cattle, sheep, etc.), shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall be required to maintain a 100-foot separation between dwellings existing on adjacent parcels of land at the time the commercial agricultural activity commenced. However, the required separation shall not be less than fifty (50) feet from any property line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings: Single-family detached dwellings on individual lots.
4. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
5. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
6. Swine shall be considered, for the purpose of this section, as grazing animals. The number of swine shall not exceed one (1) per acre, exclusive of area required for other uses.
7. Maintaining small animals and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre.
8. Public and semipublic buildings and facilities to include the following: County, State, or Federal structures and uses; churches; civic organizations; and schools.
9. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products shall require a minimum lot area of two (2) acres.

10. Community Gardens, Market Gardens and Community Farms in accordance with this Code, Section 530.23.

11. Solar Facility

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).

2. Private garages and parking areas.

3. Private swimming pools and cabanas in accordance with this Code.

4. Signs in accordance with this Code.

5. Accessory Dwelling Unit subject to compliance with Section 530.24.

6. Other accessory uses customarily incidental to an allowed principal use.

506.3. Conditional Uses

A. Residential Treatment and Care Facilities.

B. Group Living Arrangement.

C. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.

D. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.

E. Parachute drops.

F. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.

G. Yard trash disposal facilities.

H. Sludge, septage, and other waste disposal sites.

I. Wastewater treatment plants, except when accessory to a development.

J. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.

506.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

506.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Major home occupations.
- C. Day-care centers.
- D. Public and private rights-of-way for utilities.
- E. Public and private substations for utilities.
- F. Duplexes.
- G. Public or private parks, playgrounds, and recreation areas.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Animal hospitals or veterinarian clinics and dog kennels.
- K. Accessory uses customarily incidental to a permitted special exception use.
- L. **Farm Feed and Supplies Establishments**

The following criteria and requirements shall apply to all farm feed and supplies establishments:

- 1. Feed—livestock, poultry, and pets.
- 2. Animal health products.
- 3. Lawn and garden supplies.
- 4. Fertilizer, insecticides, and pesticides.
- 5. Leather goods and tack.
- 6. Fence posts and supplies to be enclosed in an opaque buffer.
- 7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.

8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.

M. Private schools

506.6. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings**

1. Minimum lot area: one (1) acre.
2. Maximum possible gross density: one (1) dwelling unit per acre.
3. Minimum lot width: 125 feet.
4. Single-family detached dwellings in the AR-1 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

506.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than twenty-five (25) percent of the total lot area.

506.8. **Yard Regulations**

The following minimum building line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) property lines are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet
- B. Side: twenty-five (25) feet
- C. Rear: fifty (50) feet
- D. Single-family detached dwellings in the AR-1 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, Section 522.10, the minimum lot area requirements and lot width requirements shall not apply.

506.9. **Height Regulations**

Building height. Thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

506.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

506.11. **Development Plan**

A development plan shall be submitted in accordance with this Code, Chapter 400.

CHAPTER 500. ZONING STANDARDS

SECTION 507. AR-5 AGRICULTURAL-RESIDENTIAL DISTRICT

507.1. Purpose

The purpose of the AR-5 Agricultural-Residential District is to provide a rural or farm atmosphere in which single-family home ownership may be permitted and where the growing of supplemental food supplies for families will be encouraged.

It is also intended to permit a reasonable use of the property while protecting prime agricultural or natural areas from urban encroachment and preventing rapid expansion of demands on public facilities.

507.2. Permitted Uses

A. Principal Uses

1. Commercial farming and agricultural activities, such as citrus groves (as well as other fruits); forestry; plant nurseries; animal feedlots; hatching and raising of poultry; production of eggs; raising of livestock (horses, cattle, sheep, excluding hogs), shall be permitted and shall require a minimum of five (5) acres. Sheds, stables, barns, and other structures devoted to the on-site agricultural uses shall not be located within 200 feet of residentially zoned property or within fifty (50) feet from any lot line.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Dwellings: single-family detached dwellings on individual lots.
4. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
5. Swine shall be considered, for the purpose of this section, as grazing animals. The number of swine shall not exceed one (1) per acre.
6. Public schools.
7. Temporary roadside stands used on a seasonal basis for the sale of fruits, vegetables, and other agriculturally related products.
8. Community Gardens, Market Gardens and Community Farms in accordance with this Code, Section 530.23.
9. Solar Facility

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Public and private rights-of-way for utilities.
5. Accessory Dwelling Unit subject to compliance with Section 530.24.
6. Other accessory uses customarily incidental to an allowed principal use.

507.3. **Conditional Uses**

- A. Residential Treatment and Care Facilities.
- B. Group Living Arrangement.
- C. Gun clubs and indoor or outdoor firing and archery ranges, subject to a minimum site area of ten (10) acres.
- D. Aircraft and helicopter landing fields, subject to approval by the Federal Aviation Administration and compliance with appropriate State and local laws, provided that no aircraft landing field or helicopter pad be located closer than 1,000 feet from the closest property line of a school that provides a curriculum of elementary or secondary academic instruction, including kindergarten, elementary, middle, or high schools.
- E. Construction and demolition debris dumps, subject to all local, State, and Federal regulations.
- F. Yard trash disposal facilities.
- G. Sludge, septage, and other waste disposal sites.
- H. Wastewater treatment plants, except when accessory to a development.
- I. Mining and/or reclamation including, but not limited to, the mining or extraction of limestone, clay, sand, natural gas, oil, and organic soils, subject to all local, State, and Federal regulations.

507.4. **Performance Standards for Conditional and Special Exception Uses**

All activities shall be in conformance with standards established by the County, State, and Federal government.

507.5. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Major home occupations.
- C. Day-care centers.
- D. Public and private rights-of-way for utilities.
- E. Public and private substations for utilities.
- F. Duplexes.
- G. Public or private parks, playgrounds, and recreation areas.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Storage and repair facilities for essential services.
- J. Public and semipublic buildings and facilities to include the following: County, State, or Federal structures and uses; churches (permanent structures only); and civic organizations.
- K. Accessory uses customarily incidental to an allowed special exception use.
- L. Farm Feed and Supplies Establishments. The following criteria and requirements shall apply to all farm feed and supplies establishments:
 - 1. Feed—livestock, poultry, and pets.
 - 2. Animal health products.
 - 3. Lawn and garden supplies.
 - 4. Fertilizer, insecticides, and pesticides.
 - 5. Leather goods and tack.
 - 6. Fence posts and supplies to be enclosed in an opaque buffer.
 - 7. No equipment, such as lawn mowers, tractors, and accessories, shall be stored or repaired on this site.
 - 8. There shall be a minimum fifty (50) foot setback from all property lines for the building and storage areas.
- M. Private schools.

507.6. **Area, Density, and Lot Width Requirements**

Single-Family Detached Dwellings

- A. Minimum lot area: five (5) acres.
- B. Maximum possible gross density: one (1) dwelling unit per five (5) acres.
- C. Minimum lot frontage width: 200 feet.
- D. Single-family detached dwellings in the AR-5 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

507.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty (30) percent of the total lot area.

507.8. **Yard Regulations**

The following minimum building line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet.
- B. Side: twenty-five (25) feet.
- C. Rear: fifty (50) feet.
- D. Single-family detached dwellings in the AR-5 Agricultural-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

507.9. **Height Regulations**

Building height: thirty-five (35) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

507.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

507.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 509. E-R ESTATE-RESIDENTIAL DISTRICT

509.1. Purpose

The purpose of the E-R Estate-Residential District is to serve as a transitional area between primarily agricultural areas and suburban development. Further, it is the purpose of the E-R Estate-Residential District to allow the establishment of estate-residential areas, including the raising of livestock and agriculture, on limited acreage for the primary use of the resident.

509.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. General farming pursuits of such extent as to supply the occupant's personal needs.
3. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
4. Swine shall be considered, for the purpose of this section, as grazing animals. The number of swine shall not exceed one (1) per acre.
5. Maintaining small animals, birds, and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre. No roosters shall be permitted.
6. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
7. Public schools.
8. Community Gardens and Community Farms in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Accessory Dwelling Unit subject to compliance with Section 530.24.
6. Other accessory uses customarily incidental to an allowed principal use.

509.3. **Conditional Uses**

- A. Residential Treatment and Care Facilities.
- B. Group Living Arrangement.
- C. Market Gardens in accordance with this Code, Section 530.23.
- D. Wastewater treatment plants, unless accessory to a development.

509.4. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Duplexes.
- C. Major home occupations.
- D. Day-care centers.
- E. Public and private rights-of-way for utilities.
- F. Public and private substations for utilities.
- G. Private schools.
- H. Public or private parks, playgrounds, and recreation areas.
- I. Churches.
- J. Sports clubs or activities, such as hunting, fishing, riding, and country clubs, exclusive of outdoor firing ranges. Riding stables shall require a minimum of one (1) acre per three (3) grazing animals.
- K. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- L. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- M. Accessory uses customarily incidental to a permitted special exception use.

509.5. **Performance Standards**

All activities shall be in conformance with standards established by the County, State, and Federal government.

509.6. **Area, Density, and Lot Width Requirements**

- A. **Single-Family Detached Dwellings**

1. Minimum lot area: one (1) acre.
2. Maximum possible gross density: one (1) dwelling unit acre.
3. Minimum lot width: 125 feet.
4. Single-family detached dwellings in the E-R Estate-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations. Except where animals or fowl are permitted, there shall be a minimum of a 100-foot separation between dwellings on adjacent property and any stables, feed pens, fowl or bird coops, or other animal shelters. However, the required separation shall in no case be less than fifty (50) feet from any property line.

509.7. Coverage Regulations

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

509.8. Yard Regulations

The following minimum building-line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet.
- B. Side: twenty-five (25) feet.
- C. Rear: fifty (50) feet.
- D. Single-family detached dwellings in the E-R Estate-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, Section 522.10, the minimum lot area requirements and lot width requirements shall not apply.

509.9. Height Regulations

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

509.10. On-Site Parking Regulations

On-site parking shall be provided in accordance with this Code.

509.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 510. ER-2 ESTATE-RESIDENTIAL DISTRICT

510.1. Purpose

The purpose of the ER-2 Estate-Residential District is to encourage very low density, highly restricted, large lot, estate type developments and to serve as a transitional area between primarily agricultural areas and suburban development.

510.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. General farming and agricultural pursuits of such extent as to supply the occupant's personal needs.
3. Maintaining livestock for the occupant's use or need only, not to exceed three (3) grazing animals per acre minimum.
4. Maintaining small animals and fowl for the occupant's use or need only, not to exceed a ratio of twenty (20) per acre. No roosters shall be permitted.
5. Noncommercial boat slips and piers or private docking facilities with the approval of the various State and/or Federal agencies where mandatory.
6. Public schools.
7. Community Gardens and Community Farms in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Public and private rights-of-way for utilities.
6. Accessory Dwelling Unit in accordance with this Code, Section 530.24.

7. Other accessory uses customarily incidental to a permitted principal use.

510.3. **Conditional Uses**

- A. Residential Treatment and Care Facilities.
- B. Group Living Arrangement.
- C. Market Gardens in accordance with this Code, Section 530.23.
- D. Wastewater treatment plants, unless accessory to a development.

510.4. **Special Exception Uses**

- A. Bed and breakfast, tourist homes.
- B. Duplexes.
- C. Major home occupations.
- D. Day-care centers.
- E. Public and private substations for utilities.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Accessory uses customarily incidental to an allowed special exception use.
- H. Private schools.

510.5. **Performance Standards**

All activities shall be in conformance with standards established by the County, State, and Federal government.

510.6. **Area, Density, and Lot Width Requirements**

Single-Family Detached Dwellings

- A. Minimum lot area: 2.5 acres.
- B. Maximum possible gross density: one (1) dwelling unit per 2.5 acres.
- C. Minimum lot frontage width: 200 feet, measured along the front property line or lines contiguous to any street, road, highway, or easement for ingress and egress, however stated.
- D. Single-family detached dwellings in the ER-2 Estate-Residential District are required to meet all of the standards above, except when such units are

developed in a CS-MPUD Conservation Subdivision Master Planned Unit Development in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

510.7. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

510.8. **Yard Regulations**

The following minimum building line setbacks measured from the right-of-way or edge of ingress/egress easement (where there is no right-of-way) are required in front yard areas. All other yard areas shall be measured from the property line.

- A. Front: fifty (50) feet.
- B. Side: twenty-five (25) feet.
- C. Rear: fifty (50) feet.
- D. Single-family detached dwellings in the ER-2 Estate-Residential District are required to meet all of the standards above, except when such units are developed in a CS-MPUD in accordance with this Code, the minimum lot area requirements and lot width requirements shall not apply.

510.9. **Height Regulations**

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exemptions, see this Code, Chapter 500, Supplemental Regulations.

510.10. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

510.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 512. R-1MH SINGLE-FAMILY/MOBILE HOME DISTRICT

512.1. Purpose

The purpose of the R-1MH Single-Family/Mobile Home District is to provide for the continued development of a mixed pattern of conventional residences and mobile homes, situated on individual lots, in established areas.

512.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots and single-family mobile homes on individual lots where they are securely anchored as required by the County Building Code.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where appropriate.
3. Public schools.
4. Community Gardens and Community Farms in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private or community swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Neighborhood Parks as required by Section 901.5 of this Code.
6. Accessory Dwelling Unit in accordance with this Code, Section 530.24.
7. Other accessory uses customarily incidental to an allowed principal use.

512.3. Conditional Uses

- A. Market Gardens in accordance with this Code, Section 530.23.
- B. Residential treatment and care facilities.
- C. Group Living Arrangement.

512.4. **Special Exception Uses**

All structures used for special exception uses must meet the State building construction standards set forth in Chapter 553, Florida Statutes.

- A. Duplexes.
- B. Day-care centers.
- C. Public or private rights-of-way for utilities.
- D. Public and private substations for utilities.
- E. Private schools.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Churches.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to an allowed special exception use.

512.5. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings, Mobile Homes, and Duplexes**

- 1. Minimum lot area: 20,000 square feet.
- 2. Maximum possible gross density: 2.2 dwelling units per acre, except duplexes (four (4) dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
- 3. Minimum lot width: 100 feet.
- 4. Minimum lot depth: 150 feet.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

512.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

512.7. **Yard Regulations**

The following minimum building line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

A. Front: thirty (30) feet.

B. Side: fifteen (15) feet.

C. Rear: thirty (30) feet.

512.8. **Height Regulations**

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

512.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

512.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

512.11. **Development Plan**

A development plan that substantially conforms with the conceptual sketch plan shall be submitted in accordance with this Code.

512.12. **Neighborhood Park(s)**

Neighborhood park(s) shall be provided and maintained in the same manner as a subdivision, pursuant to this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 514. R-1 RURAL DENSITY RESIDENTIAL DISTRICT

514.1. Purpose

The purpose of the R-1 Rural Density Residential District is to serve as a transitional area between primarily agricultural areas and suburban development. Further, it is the purpose of the R-1 Rural Density Residential District to allow for the development of low density planned unit developments of sufficient size to function as neighborhood units, with all services and facilities necessary to this development form being supplied.

514.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.
4. Community Gardens in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private or community swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Neighborhood Parks as required by Section 905.1 of this Code.
6. Accessory Dwelling Units in accordance with this Code, Section 530.24.
7. Other accessory uses customarily incidental to an allowed principal use.

514.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Group Living Arrangement.
- C. Wastewater treatment plants, except when accessory to a development.

D. Market Gardens in accordance with this Code, Section 530.23.

514.4. **Special Exception Uses**

- A. Duplexes.
- B. Major home occupations.
- C. Public or private rights-of-way for utilities.
- D. Public and private substations for utilities.
- E. Private schools and day-care centers.
- F. Public or private parks, playgrounds, and recreation areas.
- G. Churches.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to an allowed special exception use.

514.5. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings and Duplexes**

- 1. Minimum lot area: 20,000 square feet.
- 2. Maximum possible gross density: 2.2 dwelling units per acre, except duplexes (4.4 dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
- 3. Minimum lot width: 100 feet.
- 4. Minimum lot depth: 150 feet.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

514.6. **Coverage Regulations**

All buildings, including accessory buildings, shall not cover more than thirty-five (35) percent of the total lot area.

514.7. **Yard Regulations**

The following minimum building line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

- A. Front: thirty (30) feet.
- B. Side: fifteen (15) feet.
- C. Rear: twenty-five (25) feet.

514.8. **Height Regulations**

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

514.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

514.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

514.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 515. R-2 LOW DENSITY RESIDENTIAL DISTRICT

515.1. Purpose

The purpose of the R-2 Low Density Residential District is to provide for the orderly expansion of low density residential development in those areas where public services are most readily available and to exclude uses not compatible with such low density residential development.

Further, it is the purpose of the R-2 Low Density Residential District to provide areas for planned unit developments at densities and in a manner compatible with the low density residential development.

515.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.
4. Community Gardens in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Neighborhood Parks as required by Section 905.1 of this Code.
6. Accessory Dwelling Unit in accordance with this Code, Section 530.24.
7. Other accessory uses customarily incidental to an allowed principal use.

515.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Group Living Arrangement.
- C. Wastewater treatment plants, except when accessory to a development.

- D. Market Gardens and Community Farms in accordance with this Code, Section 530.23.

515.4. **Special Exception Uses**

- A. Duplexes.
- B. Major home occupations.
- C. Public and private utilities, electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- D. Public and private utility substations, provided there will be no storage of trucks or materials on the site.
- E. Private schools and day-care centers.
- F. Public or private parks, playgrounds, and recreation and recreation centers, and structures used for civic and homeowners' associations.
- G. Churches.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to an allowed special exception use.

515.5. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings and Duplexes**

- 1. Minimum lot area: 9,500 square feet.
- 2. Maximum possible gross density, 4.6 dwelling units per acre, except duplexes (9.2 dwelling units per acre), subject to compliance with the Comprehensive Future Land Use Map classification.
- 3. Minimum lot width: 80 feet.
- 4. Minimum lot depth: 100 feet.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

515.6. **Coverage Regulations**

Principal structures and accessory structures shall not cover more than sixty-five (65) percent of the total lot area.

515.7. **Yard Regulations**

The following minimum building line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

- A. Front: twenty-five (25) feet.
- B. Side: ten (10) feet.
- C. Rear: twenty-five (25) feet.

515.8. **Height Regulations**

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

515.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

515.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

515.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 516. R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT

516.1. Purpose

The purpose of the R-3 Medium Density Residential District is to provide for the orderly development of existing and proposed medium density residential areas, where adequate public service and transportation facilities are or will be available, and to exclude those uses not compatible with such development.

Further, it is the purpose of the R-3 Medium Density Residential District to provide areas for planned unit development at densities and in a manner compatible with the medium density residential development.

516.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.
4. Community Gardens in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Neighborhood Parks as required by Section 905.1 of this Code.
6. Accessory Dwelling Unit in accordance with this Code, Section 530.24.
7. Other accessory uses customarily incidental to an allowed principal use.

516.3. Conditional Uses

- A. Residential treatment and care facilities.
- B. Group Living Arrangement.
- C. Wastewater treatment plants, except when accessory to a development.

- D. Market Gardens and Community Farms in accordance with this Code, Section 530.23.

516.4. **Special Exception Uses**

- A. Duplexes.
- B. Major home occupations.
- C. Public and private utilities: electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- D. Public or private substations for utilities, provided there will be no storage of trucks or materials on the site.
- E. Private schools and day-care centers.
- F. Public or private parks, playgrounds, and recreation centers, and structures used for civic and homeowners' associations.
- G. Churches.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.
- J. Accessory uses customarily incidental to an allowed special exception use.

516.5. **Area, Density, and Lot Width Requirements**

A. **Single-Family Detached Dwellings and Duplexes**

1. Minimum lot area: 7,500 square feet.
2. Maximum possible gross density, 5.8 dwelling units per acre, except duplexes (11.6 dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
3. Minimum lot width: seventy-five (75) feet.
4. Minimum lot depth: 100 feet.

B. **All Other Uses**

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

516.6. **Coverage Regulations**

Principal structures and accessory structures shall not cover more than sixty-five (65) percent of the total lot area.

516.7. **Yard Regulations**

The following minimum building line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

- A. Front: twenty (20) feet.
- B. Side: 8.5 feet, each side, for single-family.
- C. Rear: fifteen (15) feet.

516.8. **Height Regulations**

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

516.9. **On-Site Parking Regulations**

On-site parking shall be provided in accordance with this Code.

516.10. **Performance Standards for Conditional Uses and Special Exceptions**

All activities shall be in conformance with standards established by the County, State, and Federal government.

516.11. **Development Plan**

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 517. R-4 HIGH DENSITY RESIDENTIAL DISTRICT

517.1. Purpose

The purpose of the R-4 High Density Residential District is to encourage the orderly development and preservation of higher density residential environments and to provide areas in which economies of high density residential development may be achieved without sacrificing the individualized nature of the single-family residence.

517.2. Permitted Uses

A. Principal Uses

1. Dwellings: single-family detached dwellings on individual lots.
2. Noncommercial boat slips and piers or private docking facilities with the approval of various State and/or Federal agencies where mandatory.
3. Public schools.
4. Community Gardens in accordance with this Code, Section 530.23.

B. Accessory Uses

1. Minor home occupations (unless a special exception per Section 530.21.1.D.5).
2. Private garages and parking areas.
3. Private swimming pools and cabanas in accordance with this Code.
4. Signs in accordance with this Code.
5. Neighborhood Parks as required by Section 905.1 of this Code.
6. Accessory Dwelling Unit in accordance with this Code, Section 530.24.
7. Other accessory uses customarily incidental to a permitted principal use.

517.3. Conditional Uses

- A. Parking areas to serve the neighborhood such as, but not limited to:
 1. Additional parking for civic clubs.
 2. Parking for parks, playgrounds, and recreation areas.
- B. Residential treatment and care facilities.
- C. Group Living Arrangement.

- D. Wastewater treatment plants, except when accessory to a development.
- E. Market Gardens and Community Farms in accordance with this Code, Section 530.23.

517.4. **Special Exception Uses**

- A. Duplexes.
- B. Major home occupations.
- C. Public and private utilities: electrical, gas, telephone, water or sewage, and railroad rights-of-way.
- D. Public or private utility substations, provided there will be no storage of trucks or materials on site.
- E. Private schools and day-care centers.
- F. Churches.
- G. Public or private parks, playgrounds, recreation centers, and structures used for civic and homeowners' associations.
- H. Golf courses, provided the clubhouse and other structures are located over 150 feet from an abutting lot or parcel.
- I. Cemeteries twenty (20) acres or more in size, provided graves are over fifty (50) feet from an abutting lot or parcel.
- J. Governmental buildings.
- K. Accessory uses customarily incidental to a permitted special exception use.
- L. Mortuaries and funeral homes, excluding crematoriums.
- M. Professional services, such as medical, dental, legal, and engineering, excluding the storage or parking of heavy equipment.

517.5. **Area, Density, and Lot Width Requirements**

- A. **Single-Family Detached Dwellings and Duplexes**
 - 1. Minimum lot area: 6,000 square feet.
 - 2. Maximum possible gross density, 7.3 dwelling units per acre, except duplexes (14.6 dwelling units per acre), subject to compliance with the Comprehensive Plan Future Land Use Map classification.
 - 3. Minimum lot width: sixty (60) feet.

4. Minimum lot depth: 100 feet.

B. All Other Uses

No minimum lot areas are required, subject to meeting minimum yard and coverage regulations.

517.6. Coverage Regulations

Principal structures and accessory structures shall not cover more than sixty-five (65) percent of the total lot area.

517.7. Yard Regulations

A. The following minimum building line setbacks, measured from the property lines, are required in yard areas listed below unless otherwise specified:

1. Front: twenty (20) feet.
2. Side: 7.5 feet, each side.
3. Rear: fifteen (15) feet.

B. Front setbacks shall be subject to this Code, if applicable.

C. For subdivisions developed after December 8, 2020, side setbacks may be reduced to no less than five (5) feet subject to compliance with Section 902.2.K.2.b. Side entry walkways or sidewalks which project into the five (5) foot side setback and/or five (5) foot drainage easement shall be prohibited.

517.8. Height Regulations

Building height: forty-five (45) feet maximum; however, no dwelling shall be less than ten (10) feet in height. For exceptions, see this Code, Chapter 500, Supplemental Regulations.

517.9. On-Site Parking Regulations

On-site parking shall be provided in accordance with this Code.

517.10. Performance Standards for Conditional Uses and Special Exceptions

All activities shall be in conformance with standards established by the County, State, and Federal government.

517.11. Development Plan

A development plan shall be submitted in accordance with this Code.

CHAPTER 500. ZONING STANDARDS

SECTION 530. SUPPLEMENTAL REGULATIONS

The provisions of this chapter shall be subject to such exceptions, additions, or modifications as provided by the following supplemental regulations. The provisions of Section 530.1 shall not apply to properties located in an Urban Service Area.

530.1. Height Regulations Exceptions

- A. Public, semipublic, or public services buildings; hospitals; public institutions; or schools may not exceed sixty (60) feet in height. Churches or temples may not exceed seventy-five (75) feet in height, and the building shall be set back from each yard line at least one (1) foot for each additional two (2) feet of building height above the height limit otherwise provided in the district in which the building is located. Spires, flagpoles, chimneys, residential antennas, towers, tanks, belfries, and similar projections are exempt from the height regulations.
- B. Special industrial and commercial structures, such as cooling towers, elevator bulkheads, fire towers, tanks, water towers, and broadcasting towers which require a greater height than provided in the district in which the structure is located may be erected to a greater height than permitted provided:
 - 1. The structure shall not occupy more than twenty-five (25) percent of the lot area; and
 - 2. The setbacks of the district in which the structure is erected shall be increased by one (1) foot for each three (3) feet of height over the maximum height permitted. However, in no case shall setbacks be less than one-third of the total height of the broadcasting tower, including antennas.
- C. If adjacent to single-family residential zoning or use (except for two or more story multifamily buildings), the setbacks of the district in which the building or structure is erected shall be increased by one (1) foot for each three (3) feet of height over the maximum height permitted.

530.2. Yard Requirements

All yards required by this Code to be provided shall be open to the sky and unobstructed by any structure, except for accessory structures and fences. Accessory structures, however, shall not be constructed within five (5) feet of any rear or side lot line.

- A. The following may project into the required yards:
 - 1. Steps, porches, decks, balconies, and stoops may project to within three (3) feet of the side or rear property line, but may not project more than four (4) feet into the required front yard area.

2. Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies, and the ordinary projection of chimneys and flues not exceeding 3.5 feet in width and placed so as not to obstruct light or ventilation.
 3. Sills; eaves; belt courses, cornices; bay windows and ornamental features, such as wing walls; or wall-mounted air conditioning or heating units not exceeding three (3) feet in width.
 4. Air conditioning or heating units, or similar structures mounted or constructed on a cement slab, or other permanent base not exceeding three (3) feet in width. In order to protect suitable drainage conditions, these units or structures are not permitted within yards less than 7.5 feet in width.
- B. The yard requirements shall be adjusted in the following cases:
1. Front Yard Adjustments:
 - a. Front-Yard Adjustments for Existing Building Alignment. When appropriate, the County Administrator or designee may increase or decrease the depth of the required front yard in any district so that such front yard will approximate the average depth of the existing front yards of the existing structures on adjoining lots on each side, or if there are no such adjoining structures, shall approximate the average depth of the front yards of the nearest structures on the same side of the street within 200 feet. However, no front-yard setback shall be less than fifteen (15) feet from the property line.
 - b. Front-Yard Adjustments Through Lots. In the case of through lots, front yards shall be provided on both frontages, except where one (1) of the front yards of a through lot abuts a collector or arterial roadway, then that yard shall be a rear yard with a minimum setback of twenty (20) feet for principal structures. Swimming pools and accessory structures may be erected to within five (5) feet of the property line adjoining such collector or arterial roadway.
 - c. Front Yard Adjustments for corner lots. In the case of corner lots with more than two (2) frontages, at least two (2) front yards shall each provide the full depth required in the district, and no other front yard on such lot shall have less than half of the full depth required in the district.
 2. Side and Rear Yard Adjustments
 - a. Side-yard and rear-yard width may be varied where the wall of a building is not parallel with the side or rear lot line, is broken or otherwise irregular. In such case, the average width of the yard will be no less than the generally required minimum width, provided that such yard will not be narrower at any point than one-half the normally required setback.
 - b. When the side lines of a lot converge so as to form a rear lot line of less than ten (10) feet or a point in the rear, the rear lot line is that line parallel to the front lot line and measuring ten (10) feet in length between the two (2) side lot lines. The depth of the rear yard is

measured from such ten (10) foot line to the nearest part of the principal building.

- c. In the case of corner lots, there shall be two (2) front yards and two (2) side yards.
- d. Where an existing side, rear, or front yard setback line has been established by an existing primary building on a parcel, any additions or alterations to the primary building or other accessory uses shall be allowed to use the existing setback line, except that no new additions, alterations, or accessory buildings shall be closer to the side property line than three (3) feet, the rear property line by five (5) feet, and the front property line by fifteen (15) feet.

530.3. **Construction of Accessory Buildings and Structures**

No accessory building or structure, except fencing, shall be constructed upon a lot until the construction of the principal building has been actually commenced. No accessory building shall be used for residential purposes, except as provided elsewhere in this Chapter 500. Accessory buildings or structures shall not be constructed within five (5) feet of any rear or side lot line and shall not be constructed within an easement.

The principal use shall be established prior to or concurrently with any accessory use.

530.4. **Private Swimming Pools**

Private swimming pools shall comply with the following:

- A. The pool is intended and shall be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- B. Shall be located in the rear yard or side yard of the property, except that pools may be located in the front yard of parcels if the parcel is more than five (5) acres in size.
- C. Shall not be located, including any walls or appurtenant accessory structures closer than five (5) feet to any property line.
- D. The swimming pool shall be walled, fenced, or enclosed so as to prevent uncontrolled access from the street or adjacent property. The barrier shall be at least four (4) feet in height, shall be maintained in good condition, and meet the following conditions:
 - 1. No openings shall be greater than four (4) inches in width, except for necessary gates.
 - 2. Metal or wire, if allowed to be used as fencing material in the zoning district, shall be at least 11.5 gauge.
 - 3. Barbed-wire fences are permitted to serve as a barrier only in agricultural districts on properties over one (1) acre and provided that the minimum

height is four (4) feet and that the said fence consists of a minimum of six (6) strands separated by a minimum of eight (8) inches.

4. Screen mesh enclosures around swimming pools shall be set back a minimum five (5) feet from side and rear property lines and cannot be torn or in disrepair at any location up to four (4) feet from grade.
5. Aboveground pools with side walls more than four (4) feet in height need not be fenced or enclosed, provided that access to the interior of the pool is constructed or installed to prevent access to the interior of the pool by persons other than the legal occupants of the property.
6. Split-rail or picket fences used as barriers shall be a minimum of four (4) feet in height with a maximum spacing of four (4) inches between rails or posts.

530.5. **Parking or Storing of Recreational Vehicles**

- A. Recreational vehicles (RVs) may be parked or stored anywhere on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2 and residentially zoned property that is one (1) acre or more in size or those legal nonconforming lots (small lots of record) in accordance with Section 1200 Nonconformities, provided they are not parked or stored within the required zoning district's setback from the front property line, and provided they are parked or stored at least five (5) feet from a side or rear property line. Vehicles parked in an E-R Estate-Residential Zoning District are subject to the regulations in Subsection B., below, regardless of the size of the property.
- B. On residentially zoned property less than one (1) acre in size, or on E-R Estate-Residential zoned property of any size, RVs are subject to the following regulations:
 1. RVs may be parked or stored in the side yard or rear yard provided that:
 - a. No more than one (1) side yard on any property is used for such purpose.
 - b. No part of the RV may be parked or stored in front of the principal building line of the primary residential structure or between any structure, accessory structure, or part of such structure, and the front yard. This section is intended to restrict such parking in front yards and front driveways as commonly construed.
 - c. RVs may not be parked in any location less than five (5) feet from any rear or side property line.
 - d. RVs shall be screened from view from all abutting property by an opaque six (6) foot fence or by vegetation which is at least seventy-five (75) percent opaque and at least six (6) feet high.
 - e. For double frontage or "corner" residential properties, no RVs shall be parked or stored on the side of a home bordered by a roadway.

- f. For residential properties that have a garage or carport that protrudes past the principal building line of the residence where the front door is located (an “L-shaped” or “U-shaped” structure), the “principal building line of the primary residential structure” is that building line parallel to the front door and not to the front protruding edge of the garage or carport. Under no circumstances shall RVs be parked or stored in a location where the distance from the front door to the front property line is greater than the distance from the front protruding portion of the RV to the front property line. Any person may seek a written determination from the County Administrator or designee identifying the “front door” and/or “principal building line of the primary residential structure” for residential property owned or leased by that person.
- C. The following provisions apply to all RVs parked or stored on properties zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2 and residentially zoned parcels:
- 1. RVs may not be parked or stored on any property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2 and residentially zoned property where there is no primary residential structure.
 - 2. RVs may be temporarily parked in the driveway on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned lot for loading, unloading, and cleanup during the times a person is in fact physically engaged in the act of loading, unloading, or cleaning the vehicle. Campers and motor homes of all types may be temporarily parked in the driveway for trip preparation, loading, unloading, and cleanup for up to seventy-two (72) hours in any seven (7) day period, up to four (4) times per calendar year.
 - 3. RVs may not be repaired on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property unless parked in accordance with this section and unless owned by the owner-occupant or occupant-lessee of the property. No more than one (1) RV on the property may be in need of repair or under repair. This is intended to limit large-scale or continuous repair or restoration of RVs on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property, whether for commercial or noncommercial purposes.
 - 4. RVs shall not be connected to water, sewer, or electric lines, except that properly parked or stored RVs may be connected to battery chargers. It shall be unlawful, at any time, to use RVs parked or stored on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property for residential purposes, except that (1) park trailers may be occupied temporarily for residential purposes within properly zoned campgrounds, RV parks, and RV subdivisions; and (2) houseguests may temporarily occupy an RV in accordance with Section 530.5.C.8 below. Otherwise, the use of RVs for activities, such as sleeping, housekeeping, living quarters, bathing, dressing, watching television, working, reading, writing, working on hobbies, or other similar activities is considered use of the RV for “residential purposes,” and is prohibited, even if such activities are confined to the

daytime hours and the RV is not occupied overnight. Utility, water, electric, sewage, generator, or cable connections to an RV create a presumption that the RV is being used for residential purposes. This presumption may be rebutted only with clear and convincing evidence.

5. No RV parked or stored on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and residentially zoned property shall be used for commercial purposes.
6. No RV shall be parked or stored on the right-of-way. No portion of an RV shall extend over, or interfere with, the use of any sidewalk or right-of-way intended for pedestrian or vehicular traffic.
7. An unlimited number of RVs may be parked or stored within a completely enclosed, permanent structure on any lot zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and in a residentially zoned district, provided the enclosed permanent structure meets all applicable construction codes and a valid Building Permit exists for the structure.
8. Parking or storage of RVs on property zoned A-C, AC-1, A-R, AR-1, AR-5, AR-5MH, ER-2, and any residentially zoned lot shall be limited to RVs owned or leased by the occupant-owner or occupant-lessee of the lot.
 - a. A vehicle owned or leased by a person who is not a resident of Pasco County and who is a houseguest of the occupant-owner or occupant-lessee of the lot may be parked or stored on the lot for a period not to exceed ten (10) days, four (4) times per calendar year, provided that it is parked in accordance with the other regulations in this section.
 - (1) Guest RV parking shall be in accordance with all other provisions of this section, including setbacks, except that it may be temporarily used for residential purposes.
 - (2) A Guest RV Parking Permit must be obtained prior to parking the vehicle on the property and must be prominently displayed.
 - (3) At least thirty (30) days must lapse before guest parking will be permitted on the same property.
 - b. RVs may be parked in areas zoned for multiple-family residential use, provided that such areas are approved for such use by the owner of the property and included in the approved site plan for such property.
9. Applicability. This section does not apply to trailers that are used or designed for commercial purposes, which bear commercial markings or advertisements, or which contain "commercial equipment" as defined by this Code. Such trailers must be parked or stored in accordance with the

regulations in Section 530.16 concerning the parking or storage of commercial vehicles on residential property.

530.6. **Clear-Sight Triangle Requirements**

To prevent traffic hazards from limited visibility at a street intersection or intersection of a street and railroad crossing, no structure, building, earthen bank, or vegetation shall be allowed within the clear-sight triangle on corner lots if it exceeds 3.5 feet in height, measured from grade at the finished, paved area at the center of the roadway.

The clear-sight triangle shall be the combination of the triangle created by connecting the points twenty (20) feet from the intersection of road right-of-way lines and the area determined using FDOT Index 546.

530.7. **Essential Services**

Essential services, as defined in this Code, shall be permitted in all districts, subject to restrictions recommended by the County Administrator or designee with respect to use, design, yard area, setback, and height.

530.8. **Accumulation of Debris; Property Maintenance**

A. It shall be unlawful for any owner, occupant, tenant, lessee, or other person responsible for the condition of the property to permit, maintain, or cause an accumulation of debris, decaying vegetative matter, exposed salvageable material, or other manmade materials upon any lot, tract, or parcel of land where the effect of such accumulation is to cause or create:

1. A visual nuisance or other unsightly condition visible from adjoining public or private property;
2. An actual or potential haven or breeding place for snakes, rats, rodents, or other vermin of like or similar character;
3. An actual or potential breeding place for mosquitoes;
4. A fire hazard to adjacent properties; or
5. A hazard to traffic at road intersections or rights-of-way within the County.

Debris, decaying vegetative matter, exposed salvageable material, or other manmade materials means and includes without limitation garbage; rubbish; refuse from residential, commercial, or industrial activities; animal waste; scattered recyclable material; scattered personal items, including clothing and household goods; kitchen and table food waste or other waste that is attendant with or results from the storage, preparation, cooking, or handling of food material; paper; wood scraps; yard waste; tree or landscape debris and rotting fruit; cardboard; cloth; glass; rubber; plastic; carpet; discarded vehicle tires or other vehicle or watercraft fixtures or parts; household goods and appliances; tools and equipment that are broken, derelict, or otherwise in disrepair; and similar materials. Proof of adverse effect, impact, or impairment to economic welfare shall not require expert opinion testimony or a showing of any specific decrease in property value and may be given by fact-based opinion of affected property owners, occupants, or any other person generally knowledgeable concerning property in the area.

B. Exemptions

This section shall not apply to generally accepted horticultural, agricultural, or environmental enhancement practices including, but not limited to, use of decaying vegetative matter for composting, mulching, or habitat creation.

530.9. Temporary Uses

A. The following uses may be permitted temporarily, for a period of up to four (4) weeks in any six (6) month period, after issuance of a Zoning Permit and necessary Building Permits by the County Administrator or designee:

1. Christmas tree and tent sales.
2. Facilities for the transshipment, processing, fabrication, or manufacture of materials for public works projects may be permitted as temporary uses during the construction periods of specific public works projects so long as such temporary uses do not cause adverse effects on adjacent lands or uses.
3. Carnival, circus, music festivals, and street fairs.
4. Mobile amusements, banners, and lighting equipment for promotion, advertisement, and grand openings.
5. Tent revival meetings.
6. Other uses that are deemed appropriate by the County Administrator or designee.

B. Before issuing a permit, the County Administrator or designee shall determine that the site is adequate for its intended temporary use according to the following:

1. The proposed activity is in compliance with all safety, health, and environmental standards, and is not detrimental to the surrounding area.
2. The site is of a sufficient size to accommodate the intended temporary use.
3. Safe and orderly flow of traffic can be ensured.

530.10. Junkyards

All junkyards existing at the effective date of this Code, within one (1) year thereafter, and all new junkyards, where permitted, shall comply with the following provisions:

A. From and after January 1, 1964, no person, firm, or corporation shall operate or maintain in the County any junkyard, motor-vehicle wrecking yard, or used-car parts business, unless and until the same shall be enclosed by a fence, the construction of which will obscure the view thereof by the passing public. The said fence shall

be of a height not less than eight (8) feet and all of the operations of such business shall be carried on and conducted within the enclosure of such fence.

- B. All junk shall be stored or arranged so as to permit access by fire-fighting equipment and to prevent the accumulation of water, and no junk pile shall reach a height of more than eight (8) feet, unless it is 200 feet from any property line.
- C. No oil, grease, tires, gasoline, or other similar material shall be burned at any time and all other burning shall be in accordance with applicable State and local regulations.
- D. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance; nor to cause any offensive or noxious sounds or odors; and not to cause the breeding or harboring of rats, flies, or other vectors.

530.11. **Travel Trailer/Recreational Parks and Campgrounds**

All commercial travel trailer parks shall be subject to the following minimum regulations:

- A. A minimum of one (1) dump station for sewage or sanitary waste disposal for every fifty (50) trailer pads or spaces shall be provided, except for those spaces which have approved sanitary sewer connections.
- B. Sewage or sanitary-waste facilities shall be in accordance with the requirements of County and State codes and ordinances.
- C. A buffer area of a minimum of twenty-five (25) feet with appropriate screening in accordance with this Code shall be maintained around all property boundaries of travel trailer parks adjacent to residential districts. Parks adjacent to other districts and public rights-of-way shall require a minimum fifteen (15) foot buffer area and screening in accordance with this Code. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.
- D. The development of recreational areas shall be in accordance with the requirements established in this Code; however, in no case shall a recreation area be less than 10,000 square feet. The said recreation area shall be in addition to the buffer area requirements of the section.
- E. A minimum space of thirty (30) feet by fifty (50) feet shall be provided for each travel trailer. Park trailers over 400 square feet shall have a minimum space of forty (40) feet by sixty-five (65) feet.
- F. **Setback Requirements**
 - 1. RV units containing 320 square feet or less shall be located a minimum of ten (10) feet from any other RV or permanent building within or adjacent to the travel trailer park. The following accessory structures shall be located to

within three (3) feet of a recreational unit (320 square feet or less) or permanent structure:

- a. Open aluminum carports.
- b. Aluminum storage sheds.
- c. Aluminum screened or glass porches.
- d. Open aluminum or metal decks or porches.

All other accessory structures shall be located a minimum of ten (10) feet from any recreational unit (320 square feet or less) or permanent building.

2. RV units over 320 square feet shall be located a minimum of ten (10) feet side-to-side, eight (8) feet end-to-side, and six (6) feet end-to-end horizontally from any other RV. The following accessory structures may be located to within three (3) feet of an RV unit (over 320 square feet) or permanent structure:

- a. Open aluminum carports.
- b. Aluminum storage sheds.
- c. Aluminum screened or glass porches.
- d. Open aluminum or metal decks or porches.

All other accessory structures shall be located a minimum of five (5) feet from any recreational unit (over 320 square feet) or permanent building.

3. Front setbacks shall be subject to this Code, Chapter 600, if applicable.

- G. Provision of commercial and service facilities intended to directly serve the needs of park users are permitted, encouraged, and should be centrally located within the park.
- H. No travel-trailer park shall be divided into three (3) parcels or more or individual lots for the purpose of sales or leasing without complying with all of the requirements of Section 530.12, Travel Trailer/RV Subdivisions.
- I. The total number of units shall be limited according to the density limitations established by the Comprehensive Plan Future Land Use (FLU) Map Classification.
- J. A development plan shall be submitted in accordance with this Code, Chapter 400.

530.12. **Travel Trailer/RV Subdivisions**

In addition to complying with the requirements of this Code, all travel trailer or RV subdivisions shall be subject to the following minimum regulations:

- A. Minimum site area: ten (10) acres.
- B. Minimum lot area: 2,600 square feet.
- C. Minimum lot width: forty (40) feet.
- D. Minimum lot depth: sixty-five (65) feet.
- E. Maximum possible gross density of 11.5 dwelling units per acre, subject to compliance with the density limitations established by the FLU Map Classification.
- F. Minimum front-yard setback of twenty (20) feet.
- G. Minimum side-yard setback of 7.5 feet.
- H. Minimum rear-yard setback of ten (10) feet.
- I. A buffer area of a minimum of twenty-five (25) feet in depth and consisting of open space with appropriate screening in accordance with this Code shall be maintained around all perimeter property boundaries of travel-trailer subdivisions adjacent to residential districts. Travel-trailer or RV subdivisions adjacent to other districts shall maintain a minimum fifteen (15) foot buffer area and screening in accordance with this Code. Any development activities occurring adjacent to existing agricultural uses shall provide adequate buffering against discharges and emissions listed above and generated by the ongoing agricultural use.
- J. Recreational areas shall be provided in accordance with the requirements established in this Code; however, in no case shall any part of such recreation area be less than 10,000 square feet. The said recreation areas shall be in addition to the buffer requirements set forth in J above.
- K. Adequate central water and sewer systems shall be provided.
- L. A development plan shall be submitted in accordance with this Code, Chapter 400.

530.13. **Waterfront Property**

All waterfront property which, for the purposes of this section shall be defined as those properties which abut navigable water bodies, shall be subject to the following minimum requirements:

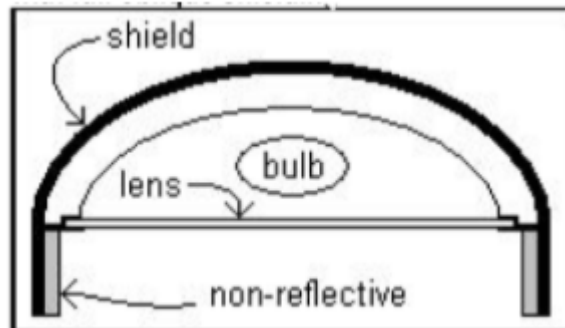
- A. Except as provided below and as may be permitted by Section 1001, no structure shall be located within fifteen (15) feet of the mean high-water line. This applies to dwelling structures, accessory structures, enclosed swimming pools, walls, and any other type of construction that presents a visually solid-type wall.
- B. Fences may be constructed along the rear property line or within fifteen (15) feet of the mean high-water line or alongside property lines, provided they do not exceed four (4) feet in height and shall be constructed so as to not obstruct vision within fifteen (15) feet of the rear property line or within fifteen (15) feet of the mean high-

water line. Fences in the side yard may be a maximum of six (6) feet in height, so long as they do not extend in front of or to the rear of the dwelling structure.

530.14. **Outdoor Lighting Illumination Limits**

- A. Direct Illumination. All outdoor lighting fixtures shall have full oblique shielding (see Figure 530.14-A) so that a property's light sources do not directly illuminate another property that has an outdoor lighting protected area.
- B. Driver Vision Impairment. Lights shall not impair the vision of drivers and interfere with safe driving. A light source shall have shields to prevent it from glaring into the eyes of drivers where drivers need to see structures, signs, other vehicles, and overhead clearances to a height of sixteen (16) feet. Affected driving areas include streets, driveways, parking lots, and other vehicle use areas on-site or off-site.
- C. Measurable Spill Illumination Limits. The total illumination caused by all of a property's outdoor lighting, including light sources, diffraction, and reflections from on-site objects, shall not illuminate another property in excess of the following limits:
 - 1. 0.2 foot-candles on property with outdoor lighting protected areas but not including the street rights-of-way.
 - 2. 1.5 foot-candles on street rights-of-way because such limited coincidental illumination of a street will not constitute a nuisance to people using the street.

Figure 530.14-A Vertical cross section of fixture with full oblique shielding



530.15. **Fraternal Lodges and Social and Recreational Clubs**

- A. Fraternal lodges and social and recreational clubs shall be conditional uses in all districts, except I-1 Light Industrial Park and I-2 General Industrial Park Districts, which must be reviewed and approved in accordance with this Code.
- B. Fraternal lodges and social and recreational clubs proposed in PO-2 Professional Office, C-1 Neighborhood Commercial, C-2 General Commercial, C-3 Commercial/Light Manufacturing Districts and areas in MPUD Master Planned Unit Development Districts designated for PO-2, C-1, C-2, or C-3 uses shall meet the minimum lot area, lot width, and yard regulations for the districts. Proposed fraternal lodges and social and recreational clubs in the PO-2 Professional Office, C-1

Neighborhood Commercial, C-2 General Commercial, C-3 Commercial/Light Manufacturing Districts and areas in MPUD Master Planned Unit Development Districts designated for PO-2, C-1, C-2, or C-3 uses shall not be required to comply with Section 530.15.C. Buffering shall be as required in this Code Section 905.2.

C. In addition to the criteria set forth in this Code, except as noted in 530.15.B above, the following site limitations shall be observed for fraternal lodges and social and recreational clubs located in all zoning districts:

1. Minimum lot area: 20,000 square feet.
2. Minimum lot width: 150 feet.
3. The height of any building constructed shall not exceed the maximum height restrictions of the applicable zoning district within which it is located.
4. Fifty (50) feet minimum building setback from all property lines.
5. Landscaping and buffering shall be in accordance with this Code, Section 905.2 with the fraternal lodge and social and recreational club parcel treated as a commercial use.

D. On site consumption of alcoholic beverages by members and guests shall be permitted in any fraternal, social, or recreational club or lodge which is approved as a conditional use, provided such use is located more than 1,000 feet from a school, church, place of worship, or public park, as measured from the structure in which alcoholic beverages are being served to the nearest property line of the school, church, place of worship, or public park.

E. Development Plan

A development plan shall be submitted in accordance with this Code, Chapter 400.

530.16. **Parking and Storage of Commercial Vehicles and Commercial Equipment in Certain Residential Areas Prohibited**

A. No commercial vehicles and no commercially related equipment shall be permitted to park or be stored in any areas of the unincorporated County which are zoned R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, PUD Planned Unit Development, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, MF-3 Multiple Family High Density, E-R Estate-Residential, ER-2 Estate-Residential, A-R Agricultural-Residential, and AR-1 Agricultural-Residential Zoning Districts, except when such commercial vehicles and equipment are being utilized as part of a business lawfully operating in the said zoning districts. The following are specifically exempt from this section:

1. Properties zoned A-C Agricultural and AC-1 Agricultural.

2. Properties larger than five (5) acres zoned A-R Agricultural-Residential and AR-1 Agricultural-Residential.
3. Properties with a bona fide agricultural classification, as determined by the County Property Appraiser, when the vehicle or equipment are related to the agricultural use of the property.

B. The provisions of this section shall not apply to:

1. A commercial vehicle parked in a residential neighborhood while the operator of the said commercial vehicle is making a delivery or conducting business within the said residential area or when the commercial vehicle or equipment is parked or stored within an enclosed structure.
2. The use of a commons area in any residentially zoned neighborhood for the parking of a commercial vehicle, provided that the commons area is actually used as a commons area, is duly recorded and platted as a commons area, and provided further that the use of the said commercial vehicle is for the benefit of the community in which it is situated or the use is for the benefit of a charitable project sponsored by the community as a whole or sponsored by any civic or charitable group within the community. For purposes of this subsection only, community is defined as the residentially zoned neighborhood which is serviced by the commons area.

C. Any use of E-R Estate-Residential, R-1 Rural Density Residential, R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential, R-MH Mobile Home, R-1MH Single-Family/Mobile Home, R-2MH Rural Density Mobile Home, PUD Planned Unit Development, MF-1 Multiple Family Medium Density, MF-2 Multiple Family High Density, or MF-3 Multiple Family High Density zoned property for the parking or storing of commercial vehicles or equipment prior to the adoption of this section shall not be considered a nonconforming use.

D. Nothing in this section is intended to authorize the use of residentially zoned property for commercial or industrial activities that are not permitted uses of the zoning district where the commercial vehicle or equipment is parked or stored.

530.17. **Reserved**

530.18. **Temporary Use of Portable Storage Units**

A. **Location and Placement**

Portable storage units may be temporarily located only on certain residentially zoned and commercially zoned parcels. Units shall not obstruct vehicular or pedestrian traffic. Units shall not be placed in the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. **Duration**

1. A portable storage unit may be placed at a site used for residential purposes for up to thirty (30) calendar days. One (1) portable-storage unit may be placed on a site no more than two (2) times per calendar year.
2. One (1) portable storage unit may be placed at a site zoned for commercial use and actually used for commercial purposes for up to sixty (60) calendar days, no more than two (2) times per calendar year, provided: (a) that the unit is not visible from surrounding parcels or from the right-of-way; the unit must be buffered by tall, opaque fencing; located behind the building; or located on a portion of a parcel with no abutting development; or (b) the location of the unit must be approved as part of a site plan.
3. Redelivery of a portable storage unit for purposes of unloading will be allowed for a period of five (5) days in addition to the time periods provided in this subsection.

C. Construction

1. For sites where the portable storage units are being used in connection with new construction or extensive renovation or repair of property, portable storage units related to and used for the ongoing construction or storage of construction materials during such construction shall be allowed for the period of continuous construction, provided that there is an active and valid Building Permit for the property. Any portable storage unit at the site that is not specifically related to and used in connection with the construction shall be subject to the limits otherwise imposed in this section of this Code. Within five (5) calendar days of the expiration of a Building Permit, passage of all final inspections, or the issuance of a Certificate of Occupancy (CO) (whichever is later), the portable storage units shall be removed.
2. In the event of a fire, hurricane, or natural disaster causing substantial damage to the principal structure on the property, a portable storage unit shall be allowed on site, subject to all applicable sections of this chapter, for sixty (60) calendar days regardless of the existence of a valid Building Permit.

D. High Winds

Within (twelve) 12 hours after issuance of a hurricane warning including Pasco County, all portable storage units shall be removed or secured to minimize the danger of damage to persons or property from the effect of high winds on the units.

530.19. Use of Dumpsters in Residentially Zoned Property

Residential properties in A-R Agricultural-Residential, AR-1 Agricultural-Residential, AR-5 Agricultural-Residential, AR-5MH Agricultural Mobile Home, E-R Estate-Residential, ER-2 Estate-Residential, A-C Agricultural, and AC-1 Agricultural Zoning Districts that are more than one (1) acre or which the Pasco County Property Appraiser has classified as a bona fide agricultural land under the Agricultural Assessment Provisions of Section 193.461, Florida Statutes, may use dumpsters of eight (8) cubic yards or smaller

on a permanent basis to store large volumes of refuse as the primary method of garbage collection and disposal for the residence, as long as the dumpster is not located on a right-of-way, and is a portable, nonabsorbent, enclosed container with a close-fitting cover or doors which is capable of being serviced by mechanical equipment. Dumpsters larger than eight (8) cubic yards may be used only on a temporary basis and are subject to the regulations set out in subsections A-E below. Properties that are five (5) acres or larger in A-R Agricultural-Residential and A-C Agricultural Zoning Districts are exempt from the regulations in this section.

Dumpsters are permitted on all other residentially zoned properties only on a temporary basis and are subject to the following regulations:

A. Location and Placement

Dumpsters may be temporarily located only on certain residentially zoned parcels. Dumpsters shall not obstruct vehicular or pedestrian traffic. Dumpsters shall not be placed on the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. Duration

A dumpster may remain at a site used for residential purposes for up to thirty (30) calendar days. One (1) dumpster may be placed on a site no more than two (2) times per calendar year allowed.

C. Construction

1. For sites where a dumpster is being used in connection with new construction or extensive renovation or repair of property, dumpsters related to and used for the ongoing construction or demolition during such construction shall be allowed for the period of continuous construction or demolition, provided there is an active and valid Building or Demolition Permit for the property. Any dumpster at the site that is not specifically related to and used in connection with the construction or demolition shall be subject to the limits otherwise imposed in this section of this Code. Within five (5) calendar days of the expiration of a Building Permit, passage of all final inspections, or the issuance of a CO (whichever is later), all dumpsters shall be removed.
2. In the event of a fire, hurricane, or natural disaster causing substantial damage to the principal structure on the property, a dumpster shall be allowed on site, subject to all applicable sections of this chapter, for sixty (60) calendar days regardless of the existence of a valid Building Permit.

D. High Winds

Within twelve (12) hours after the issuance of a hurricane warning including Pasco County, all dumpsters shall be removed or secured to minimize the danger of damage to persons or property from the effect of high winds of the dumpsters.

530.20. **Temporary/Portable Toilet Facilities**

A. **Location and Placement**

Temporary toilet facilities provided in connection with construction or renovation may be temporarily located on all properties. Units shall not obstruct vehicular or pedestrian traffic. Units shall not be placed on the right-of-way or in such a manner that a person lawfully using the sidewalk must detour into the street in order to go around the unit.

B. **Removal**

Temporary toilet facilities provided in connection with construction or renovation shall be removed by the person responsible for the unit within fourteen (14) calendar days of cancellation of the rental contract for the unit or within fourteen (14) calendar days of the issuance of a CO for the structure that is under construction or renovation, whichever is sooner.

C. **Storage**

Properties upon which such units are stored when not in use shall be fenced with opaque fencing in such a manner so that the units are not visible to abutting, residentially zoned properties.

530.21. **Home Occupations**

A. **Purpose**

The intent of this section is to provide for certain types of restricted home occupations. The purpose of this section is to establish performance standards that will provide fair and equitable administration and enforcement of this section. Only such uses will be allowed which:

1. Are incidental to the use of the premises as a residence;
2. Are compatible with residential uses in the area;
3. Are limited in scale and intensity; and
4. Do not detract from the residential character of the area.

If the application of the home occupation regulations conflict with other sections of this Code, the most restrictive shall apply.

B. **Review Procedures**

Unless otherwise indicated as a permitted accessory use, home occupations are reviewed pursuant to this Code, Section 402.4, as Special Exception Uses. Minor home occupations are permitted as-of-right in designated zoning districts, unless they exceed specified thresholds.

C. Standards for All Home Occupations

1. The use of the dwelling unit for the home occupation shall be clearly incidental and secondary to its use for residential purposes.
2. There shall be no change in the outside appearance of the building or premises as a result of such business.
3. No exterior signs and no signs that would be visible from the street or neighboring dwellings that are associated with the home occupation are permitted. Professional signs that are statutorily required are permitted.
4. A home occupation shall be conducted wholly within the principal residential dwelling unit or in an accessory building on the parcel, except as otherwise noted herein.
5. No outside display, storage, or use of land is permitted for the home occupation.
6. More than one (1) home occupation may be permitted in a single residence; however, all applicable limitations herein shall apply to the combined uses as if they were one business.
7. No truck deliveries are permitted, except for parcels delivered by public or private services that customarily make residential deliveries.
8. For those home occupations that require a special exception, the approval of the special exception shall not be transferred to another owner or lessee of the property.

D. Minor Home Occupation Standards

1. A minor home occupation shall occupy no more than twenty-five (25) percent of the total floor area of the dwelling unit and nondwelling unit accessory building.
2. The use shall not create dangerous vapors or fumes, and no use shall be permitted where noise, light, glare, odor, dust, vibration, heat, or other nuisance extends beyond the subject dwelling unit or structure.
3. No mechanical equipment shall be used on the premises, except those normally used for purely domestic or household purposes.
4. New vehicle trip generation, except those as addressed in Section 530.21.D.5, shall not result from the establishment of a minor home occupation, i.e., the home occupation shall not involve appointments in the residence.

5. An applicant may seek a Special Exception from the Planning Commission that allows trip generation as a result of the establishment of a minor home occupation, but shall meet the following conditions:
 - a. In no case, shall more than fourteen (14) total daily trips, including those associated with the primary residential use, be generated per dwelling unit as a result of the establishment of the home occupation(s).
 - b. All business-related visits shall be by appointment only and shall be limited to one (1) customer at a given time. Where applicable, and where on-site parking is available, an additional person in waiting is permitted.
 - c. Traditional home-based instruction, such as, but not limited to, tutoring and music or swimming lessons or the like, is permitted where instruction is provided by only one (1) instructor to no more than three (3) students per class.

E. Major Home Occupation Standards

1. Major home occupations shall occupy no more than thirty (30) percent of the total floor area of the dwelling unit or one (1) accessory building on the same lot or parcel.
2. On-site employees of the major home occupation shall be limited to residents of the property and up to two (2) nonresident employees.
3. External impacts, such as traffic, noise, odor, or vibrations, shall not exceed those normally associated with the principal uses permitted in the zoning district within which the property is located.

**TABLE 530.21-1
Permitted Home Occupations By District**

Zoning District	Minor Home Occupation	Major Home Occupation	
	Permitted Accessory Use (As-of-Right)	Permitted Accessory Use (As-of-Right)	Permitted by Special Exception
A-C	X	-	X
AC-1	X	-	X
A-R	X	-	X
AR-1	X	-	X
AR-5	X	-	X
AR-5MH	X	-	X
E-R	X	-	X
ER-2	X	-	X
R-MH	X	-	-
R-1MH	X	-	-
R-2MH	X	-	-

R-1	X	-	X
R-2	X	-	X
R-3	X	-	X
R-4	X	-	X
MF-1	X	-	-
MF-2	X	-	-
MF-3	X	-	-

530.22. **Donation Bins**

The requirements of this Section apply to donation bins (hereinafter referred to as “bins” or “boxes”) which function as accessory uses or structures when used or designed for the purpose of collecting recyclable materials and/or re-sellable goods. This Section shall not apply to primary principal use recycling operations and donation facilities that are located within the same building, and are accessory to a primary principal use, and/or recycling operations in permanent structures. Said primary uses shall meet all applicable development standards of the district in which they are located. The requirements of this Section shall not apply to trash cans, dumpsters, and/or community recycling program containers for glass, metals, paper, cardboard, or similar curbside recyclable materials as described in Chapter 90 of the Pasco County Code of Ordinances.

Unless otherwise stated in this Code, donation bins may be permitted in accordance with this Code on commercial properties zoned C-1 Neighborhood Commercial District, C-2 General Commercial District and C-3 Commercial/Light Manufacturing District and industrial properties Zoned I-1 Light Industrial Park District and I-2 General Industrial Park District and commercial or industrial portions of MPUD Master Planned Unit Development Districts.

In addition to any applicable Zoning District and Land Development Regulations, all donation bins allowed as accessory uses or structures under this Section shall conform to the following requirements.

A. **Zoning and Permitting Requirements**

No donation bin (or box) shall be established unless and until the applicant submits the required information and obtains approval in the form of a Donation Bin Permit, subject to annual renewal, as provided in this Code.

1. Application and Submittal Requirements. In order to obtain zoning approval for one or more donation bin(s) on a site, the applicant shall file with the Planning and Development Department, in writing, the following information:
 - a. A completed Donation Bin Permit application in accordance with Section 530.22 and applicable fees; and
 - b. A site plan showing the location of the proposed donation bin. The location of the donation bin shall comply with the requirements of this Section and may not be placed in a location that would interfere with any required parking spaces such that the elimination of the parking

space causes the on-site business to be in violation of the minimum required parking spaces pursuant to its approved site plan and/or the Land Development Code; and

- c. Written consent of the property owner or legal designee to establish the donation bin; and
 - d. Information as to the manner and schedule for which the donation bin(s) will be emptied and maintained; and
 - e. Evidence that the charitable organization and professional fundraiser, if any, are registered to solicit charitable contributions in the State of Florida.
2. Ongoing Requirements. Following the issuance of a donation bin permit, the donation bin must not be relocated elsewhere within the site unless the applicant obtains a new Donation Bin Permit. The donation bin must meet all applicable permitting requirements. Thereafter, a Donation Bin Permit renewal must be issued annually for each donation bin.

Renewal applications shall include the following:

- a. An affidavit that all information and statements in the original application continue to be true and correct.
- b. An affidavit that the subject donation bin(s) are not subject to ongoing enforcement action.

B. Location and Site Development Requirements

1. Location Requirements. All donation bins must be located only upon improved, level, paved surfaces which constitute part of larger developed and occupied non-residential site in commercial, industrial zoning districts, or commercial or industrial portions of MPUD Master Planned Unit Development Districts. No donation bin shall be permitted on any site that is developed but unoccupied. Each donation bin must be located on the site in such a manner that the bin is not overturned or relocated due to a severe weather event. If not physically affixed to the paved surface, the permittee shall provide a signed indemnification form, which shall indemnify and defend the County from any and all claims and/or damages that may result from movement of the bin and/or its contents as a result of a severe weather event. Indemnification shall be provided on a form approved by the County Attorney's Office. The indemnification form may be signed by the permittee, bin operator, or bin owner. All sites shall have adequate driveway access and maneuverability to accommodate service vehicles and loading vehicles in accordance with Chapter 900 of this Code.
2. Maximum Number. A donation bin shall be limited to one bin per parcel, except that one additional donation bin may be permitted if the parcel or lot has more than three hundred (300) feet of road frontage.

3. Development Standards. All sites shall meet the following requirements:
 - a. If more than one donation bin is located on a property, then all donation bins within the approved location must be arranged side-by-side and may not be separated by more than 12 inches.
 - b. The receiving door on each donation bin must be oriented toward the interior of the site and away from the public right-of-way.
 - c. Each donation bin must be enclosed by use of a receiving door or safety chute to prevent vandalism and locked so that the contents of the bin cannot be accessed by anyone other than those responsible for the retrieval of the contents.
 - d. No donation bin shall exceed 25 square feet in area nor 7 feet in height.
4. Setbacks. All donation bins must conform to the following setbacks:
 - a. From any residential use: thirty (30) feet;
 - b. From any residential zoning district boundary: thirty (30) feet;
 - c. From any right-of-way: five (25) feet;
 - d. From any other property line: five (5) feet.
5. Landscaping. No additional landscaping shall be required. However, donation bins shall not encroach on any required landscaping, and no required landscaping shall be removed to install a donation bin.
6. Signage. Signage shall be limited to five (5) square feet per side. Each donation bin must be clearly marked to identify the name and telephone number of its responsible operator. The permit number shall be displayed on the donation bin (box) as provided in the Donation Bin Permit. The following information shall be visible from the front of any charitable donation bin:
 - a. Name, telephone number, and website of the Permittee of the charitable donation bin.
 - b. Name, telephone number, and website of the benefitting nonprofit organization (if not the Permittee).
 - c. Permit sticker.

The following information shall be visible from the front of any charitable donation bin that is not operated by a nonprofit organization or a professional fundraiser registered to solicit charitable contributions on behalf of a nonprofit organization in the State of Florida:

- a. "This bin is operated by a commercial company that sells the contents for profit."

This disclosure shall be printed on the depositing side of the donation bin in bold and a minimum of four (4) inch font size.

7. **Parking and Travel Lane Design.** No donation bin shall be located so as to occupy or block access to any parking space that is needed to meet the minimum number of parking spaces required by Section 907 of this Code. For attended semi-tractor trailers or other temporary structures, a loading and unloading drive through area shall be provided with a minimum of three (3) waiting spaces (including the car being served). One employee parking space shall be provided.
8. **Indoor Donation Bins.** Notwithstanding any other requirement of this Section, donation bins may be located within a principal building or structure without further review or regulation. Donation bins also may be located within a parking garage provided that all parking and travel lane design requirements of this Section are met.
9. **Maintenance Standards.** Donation bins must be regularly emptied of their contents so that materials and donations do not overflow. The appearance of donation bins shall be maintained including but not limited to, rust free, fresh paint, legible signage, and clean. The area surrounding the donation bin shall be free of any junk, garbage, trash, debris, donations, or another refuse material. All donated items must be located entirely within the donation bin.
10. **Exception for Non-Profit Organizations and Religious Institutions.** Notwithstanding the zoning district requirements of this part, any non-profit organization or religious institution that engages in collection of recyclable materials as part of its organizational mission may maintain its own accessory donation bins on its own building site. All such donation bins must obtain a Donation Bin Permit.

C. Application Completeness Review and Review Timeframes

1. **Application; determination of completeness.** Before any Donation Bin Permit is issued, a written application in the form provided by the County Administrator or designee shall be filed together with such information required in this Code Section 530.22.A. Upon submission of an application, staff shall have ten (10) business days to determine whether the application is complete. If staff finds that the application is not complete, the applicant shall be provided, in writing, a list of deficiencies within the ten (10) business day period. Upon resubmission of the application, staff shall have five (5) additional business days to determine whether the applicant's revisions are sufficient to complete the application. If they are not, staff will again inform the applicant of any remaining deficiencies in writing. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed "as is."

2. Administrative review. Administrative review of a Donation Bin Permit application shall include the review of all information submitted to determine the conformity with this Code.
 3. The County Administrator or designee shall approve or deny the Donation Bin Permit application based on whether it complies with the requirements of this Code Section 530.22 and shall approve or deny the Donation Bin Permit within twenty (20) business days after receipt of a complete application or from the date the applicant demands that the application be reviewed “as is”. The County Administrator or designee shall prepare a written notice of its decision describing the applicant’s appeal rights and send the decision by certified mail, return receipt requested to the applicant pursuant to Section 407.1. The applicant may file an appeal application to the BCC within thirty (30) calendar days after the date of receiving the appeal application. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.
- D. Nonconforming Use. Bins lawfully sited and placed on a property prior to October 25, 2016 may be considered a nonconforming use, pursuant to Chapter 1200 of this Code, and subject to the procedures and restrictions in that Chapter. A nonconforming use determination may be requested with respect to the following elements of the County’s donation bin regulations”
1. The maximum number of bins allowed on a parcel;
 2. The setback requirements for bins; and
 3. The maximum size of signage on bins. Nonconforming signage that existed prior to October 25, 2016, but is larger than allowed by this ordinance, may remain only until replaced or changed and must thereafter meet the size requirements of this ordinance.

Bins located on a property prior to October 25, 2016 will not be considered lawfully sited and/or placed and will not be considered nonconforming uses if placed on undeveloped property, located in violation of the approved site plan for the

property, located without the permission of the property owner, or located or placed in violation of any other law or regulation existing at the time of placement.

- E. Violations. Violations of these provisions may be enforced as described in Chapter 100 of this Code. In addition, violations of any of these standards may result in revocation of a permit. The process for revocation is as follows:

The County Administrator or designee shall prepare a written notice of its decision to revoke the permit, describing the grounds for the decision and the affected parties' appeal rights, and send it by certified mail, return receipt requested, to the property owner, permittee, and other known parties in interest (e.g., the benefitting organization). Any owner, permittee, and/or interested party may file and appeal application to the Board of County Commissioners (BCC) within thirty (30) calendar days after the date of receiving the notice of revocation. If the BCC does not grant the appeal, then the appellant may seek relief in the Circuit Court for the County, as provided by law.

530.23. **Community Gardens, Market Gardens and Community Farms**

- A. Intent and Purpose

The intent of this Section is to:

- Allow the growing of crops and ornamental flowers within Pasco County while minimizing negative impacts to adjacent properties and the community;
- Encourage locally grown produce, promote healthy and nutritional food, and fill gaps in food accessibility within the County;
- Foster community engagement by providing opportunities for recreation education/training, special events, social interaction and economic potential benefits; and
- Provide green space and enhance community character.

The purpose of this Section is to establish design, operations, and maintenance standards for Community Gardens, Market Gardens and Community Farms in Pasco County.

- B. Applicability

1. Community Gardens, Community Farms, and Market Gardens shall be deemed a Permitted Principal Use or Conditional Use, as per this Code Section 500, Table 530.23 - 1 "Table of Principal Uses and Conditional Uses by District – Community Gardens, Market Gardens and Community Farms". This section shall not apply to Home Gardening as defined in this Code, Appendix A.

2. Community Gardens, Market Gardens and Community Farms may be located on otherwise vacant properties, and shall be deemed the principal use until such time that the parcel is developed as per this Code. At that time, the subject Community Garden or Community Farm shall be deemed an accessory use.

C. Application, Permit and Fees

1. A permit shall be required for a Community Garden with structures, Market Garden with or without structures, or Community Farm with structures.
2. Application and permit fees shall apply in accordance with this Code, Section 400 Permit Types and Application, Section 406.8 Garden Plan Permits.

D. Registration

Community Gardens and Community Farms are required to register annually with the Food Policy Advisory Council of Pasco County.

E. Permitted Uses

The following uses, as detailed in Table 530.23-1 shall be located on private property, on the ground or on a portion of a building roof or other structure. These uses may be located on public property with the written approval of the County Administrator or Designee.

1. Home Garden/Vegetable Garden

Means a plot of ground where herbs, fruits, flowers, or vegetables are cultivated for human ingestion, in accordance with the definition in Chapter 604.71, Florida Statutes, with less than 14 vehicle trips daily, with limited heavy vehicle use.

2. Community Garden

A community garden is a garden used to grow and harvest food crops or ornamental plants (including flowers) with daily vehicle trips of greater than 14 vehicle trips per day and less than 100 vehicle trips per day, with limited use of heavy vehicles. Community gardens may be any size.

3. Market Garden

A market garden primarily sells and buys produce grown on-site or off-site including fruits, vegetables and other garden derived edibles with daily vehicle trips of more than 14 vehicle trips daily, and is less than 5 acres.

4. Community Farm

A community farm primarily grows produce, fruits, vegetables and other garden derived edibles primarily for distribution off-site with daily vehicle trips of 14 vehicle trips or more daily. Community farms may be any size.

TABLE 530.23-1

**Table of Principal Uses and Conditional Uses by District
Community Gardens, Market Gardens and Community Farms**

Zoning District	PRINCIPAL USE				CONDITIONAL USE		
	Home Garden/ Vegetable Garden	Community Garden	Market Garden	Community Farm	Community Garden	Market Garden	Community Farm
A-C	X	X	X	X			
AC-1	X	X	X	X			
A-R	X	X	X	X			
AR-1	X	X	X	X			
AR-5	X	X	X	X			
AR-5MH	X	X	X	X			
E-R	X	X		X		X	
ER-2	X	X		X		X	
R-MH	X	X		X		X	
R-1MH	X	X		X		X	
R-2MH	X	X		X		X	
R-1	X	X		X		X	
R-2	X	X				X	X
R-4	X	X				X	X
MF-1	X						
MF-2	X	X				X	X
MF-3	X	X				X	X
MPUD	X	X				X	X
PO-1		X	X	X			
PO-2		X				X	X
C-1		X				X	X
C-2		X	X	X			
C-3		X	X	X			
I-1		X	X	X			
I-2					X	X	X

F. Development Standards

1. Community Gardens, Market Gardens, and Community Farms are allowable as a Permitted Principal Use in all Agricultural zoning districts. Home gardens/vegetable gardens are allowable as a permitted principal use in all residential zoning districts.
2. Uses allowable as Permitted Principal Uses or Conditional Uses are detailed in the Table of Permitted Principal Uses and Conditional Uses for Community Gardens, Market Gardens and Community Farms as detailed in Table 530.23-1 Table of Permitted Principal Uses and Conditional Uses by District for Community Gardens, Market Gardens and Community Farms.

All of these uses shall meet the requirements outlined in Table 530.23-2. Those uses that are permitted Conditional Uses, shall meet the additional requirements identified during the Conditional Use permit process, in accordance with Chapter 400, Permit Types and Applications, Section 402 Use Permits, 402.3 Conditional Uses.

**TABLE 530.23-2
Community Gardens, Market Gardens and Community Farms
Development Standards**

General Standards				
Standard	Home Garden/ Vegetable Garden	Community Garden	Market Garden	Community Farm
A. Can be the primary use on a vacant parcel	X	X	X	X
B. If parcel is not vacant the garden or farm shall be an accessory to a business or		X	X	X
C. Educational and charitable uses pertaining to the creation and operation of gardens or community farms are allowed		X	X	X
D. All state and federal regulations shall be met.		X	X	X
E. Allowed in Residential districts only if heavy vehicles do not exceed 10% of all vehicle trips			X	X

Design Standards			
Standard	Community Garden	Market Garden	Community Farm
A. Transportation review may be required in accordance with Section 901 of this Code.		X	X

B. A Garden Plan review is required by the County Administrator or designee. At a minimum, the Garden plan should: a) show the property size with readable dimensions; b) reflect existing streets	X	X	X
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(label), easements or land reservations within the site; c) include proposed fencing and screening, if any; d) indicate any buildings to be removed or demolished; e) show setbacks to all structures and from adjoining property lines; f) show existing driveways and any changes proposed to said driveways; g) label adjacent property owners; and h) identify the source of water that will be used for irrigation purposes. If structures are proposed, a Site Plan is required, consistent with this Code, Section 530.23 (See Table 530.23-3 Community Gardens, Market Gardens and Community Farms Required Site Plans.)			
C. Located on a vacant parcel will not require buffers	X		X
D. Accessory structures must follow set back guidelines and buffer requirements within the underlying zoning classification.	X	X	X
E. Accessory structures such as farm stands, hoop houses, green houses, storage shed, hydroponic and aquaponics systems enclosures can occupy up to one-third of the total available garden or farm area collectively. Raised bed or garden box structures should be of stone, bricks, concrete blocks, ACQ Ground Contact treated lumber, or cedar, redwood or synthetic wood. Railroad ties and old pressure treated lumber purchased prior to 2004 are prohibited for edible raised beds due to the potential for food contamination from creosote and arsenic.	X	X	X
F. Requested irrigation hook-up must use water conservation techniques (such as micro-irrigation or drip)	X	X	X
G. Gates, Fences and Walls in accordance with this Code, Chapter 1000 Miscellaneous Structure Regulations, Section 1003 Gates, Fences and Walls. No new chain linked fences permitted.	X	X	X
H. ADA accessible suitable materials may be used for disabled participants	X	X	X
I. Signs are permitted in accordance with this Code, Section 406.1	X	X	X
J. Composting plant material bins shall be located at the center or rear of the site	X	X	X
K. Must meet parking requirements of this Code, Section 907		X	X

L. Benches, Picnic Tables and garden art and similar amenities are allowed on-site. Acceptable garden art excludes recycled toilets, bathtubs, sinks, tires, refrigerators and other similar items.	X	X	X
M. All site drainage must be retained on-site and be in accordance with this Code.	X	X	X
N. All structures associated must meet Florida Building Code, unless specifically exempted by the Florida Statutes, Chapter 553.73.	X	X	X

Operational Standards			
Standard	Community Garden	Market Garden	Community Farm
A. Sales are permitted in accordance with Section 66-97 of the Pasco County Code of Ordinances		X	X
B. In accordance with the Pasco County Code of Ordinances, Article IV, Division 2 Noise, Section 66-97 Specific Noises Prohibited and this Code, Ambient noises or other noises resulting from the sales operation shall not result in public nuisances as measured at the permittee's property lines and shall not generate noise in excess of that allowed by regulation of any local, State, or Federal agency.	X	X	X
C. Special events are limited to a maximum of 3 days per event	X		
D. Raw and processed sales of produce is allowed on or off-site		X	X
E. Employee(s) or equivalent are permitted, in addition to the property owner	X	X	X
F. A farm manager is required and equivalent employees are allowed, in addition to the property owner			X
G. The property owner must apply for the permit. A principal point of contact must be provided annually through an annual garden registration application.	X	X	X
H. In residential zones, motor vehicles associated with the operations of a garden/farm shall be in accordance with this Code, Section 530.16 (Parking and Storage of Commercial Vehicles and Commercial Equipment in Certain Areas is Prohibited). The use or operation of power tools or portable mechanical equipment used outdoors in residentially zoned districts is prohibited between sunset and sunrise so as to avoid disturbance in the community, in accordance with this Code.	X	X	X
I. Aquaponics and Hydroponics operations are allowed. Water conservation practices must be followed, at minimum in accordance with county, state and federal laws.		X	X

J. Pest, Herbicides and Fertilizer Products must be used in accordance with the label and Article IV, Section 42 of the Pasco County Code of Ordinances.	X	X	X
K. If selling or bartering raw or processed produce, a relevant license may be required to apply pest, herbicides and fertilizer products	X	X	X
L. Hours of operations shall be between sunrise to sunset.	X	X	X
M. The following activities are prohibited: amplified sound above 55 dBAs in accordance with this Code and the Pasco County Code of Ordinances, Article IV, Division 2. Crops which require any agricultural appurtenances related to pest mitigation above 55 dBAs as measured from the nearest adjacent property line, and crops prohibited by State or Federal law.	X	X	X
N. If there will be sales to the public the garden/farm owner or manager must participate in an annual food safety program as recommended by the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS) and produce a certification of such participation to the County upon request	X	X	X

Maintenance Standards			
Standard	Community Garden	Market Garden	Community Farm
A. Gardeners shall properly tend to the garden, for example Gardeners shall prepare planting areas for off-season in a manner that creates positive aesthetics in addition to controlling dust, erosion, and run-off. This shall include but is not limited to removal or tilling of dead plant debris, etc.	X	X	X
B. Equipment, fertilizers and pesticides must be secured at all times if left on-site with a locked storage box or equipment shed	X	X	X
C. Proper handling of composting will occur regularly to reduce odor	X	X	X
D. Trash and waste will be removed from site at the minimum weekly	X	X	X

TABLE 530.23-3

Community Gardens, Market Gardens and Community Farms Require Site Plans

Type	Site Plan Required	
	No Structures	Structures
Community Garden	No	Yes

Market Garden	Yes	Yes
Community Farm	Yes	Yes
If not exempt under Florida Statutes, Chapter 193.46		

3. Thresholds by Use Type are detailed in Table 530.23-4 for Vehicle Trips, Parking, Heavy Vehicles, Business Tax Receipts and Special Events.

TABLE 530.23-4 Thresholds by Use Type

Use Type	Vehicle Trips	Parking	Heavy Vehicles	Business Tax Receipt
Code Citation	Vehicle Trips in accordance with Section 901 of this Code.	Parking in accordance with Section 907.1 of this Code.	Heavy Vehicles in accordance with Section 901 of this Code.	Business Tax Receipt in accordance with Article II, Occupational License Tax, Section 102 of the Pasco County Code of Ordinances.
Home Garden/ Vegetable Garden	< 14 vehicle trips	No	No	No
Community Garden	> 14 vehicle trips < 100 vehicle trips	No	Limited, max 2 per day	No
Market Gardens	> 14 vehicle trips	Yes	Yes	Yes
Community Farm	> 14 vehicle trips	Yes	Yes	Yes
If not exempt under Florida Statutes, Chapter 193.46				

G. Community Gardens on Public Land

1. Community Gardens are allowed on public lands through the use of a Land Use Agreement for non-profit entities engaged in community development activities. Community Gardens on lands funded by impact fees shall only be allowed as an interim use.

Community Farms may be allowed through ground lease agreements with the County, for profit with payment to the County

to be specifically allocated to the Food Policy Advisory Council for its stated public purpose.

2. All public infrastructures on-site must retain or provide a direct access path, five (5) foot in width from the closest right-of-way (ROW) and have a five (5) foot clear buffer around such infrastructure. A hardscape damage waiver must be filed with the Pasco County Utilities Engineering & Contracts Management Department.
3. The applicant shall register the garden and provide the County with a completed Community Garden application, which shall include:
 - a. Contact information of Garden Manager and Sponsor;
 - b. A narrative stating the purpose and objective of the Community Garden;
 - c. A not for profit entity must sponsor the garden and be the primary contracting entity for the Land Use Agreement and insurance;
 - d. A Land Use Agreement between the applicant and the County;
 - e. Approved Site Plan

530.24 Accessory Dwelling Units

- A. Intent and Purpose. To allow Accessory Dwelling Units (ADUs) to be constructed in zoning districts that allow single family dwelling units and in portions of MPUDs that have single family dwellings as principal permitted uses. ADUs are intended to provide additional housing ancillary to the principal dwelling unit, to increase housing opportunities, promote mixed-income neighborhoods, encourage infill development, address the “missing middle” housing types, address affordable housing needs, and provide housing opportunities for extended families.
- B. Required Standards. The following standards are necessary to ensure the compatibility of the ADUs with the surrounding neighborhoods and to mitigate negative impacts that would be caused by increasing residential densities in such neighborhoods. ADUs may be approved on individual parcels within existing neighborhoods and subdivisions or in conjunction with new development. ADUs may not be appropriate in every situation due to existing site constraints and limitations imposed by these standards. Existing MPUDs with ADU standards are not superseded by this Code section. Additionally, individual restrictive covenants may prohibit ADUs.
 1. Dimensional Standards.

- a. Size. The minimum size of an ADU shall be subject to the Florida Building Code. ADUs shall not exceed 1,200 square feet of living space. The ADU shall be smaller than the principal unit.
- b. Setbacks. The ADU shall comply with applicable principal structure zoning setbacks.
- c. Height. Shall not exceed the height limitations of the zoning district.
- d. Lot Coverage. Shall not exceed the lot coverage of the zoning district. For MPUDs that make a distinction between the principal structure and accessory structure lot coverage, the lot coverages shall be combined.

A Special Exception in conformance with Section 402.4 of this Code may be approved for deviations from the requirements of “a” and/or “b” above.

2. Development Standards.

- a. Florida Building Code and the applicable provisions of this Code shall apply.
- b. Where a garage is converted to an ADU, the garage door shall be removed, and the building opening closed.
- c. Parking shall be provided on site unless permanent on-street parking is permissible within the neighborhood. The number of required parking spaces shall be pursuant to Section 907.1 of this Code.
- d. The ADU may be required to connect to existing water, sewer, electric, and other existing utility connections as determined by Pasco County. Where the principal dwelling unit relies on septic and groundwater, the applicant shall obtain an approval letter from the Florida Department of Health in Pasco County.
- e. An ADU may be located within the single-family dwelling with a separate entrance or within a conforming separate accessory structure. ADUs as separate structures may be subject to separate stormwater and solid waste non-ad valorem assessments.
- f. ADUs must be built on a permanent, fixed foundation that is designed to meet the requirements of the Florida Building Code and any referenced standards.

3. Additional Standards.

- a. Neither unit may be used as a Vacation Rental, as defined in this Code unless the process in LDC Section 402.5.B is followed.
- b. No more than one (1) ADU may be permitted per lot.
- c. An ADU may be constructed with or after the construction of the principal dwelling unit.
- d. A lot containing an ADU shall not be subdivided to separate the ADU from the principal dwelling unit unless such division can meet all applicable standards of the zoning district, land development regulations, and the Comprehensive Plan. This includes condominium and cooperative projects. Subdividing the parcel shall cause the ADU to become a principal structure. All applicable impact and mobility fees shall be paid.
- e. ADUs are exempt from Comprehensive Plan and Zoning density calculations (including MPUDs) but shall be included in school planning calculations.
- f. Notwithstanding Sections 1302.2, 1302.4, 1302.5, 1302.6 and 1302.7 of the LDC, no impact fee (other than school) shall be assessed for an ADU that is, cumulatively with any pre-existing ADU square footage, less than 500 total square feet in size. ADUs between 0 and 900 square feet shall pay the reduced multi-family rate for school impact fees. ADUs between 500 and 900 square feet shall pay the reduced ADU mobility fee rate and reduced multifamily library impact fee. ADUs in excess of the foregoing sizes shall pay the applicable single-family rate for all impact fees.

APPENDIX A

DEFINITIONS

Accessory Dwelling Units (ADUs). ADUs are an ancillary or secondary living unit that has a separate kitchen, bathroom, and sleeping area. The ADU may be a separate and detached structure, attached to the principal structure, a repurposed existing space within the principal structure, new space within the principal structure constructed simultaneously with the principal structure, an apartment over a garage, or a similar structural form. ADUs may or may not be deemed affordable housing.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 11, 2025

Nikki Alvarez-Sowles, Esq.
County Clerk and Comptroller
Pasco County
14236 6th Street, Suite 201
Dade City, Florida 33523

Dear Nikki Alvarez-Sowles:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Pasco County Ordinance No. 25-22, which was filed in this office on April 11, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp